

ORDINANCE NO.: 5000

AN ORDINANCE to amend Section 22-23, 22-24(d), 22-24(f)(1) and 22-24(f)(3) and (4) of the Code of Ordinances of the City of La Crosse regarding the Human Rights Commission.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 22-23 is hereby amended to read as follows:

Sec. 22-23. – City of La Crosse Human Rights Commission

The Mayor, subject to confirmation by the Common Council, shall appoint a City of La Crosse Human Rights Commission, consisting of ~~eight~~ seven members, one of whom shall be designated Chair by the members of the Commission. ~~One member shall be a member of the Common Council.~~ Members shall be appointed from among the residents of the entire City, and shall be committed to the principle of equal opportunities. They shall receive no compensation for their services.

SECTION II: Section 22-24(d) is hereby amended to read as follows:

- (d) Notice to respondent. Upon the filing of a complaint, the City Clerk ~~Commission~~ shall serve a copy thereof upon the respondent within 20 days of said filing.

SECTION III: Section 22-24(f)(1) is hereby amended to read as follows:

- (1) Upon filing of the complaint, the City Clerk shall distribute a copy of the complaint to each commissioner. Within twenty (20) business days of the filing of the complaint, the commission shall determine probable cause. An independent fact finder, not a member of the Commission, designated by the Commission shall promptly investigate all duly filed complaints. Within 45 days of the filing of each complaint, said fact finder should issue to the complainant, respondent and the Commission an initial determination in writing of whether probable cause, as defined in this article, exists, and setting forth the basis of the determination. The Commission may extend the time frames provided in this article other than the time to appeal upon a showing of good cause.

SECTION IV: Sections 22-24(f)(3) and (4) are amended to read as follows:

- (3) Should a determination be made that there is probable cause to believe discrimination in violation of this article has been or is being committed, , the City Clerk shall be informed by the chair of the Commission. Upon such notice, the City Clerk shall send notice to the respondent. Upon receipt of said notice, the respondent shall have twenty (20) business days to file and serve a written response. Such written response shall be served upon the complainant and the City Clerk. an outside mediator designated by the Commission shall endeavor by means of mandatory mediation to eliminate the alleged discriminatory practice. Both parties shall have a good faith obligation to participate in mediation.
- (4) Upon receipt of such written response, the commission may decide to dismiss the complaint. Should the commission still make the determination there is probable cause

to believe discrimination in violation of this article has been or is being committed, the Commission may:

- i. designate an outside mediator;
- ii. designate an independent fact finder;
- iii. issue a notice of hearing

SECTION V: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION VI: This Ordinance shall take effect upon passage and publication.

_____/s/_____
Timothy Kabat, Mayor

_____/s/_____
Nikki Elsen, Deputy City Clerk

Passed: 6/8/17
Approved: 6/9/17
Published: 6/17/17