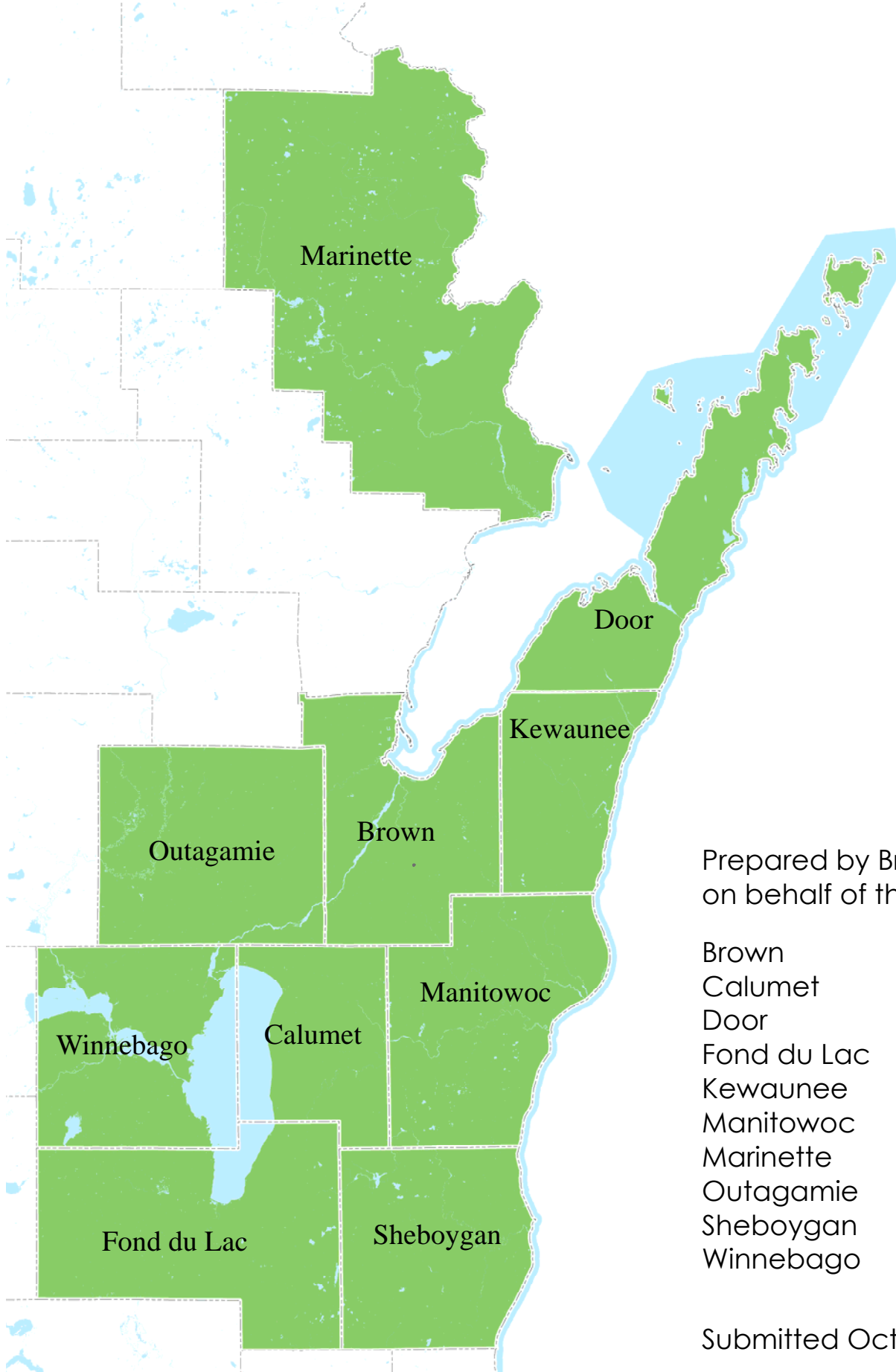


Northeastern Wisconsin CDBG-Housing Consortium 2012 CDBG-Housing Application



Prepared by Brown County,
on behalf of the Counties of:

- Brown
- Calumet
- Door
- Fond du Lac
- Kewaunee
- Manitowoc
- Marinette
- Outagamie
- Sheboygan
- Winnebago

Submitted October 31, 2012

SECTION A: GENERAL INFORMATION

Applicant/Lead County

County Name	Brown County
County Executive Name	Troy Streckenbach
County Administrator/Coordinator	Brent Miller
Street Address	305 E. Walnut Street
PO BOX	PO Box 23600
City, WI ZIP	Green Bay, WI 54305-3600
Telephone	(920) 448-4001
Fax	(920) 448-4003
Email	streckenbach_tj@co.brown.wi.us

First and Last Contact Person Name	Aaron Schuette
Street Address (if different from above)	
City, WI ZIP	
Telephone	(920) 448-6486
Fax	(920) 448-4487
Email	schuette_am@co.brown.wi.us

Service Area

County Name	Resolution Adoption Date	Housing Committee Designated Member Name and Contact Information
Brown	7/23/2012	Aaron Schuette schuette_am@co.brown.wi.us (920) 448-6486
Calumet	6/19/2012	Julie Schmelzer schmelzer.julie@co.calumet.wi.us
Door	6/26/2012	Sam Perlman sam@doorcountybusiness.com

Fond du Lac	6/19/2012	Sam Tobias sam.tobias@fdlco.wi.gov
Kewaunee	8/21/2012	Bill Kelsey kelseyw@kewauneeeco.org
Manitowoc	7/18/2012	Andrea Raymakers AndreaRaymakers@co.manitowoc.wi.us
Marinette	6/26/2012	Ellen Sorensen esorensen@marinettecounty.com
Outagamie	6/28/2012	Debra Dillenberg DebraD@appletonhousing.org
Sheboygan	8/21/2012	Aaron Brault braulacb@co.sheboygan.wi.us
Winnebago	9/4/2012	Brad Masterson bradm@ohawcha.org

Consortium Authorization Resolutions From the Counties of:

Brown

Calumet

Fond du Lac

Kewaunee

Manitowoc

Marinette

Outagamie

Sheboygan

Winnebago



July 18, 2012

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

RESOLUTION ESTABLISHING THE
NORTHEASTERN WISCONSIN HOUSING CONSORTIUM

WHEREAS, Brown County recognizes the need for its citizens to have access to properly maintained housing; and

WHEREAS, the State of Wisconsin Community Development Block Grant (CDBG) – Housing program provides grant funding to regional county-based consortia for loans to low and moderate income persons to undertake housing rehabilitation among other eligible activities; and

WHEREAS, Brown County proposes submitting jointly with the Counties of Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Marinette, Outagamie, Sheboygan, and Winnebago as the Northeastern Wisconsin Housing Consortium an application for funds under the CDBG - Housing program of the Wisconsin Department of Administration - Division of Housing (DOH) for the purpose of meeting that need; and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium desire to, and are required to, enter into a written cooperative agreement with each other to participate in such CDBG program; and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium understand that Brown County will act as the lead county and will have the ultimate

responsibility to assume all obligations under the terms of the grant, including assuring compliance with all applicable laws and program regulations and performance of all work in accordance with the grant contract; and

WHEREAS, it is understood that the U.S. Department of Housing and Urban Development and Wisconsin Department of Administration - Division of Housing have access to all participants' grant records and authority to monitor all activities; and

WHEREAS, nothing contained in this resolution shall deprive any municipality of any zoning, development control, or other lawful authority which it presently possesses.

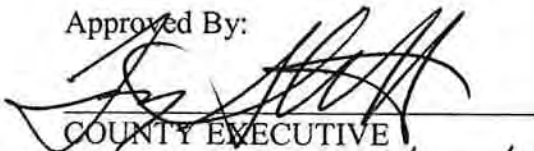
WHEREAS, the Planning and Land Services Department is working with the Human Resources Department to create the appropriate grant-funded position to carry out the responsibilities of the grant program to be included in the 2013 budget process.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Wisconsin Statutes 66.0301, Brown County agrees to cooperate in the submission of an application for such funds as a member of the Northeastern Wisconsin Housing Consortium, and in the implementation of the CDBG-Housing program, if approved by the Wisconsin Department of Administration – Division of Housing.

Respectfully submitted,

PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

Approved By:


COUNTY EXECUTIVE

Date Signed:

7/23/12

Authored by: Planning Commission

Final Draft Approved by Corporation Counsel

Fiscal Note: This resolution does not require an appropriation from the General Fund. Acting as the Lead County in the Consortium, the position required will be funded entirely from the CDBG grant.

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor Dantinne
 Seconded by Supervisor Vander Leest

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
SIEBER	1	}		
DE WANE	2			
NICHOLSON	3			
HOYER	4			
HOPP	5			
HAEFS	6			
ERICKSON	7			
ZIMA	8			
EVANS	9			
VANDER LEEST	10			
BUCKLEY	11	EXCUSED		
LANDWEHR	12	}		
DANTINNE, JR	13			

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
LA VIOLETTE	14	EXCUSED		
WILLIAMS	15	}		
KASTER	16			
VAN DYCK	17			
SCHULLER	18			
ROBINSON	19			
CLANCY	20			
WETZEL	21			
MOYNIHAN, JR	22			
STEFFEN	23			
CARPENTER	24		EXCUSED	
LUND	25	}		
FEWELL	26			

Total Votes Cast 23
 Motion: Adopted Defeated _____ Tabled _____

RESOLUTION 2012-17
RESOLUTION ESTABLISHING THE NORTHEASTERN WISCONSIN
HOUSING CONSORTIUM

To the Honorable Chair and Board of Supervisors of Calumet County, Wisconsin:

WHEREAS, Calumet County recognizes the need for its citizens to have access to properly maintained housing; and

Motion:	Adopted: <input checked="" type="checkbox"/>
1 st <u>Draheim</u>	Lost: <input type="checkbox"/>
2 nd <u>T. Laughrin</u>	Tabled: <input type="checkbox"/>
Yes: <u>18</u> No: <u>0</u>	Absent: <u>3</u>
Number of votes required:	
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds
Reviewed by: Dawn Klockow Corp Counsel	

WHEREAS, The State of Wisconsin Community Development Block Grant (CDBG) – Housing program provides grant funding to regional county-based consortia for loans to low and moderate income persons to undertake housing ownership and rehabilitation among other eligible activities; and

WHEREAS, Calumet County proposes submitting jointly with the Counties of Brown, Door, Fond du Lac, Kewaunee, Manitowoc, Marinette, Outagamie, Sheboygan, and Winnebago as the Northeastern Wisconsin Housing Consortium an application for funds under the CDBG - Housing program of the Wisconsin Department of Administration - Division of Housing (DOH) for the purpose of meeting that need; and

WHEREAS, The counties within the Northeastern Wisconsin Housing Consortium desire to and are required to, enter into a written cooperative agreement with each other to participate in such CDBG program; and

WHEREAS, The counties within the Northeastern Wisconsin Housing Consortium understand that Brown County will act as the lead County and will have the ultimate responsibility to assume all obligations under the terms of the grant including assuring compliance with all applicable laws and program regulations and performance of all work in accordance with the grant contract; and

WHEREAS, It is understood that the U.S. Department of Housing and Urban Development and Wisconsin Department of Administration - Division of Housing have access to all participants' grant records and authority to monitor all activities; and

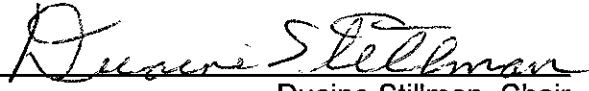
WHEREAS, Nothing contained in this resolution shall deprive any municipality of any zoning, development control, or other lawful authority which it presently possesses.

NOW, THEREFORE BE IT RESOLVED, Pursuant to Wisconsin Statutes §66.0301, Calumet County agrees to cooperate in the submission of an application for such funds as a member of the Northeastern Wisconsin Housing Consortium, and in the implementation of the CDBG-Housing program, if approved by the Wisconsin Department of Administration – Division of Housing.

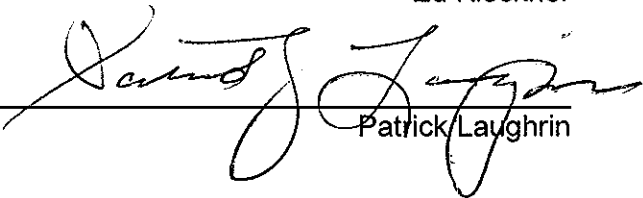
	YES	NO	A	
1 BARRIBEAU				
2 BUDDÉ				
3 CONNORS				
4 DIETRICH				
5 DRAHEIM				
6 GENTZ				
7 GLAESER				
8 GREEN				
9 HOPFENSBERGER				X
10 KLECKNER				X
11 LA SHAY				
12 LAUGHRIN, P.				
13 LAUGHRIN, T.				
14 LEONHARDT				
15 MUELLER				
16 OTT				X
17 PRESCOTT				
18 STECKER				
19 SCHWALENBERG				
20 STIER				
21 STILLMAN				

Dated this 19th day of June 2012.

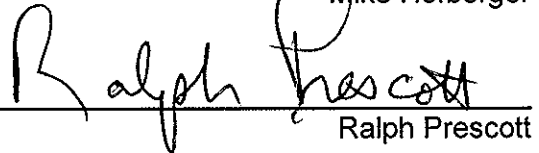
**INTRODUCED BY THE PLANNING, ZONING,
AND LAND CONSERVATION COMMITTEE**


Duaine Stillman, Chair

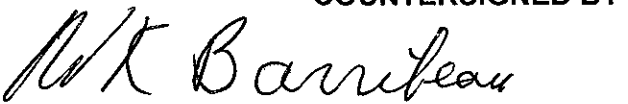
Ed Kleckner


Patrick Laughrin

Mike Hofberger


Ralph Prescott

COUNTERSIGNED BY


William Barribeau, County Board Chair



Resolution No. 2012-56

WISCONSIN'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NORTHEAST WISCONSIN HOUSING CONSORTIUM AGREEMENT

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BRANN	X		
ENGLEBERT	X		
ENIGL	X		
FEUERSTEIN	X		
FISHER	X		
FONTAINE	X		
GUNNLAUGSSON	X		
HAINES	X		
KOHOUT	X		
LIENAU	X		
MEYER	X		
MOELLER	X		
MULLIKEN	X		
NEINAS	X		
O'CONNOR	X		
RUNQUIST	X		
SCHULTZ	X		
VIRLEE	X		
WIEGAND	X		
ZIPPERER	X		
	21	0	0

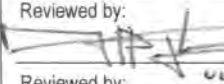
BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Lienau Defeated

2nd Fontaine

Yes 21 No 0 Exc: 0

Reviewed by:  Corp. Counsel

Reviewed by: 06-21-12 Administrator

FISCAL IMPACT: There is no fiscal implication with the forming of a consortium for affordable housing block grants. Grants will be administered by the consortium. sms

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of June, 2012 by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Wisconsin's Community Development Block Grant
2 (CDBG) program is administered by the Wisconsin Department of
3 Administration (DOA), Division of Housing (DOH), and provides grants to
4 local units of government for housing programs which principally benefit
5 low and moderate income (LMI) households; and
6
7 **WHEREAS**, Beginning this year, CDBG housing funds will go to
8 county consortia instead of directly to eligible municipalities; and
9
10 **WHEREAS**, Door County desires, and is required as a condition of
11 participation in the CDBG program, to enter into a written cooperative
12 agreement, pursuant to Section 66.0301 Wisconsin Statutes, with other
13 counties to form the Northeast Wisconsin Housing Consortium; and
14
15 **WHEREAS**, Door County has identified the need to provide decent
16 affordable housing within the geographic area covered by the Northeast
17 Wisconsin Housing Consortium; and
18
19 **WHEREAS**, Door County contemplates submitting, jointly with
20 members of the Northeast Wisconsin Housing Consortium, an application
21 for funds under the CDBG housing program, administered by DOH, for
22 the purpose of meeting those needs, and
23
24 **WHEREAS**, Brown County is the Lead County within the Northeast
25 Wisconsin Housing Consortium, and will assume all Lead County
26 responsibilities, including: administrative, fiscal, policy, monitoring, and
27 compliance.
28
29 **NOW, THEREFORE, BE IT RESOLVED**, by the Door County Board
30 of Supervisors, that Door County will enter into a written cooperative
31 agreement, pursuant to Section 66.0301 Wisconsin Statutes, with other
32 counties, including (see: 2012 CDBG Regional Consortia Map) to form
33 the Northeast Wisconsin Housing Consortium as described supra.

SUBMITTED BY: FINANCE COMMITTEE


David Lienau, Chairman


Joel Gunnlaugsson


Daniel Austad


Kathy Schultz


Charles Brann


Leo Zipperer


Kenneth Fisher

RESOLUTION NO. 24-12

**RESOLUTION ESTABLISHING FOND DU LAC COUNTY AS A MEMBER
OF THE NORTHEASTERN WISCONSIN HOUSING CONSORTIUM**

WHEREAS, Fond du Lac County recognizes the need for its citizens to have access to properly maintained housing, and

WHEREAS, the State of Wisconsin Community Development Block Grant (CDBG) Housing Program provides grant funding to regional county-based consortia for loans to low- and moderate-income persons to undertake housing rehabilitation, among other eligible activities, and

WHEREAS, Fond du Lac County proposes submitting jointly with the counties of Brown, Calumet, Door, Kewaunee, Manitowoc, Marinette, Outagamie, Sheboygan, Shawano and Winnebago, as the Northeastern Wisconsin Housing Consortium, an application for funds under the CDBG Housing Program of the Wisconsin Department of Administration Division of Housing (DOH) for the purpose of meeting that need, and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium desire to, and are required to, enter into a written cooperative agreement with each other to participate in the CDBG Program, and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium understand that Brown County will act as the lead county and will have the ultimate responsibility to assume all obligations under the terms of the grant, including assuring compliance with all applicable laws and program regulations and performance of all work in accordance with the grant contract, and

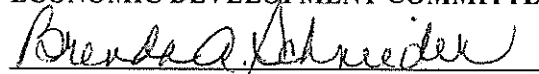
WHEREAS, it is understood that the U.S. Department of Housing and Urban Development and the Wisconsin Department of Administration Division of Housing have access to all participants' grant records and authority to monitor all activities, and

WHEREAS, nothing contained in this resolution shall deprive any municipality of any zoning, development control, or other lawful authority which it presently possesses.

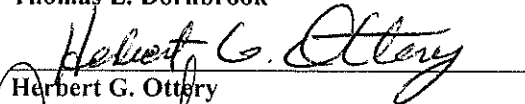
NOW, THEREFORE, BE IT RESOLVED that pursuant to Wisconsin Statutes 66.0301, Fond du Lac County agrees to cooperate in the submission of an application for such funds as a member of the Northeastern Wisconsin Housing Consortium and in the implementation of the CDBG Housing Program, if approved by the Wisconsin Department of Administration Division of Housing.

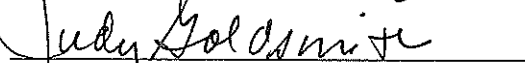
Dated June 19, 2012

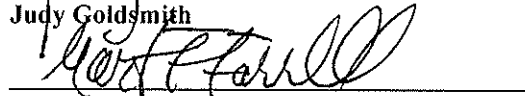
**SUBMITTED BY:
FINANCE, PERSONNEL AND
ECONOMIC DEVELOPMENT COMMITTEE**


Brenda A. Schneider

Thomas E. Dornbrook


Herbert G. Ottery


Judy Goldsmith



Martin F. Farrell

FISCAL NOTE: This resolution does not require an appropriation from the County General Fund.

APPROVED BY:


Allen J. Buechel
COUNTY EXECUTIVE

APPROVED BY:


William J. Bendt
CORPORATION COUNSEL

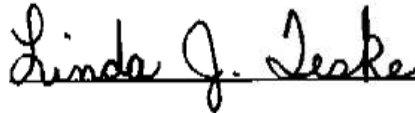
CERTIFICATION

STATE OF WISCONSIN:

SS

COUNTY OF KEWAUNEE:

I, Linda J. Teske, County Clerk in and for Kewaunee County, do hereby certify that the attached is a true and correct copy of the Resolution adopted by the Kewaunee County Board of Supervisors in regular monthly session, August 21, 2012.

A handwritten signature in cursive script that reads "Linda J. Teske". The signature is written in black ink and is positioned above a solid horizontal line.

Linda J. Teske, Kewaunee County Clerk

RESOLUTION NO. 13-8-12

**A RESOLUTION ESTABLISHING THE
NORTHEASTERN WISCONSIN HOUSING CONSORTIUM**



TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Kewaunee County recognizes the need for its citizens to have access to properly maintained
2 housing; and
3
4 **WHEREAS**, the State of Wisconsin Community Development Block Grant (CDBG) – Housing program
5 provides grant funding to regional county-based consortia for loans to low and moderate income persons
6 to undertake housing rehabilitation among other eligible activities, and
7
8 **WHEREAS**, Kewaunee County proposes submitting jointly with the Counties of Calumet, Door, Fond du
9 Lac, Brown, Manitowoc, Marinette, Outagamie, Sheboygan, and Winnebago as the Northeastern
10 Wisconsin Housing Consortium an application for funds under the CDBG - Housing program of the
11 Wisconsin Department of Administration - Division of Housing (DOH) for the purpose of meeting that
12 need, and
13
14 **WHEREAS**, the counties within the Northeastern Wisconsin Housing Consortium desire to and are
15 required to, enter into a written cooperative agreement with each other to participate in such CDBG
16 program, and
17
18 **WHEREAS**, the counties within the Northeastern Wisconsin Housing Consortium understand that Brown
19 County will act as the lead County and will have the ultimate responsibility to assume all obligations under
20 the terms of the grant including assuring compliance with all applicable laws and program regulations and
21 performance of all work in accordance with the grant contract, and
22
23 **WHEREAS**, it is understood that the U.S. Department of Housing and Urban Development and
24 Wisconsin Department of Administration - Division of Housing have access to all participants' grant
25 records and authority to monitor all activities, and
26
27 **WHEREAS**, nothing contained in this resolution shall deprive any municipality of any zoning, development
28 control, or other lawful authority which it presently possesses.
29
30 **NOW, THEREFORE, BE IT RESOLVED**, that the Kewaunee County Board of Supervisors, duly
31 assembled this 21st day of August, 2012, agrees to cooperate in the submission of an application for
32 such funds as a member of the Northeastern Wisconsin Housing Consortium, and in the implementation
33 of the CDBG-Housing program, if approved by the Wisconsin Department of Administration – Division of
34 Housing.

Respectfully Submitted,

HUMAN SERVICES COMMITTEE

Linda Sinkula _____
Kay E. Shillin _____
John A. ... _____
Debra Koenig _____

APPROVED AS TO FORM

Jeffrey R. Wisnicky
Corporation Counsel

FISCAL IMPACT STATEMENT:

	Y E S	N O	A B S E N T	A B S T A I N
Abrahamson, J.				
Barlow, J.				
Cravillion, D.				
Dax, B.				
Delebrea, D.				
Garfinkel, R.				
Heidmann, B.				
Heuer, R.				
Hutter, C.				
Kirchman, L.				
Koenig, L.				
Mayer, D.				
Paider, R.				
Papham, B.				
Reckelberg, G.				
Shillin, K.				
Sinkula, L.				
Swoboda, J.				
Wagner, C.				
Weidner, R.				
TOTALS				



No. 2012/2013- 35

**RESOLUTION AUTHORIZING PARTICIPATION IN
NORTHEASTERN WISCONSIN HOUSING CONSORTIUM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes the need for its residents to have decent,
2 affordable, and properly maintained housing; and
3

4 WHEREAS, the Wisconsin Department of Administration, Division of Housing administers
5 the Community Development Block Grant (CDBG) Housing Program and provides grants to local
6 units of government for housing programs for low and moderate income households; and
7

8 WHEREAS, the State has determined that, beginning in 2012, CDBG Housing Program grants
9 will be given to county consortia instead of to individual municipalities; and
10

11 WHEREAS, Manitowoc County is required, as a condition of participation in the CDBG
12 Housing Program, to enter into a written cooperative agreement with other counties under Wis.
13 Stat. § 66.0301 and to form the Northeast Wisconsin Housing Consortium; and
14

15 WHEREAS, Manitowoc County contemplates participating with the other members of the
16 Northeastern Wisconsin Housing Consortium in applying for CDBG Housing Program funds; and
17

18 WHEREAS, Brown County will act as the lead county for the Consortium and will assume
19 lead responsibility for all administrative, compliance, fiscal, monitoring, and policy matters;
20

21 NOW, THEREFORE BE IT RESOLVED that Manitowoc County agrees to participate in the
22 development of a cooperative agreement pursuant to Wis. Stat. § 66.0301 for the creation of a
23 Northeastern Wisconsin Housing Consortium; in the submission of an application for CDBG
24 Housing Program funds through the Consortium created by the cooperative agreement; and in the
25 implementation of any CDBG Housing Program that is approved by the Wisconsin Department of
26 Administration, Division of Housing.

Dated this 17th day of July 2012.

Respectfully submitted by the
Planning and Park Commission


Melvin Waack, Chair

Finance Committee

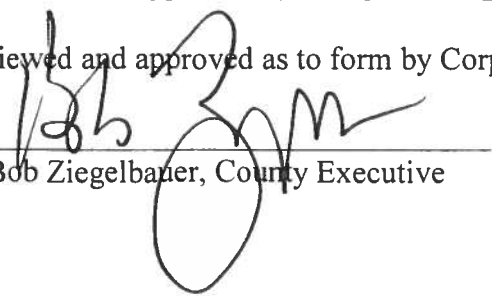

James N. Brey, Chair

No. 2012/2013-35

FISCAL IMPACT: Indeterminable.

FISCAL NOTE: Reviewed and approved by Comptroller. AKR

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. SR

APPROVED: 
Bob Ziegelbauer, County Executive

7/18/12
Date

RESOLUTION No. 385 - 12

**WISCONSIN'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
NORTHEAST WISCONSIN HOUSING CONSORTIUM AGREEMENT**

WHEREAS, Wisconsin's Community Development Block Grant (CDBG) program is administered by the Wisconsin Department of Administration (DOA), Division of Housing (DOH), and provides grants to local units of government for housing programs which principally benefit low and moderate income (LMI) households; and

WHEREAS, starting this year, CDBG housing funds will go to county consortia instead of directly to eligible municipalities; and

WHEREAS, Marinette County desires, and is required as a condition of participation in the CDBG program, to enter into a written cooperative agreement, pursuant to §66.0301 Wisconsin Statutes, with other counties to form the Northeast Wisconsin Housing Consortium; and

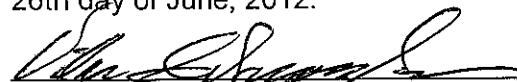
WHEREAS, Marinette County has identified the need to provide decent affordable housing within the geographic area covered by the Northeast Wisconsin Housing Consortium; and

WHEREAS, Marinette County contemplates submitting, jointly with members of the Northeast Wisconsin Housing Consortium, an application for funds under the CDBG housing program, administered by DOH, for the purpose of meeting those needs, and

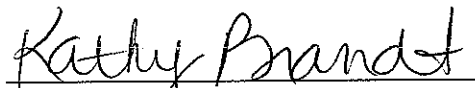
WHEREAS, Brown County is the Lead County within the Northeast Wisconsin Housing Consortium, and will assume all Lead County responsibilities, including: administrative, fiscal, policy, monitoring, and compliance.

NOW, THEREFORE, BE IT RESOLVED, by the Marinette County Board of Supervisors, that Marinette County will enter into a written cooperative agreement, pursuant to §66.0301 Wisconsin Statutes, with other counties, including Brown, Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Outagamie, Sheboygan, and Winnebago to form the Northeast Wisconsin Housing Consortium.

Approved by a majority vote of the quorum of the Marinette County Board of Supervisors this 26th day of June, 2012.



Vilas Schroeder, County Board Chair



Kathy Brandt, County Clerk

Recommended: Economic Development Committee on June 18, 2012

RESOLUTION NO.: 20—2012-13

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Wisconsin Community Development Block Grant (CDBG) Program is administered
2 by the Wisconsin Department of Administration (DOA), Division of Housing (DOH),
3 and provides grants to local units of government for housing programs which principally
4 benefit low and moderate income households. Beginning this year, CDBG housing funds
5 will go to regional based county consortia for loans to undertake housing rehabilitation
6 and affordable homeownership among other things, instead of directly to eligible
7 municipalities. Outagamie County, through the Appleton Housing Authority, wished to
8 continue to offer CDBG housing programs assistance to eligible households. The
9 counties of northeast Wisconsin desire to enter into a cooperative agreement to
10 participate in the CDBG program. Brown County has agreed to act as the lead county
11 within the northeast Wisconsin regional housing consortium and will assume the
12 responsibilities as such, including administrative, fiscal, policy, monitoring and
13 compliance.

14
15 NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and
16 Economic Development Committee recommend adoption of the following resolution.

17 BE IT RESOLVED, that the Outagamie County Board of Supervisors does agree to join the
18 Northeast Wisconsin Regional Housing Consortium and agrees to cooperate in the submission of an
19 application for such funds for the continuation of the programs administered by the Appleton Housing
20 Authority, and

21 BE IT FURTHER RESOLVED, the Outagamie County supports the DOA recommendation that
22 a regional housing committee be established with equal representation of all member counties of the
23 consortium to assist in the development of program policies and award criteria, and

24 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
25 of this resolution to the Outagamie County Executive and the Outagamie County Planning Director.

26 Dated this 26 day of June, 2012

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Respectfully Submitted,
PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE


Dean Culbertson


Mike Thomas



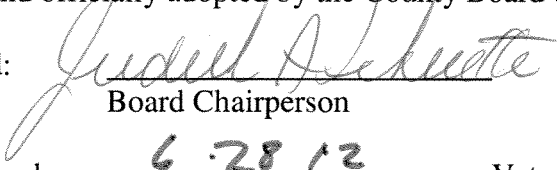
Tanya Rabec

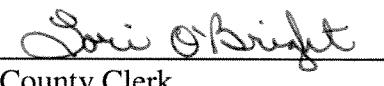


Travis Thyssen

Joy Hagen

Duly and officially adopted by the County Board on: June 26, 2012

Signed: 
Board Chairperson


County Clerk

Approved: 6-28-12

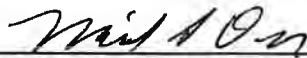
Vetoed: _____

Signed: 
County Executive

BE IT FURTHER RESOLVED that the County Board Chairperson is authorized and directed to sign any documents on behalf of Sheboygan County consistent with the foregoing.

Respectfully submitted this 21st day of August, 2012.

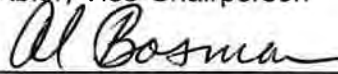
**PLANNING, RESOURCES, AGRICULTURE,
AND EXTENSION COMMITTEE***



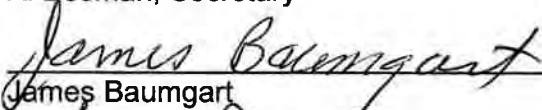
Michael S. Ogea, Chairperson



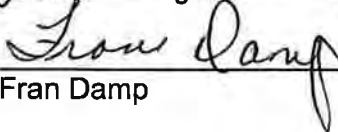
Keith Abler, Vice-Chairperson



Al Bosman, Secretary



James Baumgart



Fran Damp

Opposed to Introduction:

*County Board Members signing only

STATE OF WISCONSIN) I, Julie Glancey do hereby
COUNTY OF SHEBOYGAN) certify that the above is a
true and correct copy of the original on file in the office of the
County Clerk and that it was adopted by the County Board of
Supervisors on this date.

Date: 8-21-12 
(Seal) _____ County Clerk

62-82012

RESOLUTION: Establish the Northeastern Wisconsin Housing Consortium

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, Winnebago County recognizes the need for its citizens to have access to properly maintained housing; and

WHEREAS, the State of Wisconsin Community Development Block Grant (CDBG) Housing Program provides grant funding to regional county-based consortia for loans to low- and moderate-income individuals to undertake housing rehabilitation among other eligible activities; and

WHEREAS, Winnebago county proposes submitting jointly with the Counties of Brown, Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Marinette, Outagamie, and Sheboygan, as the Northeastern Wisconsin Housing Consortium an application for funds under the CDBG Housing Program of the Wisconsin Department of Administration, Division of Housing (DOH), for the purpose of meeting that need; and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium desire and are required to enter into a written cooperative agreement with each other to participate in such CDBG Program; and

WHEREAS, the counties within the Northeastern Wisconsin Housing Consortium understand that Brown County will act as the lead county and will have the ultimate responsibility to assume all obligations under the terms of the grant, including assuring compliance with all applicable laws and program regulations and performance of all work, in accordance with the grant contract; and

WHEREAS, it is understood that the US Department of Housing and Urban Development, and Wisconsin Department of Administration, Division of Housing, have access to all participants' grant records and authority to monitor all activities; and

WHEREAS, nothing contained in this Resolution shall deprive any municipality of any zoning, development control, or other lawful authority that it presently possesses.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that, pursuant to § 66.0301, Wis Stats, Winnebago County hereby agrees to cooperate with the submission of an application for such funds as a member of the Northeastern Wisconsin Housing Consortium, and in the implementation of the CDBG Housing Program if approved by the State of Wisconsin Department of Administration, Division of Housing.

Respectfully submitted by:

PERSONNEL AND FINANCE COMMITTEE

Committee Vote: 3-0

Vote Required for Passage: Majority of Those Present

Approved by the Winnebago County Executive this 4th day of September, 2012.

Mark L Harris
Winnebago County Executive

SECTION B: AUTHORIZATION

TO BE SIGNED BY OFFICIAL AUTHORIZED TO COMMIT THE NORTHEASTERN WISCONSIN HOUSING CONSORTIUM TO THIS AGREEMENT.

ON BEHALF OF THE NORTHEASTERN WISCONSIN HOUSING CONSORTIUM, I SUBMIT THIS APPLICATION FOR THE 2012 CDBG HOUSING GRANT PROGRAM. TO THE BEST OF MY KNOWLEDGE, ALL INFORMATION CONTAINED HEREIN IS ACCURATE AND COMPLETE AS STATED.

SUBMITTAL AUTHORIZATION


Signature

10/16/12
Date

Printed Name **Troy Streckenbach**

Title **Brown County Executive**

Telephone **(920) 448-4001**

Schuetzte_AM

From: Schumann, Joanna - DOA <Joanna.Schumann@Wisconsin.gov>
Sent: Thursday, September 06, 2012 4:12 PM
To: Schuetzte_AM
Subject: FW: CDBG-Housing Submittal Authorization

Aaron –

Please print this email correspondence and attach it to your Application Form in lieu of additional resolution.

Thanks,
Joanna

From: Schumann, Joanna - DOA
Sent: Thursday, September 06, 2012 4:11 PM
To: 'Schuetzte_AM'
Subject: RE: CDBG-Housing Submittal Authorization

Hi Aaron,

The purpose of authorizing resolution is to give authority to staff and/or committee to prepare and file an application and sign all grant related documents, such as contract, etc. This authorization must be released from the elected office. Since your County Executive is an elected position, the proposed process sounds good to me. We will accept the County Executive signature to authorize this submittal.

The Brown County Board has already authorized the County to be the lead county and to submit an application on behalf of the Housing Consortium. There is no need for additional resolution.

Thank you,
Joanna

Joanna Schumann
CDBG Program Manager
WI Dept. of Administration
Division of Housing
PO BOX 7970
Madison, WI 53707-7970

Tel. 608.261.6535
Joanna.schumann@wi.gov

From: Schuetzte_AM [mailto:Schuetzte_AM@co.brown.wi.us]
Sent: Thursday, September 06, 2012 3:53 PM
To: Schumann, Joanna - DOA
Subject: CDBG-Housing Submittal Authorization

Hi Joanna,

In Brown County, we have a separately elected County Executive, who oversees the administrative functions of the County. The Executive position is a separate, but equal position to the County Board; similar to the President and Congress or the Governor and the State Legislature. Since the County Board has already authorized Brown County to be the lead county (and by extension, submit the grant application on behalf of the consortium) by resolution, would there be any issues with just having the Brown County Executive authorize (by signature) the actual submittal of the grant application?

Thanks again,

Aaron

Aaron M. Schuette
Principal Planner
Brown County Planning Commission
305 E. Walnut Street
PO Box 23600
Green Bay, WI 54305-3600
(920) 448-6480
www.co.brown.wi.us



Click on the logo to find out how we are "Turning Brown County Green"!

SECTION C: BUDGET

BUDGET	
<u>I. Project Funding Total</u>	<u>\$870,000</u>
a. Owner-occupied rehabilitation	
b. Rental rehabilitation	
c. Homebuyer	
d. Conversion of space	
e. Public Facilities	
<u>II. Administrative Expenses Total</u>	<u>\$130,000</u>
a. Contractual Services	
b. Lead County Fees & Responsibilities	
OR	
a. Number of budgeted FTE	1.75
b. Salary & fringe benefits	\$116,075
c. Inspections	
d. Contractual Services	
e. Other CDBG related activities & budgeted amounts	
➤ Travel/staff training	\$3,730
➤ Vehicle repairs	\$100
➤ Advertising/public notices	\$500
➤ Printing	\$300
➤ 10% of Dept. I.S. Chargeback	\$3,209.80
➤ 10% of Dept. Insurance Chargeback	\$481.10
➤ 10% of Dept. Indirect Costs	\$5,603.40
<u>III. Fees to program beneficiaries per project</u>	<u>Per discussion WDOA, fees will be determined upon inspector procurement</u>
a. Initial Inspection	

b. Final Inspection

c. Lead-based paint Risk Assessment (granted)

d. Title

e. Document

f. Mortgage Recording

LOCAL DISTRIBUTION METHOD

- I. Amount of funding per County or any other method chosen by the Housing Consortium. The amount of funding per county is listed in Section III – Administration of MOD.
 - a) Timeline: quarterly benchmarks.

Quarter 1 (Jan-March 2013)

 - January - Release notices of funding availability in manner described in Section II
 - February – Intake applications at each consortium county. Counties rank applications and provide them to Brown County.
 - March –Brown County prepares draft list of application awards and performs review of financials on draft application awards. Brown County provides a final draft list of awards to the Housing Committee for review and action. Housing committee reviews the applications and determines project awards. Brown County contacts awarded project applicants.

Quarters 2 and 3 (April-September 2013)

 - April – September – Project work occurs with project oversight by Brown County and contracted HQS Inspectors.

Quarter 4 (October – December 2013)

 - Project closeout including final payment to contractors and any final inspections that need be performed.
 - Program evaluation to determine effectiveness and ability to continue to administer program.
 - Prepare final draws on 2012 program funds.
 - Evaluate potential process improvements and begin preparing for distribution of 2013 funding in 2014.

2014 Quarterly Benchmarks are tentatively the same as 2013, pending ability to improve program efficiencies following 2013 distribution.
 - b) Retention of the program income (mortgages paid back to lead county).

Mortgages paid back to Brown County will be placed in a revolving loan fund reserved for the county from which the loan was repaid. Applications to the revolving loan fund will occur (providing funding is available) following the application period for new CDBG-Housing funds. Brown County will maintain a ledger documenting each county’s RLF balance, if any.
- II. Marketing Activities within each county process to notify eligible citizens of the funding availability.

As lead County, Brown County will provide sample press releases to the member counties for distribution to their local newspapers of record, television stations, and place notices of fund availability on their county websites and their primary administrative buildings. Additionally, Brown County will prepare a sample memo for distribution to all local units of government within the consortium boundaries (towns, villages, and non-entitlement cities) explaining the

program, including application processes. The consortium counties will enlist the aid of their Aging and Disability Resource Centers and Human Services Departments to provide information related to the program directly to targeted LMI households.

a) Application Intake.

Applications for assistance under the program will be received by each consortium county by a set date. The consortium county will then rank each application, paying special attention to emergency situations that could affect the health and/or safety of the LMI household.

III. Administration of MOD.

The method of distribution (MOD) as determined by the Northeastern Wisconsin CDBG-Housing Committee will be based upon percentages of LMI households in non-entitlement portions of the counties with a minimum county award of \$60,000. In this manner, the funds will be targeted to those portions of consortium area most in need, while also providing a minimum level of funding for even the smallest of consortium counties. Based on a formula developed by Brown County, the following distribution will be used for the \$870,000 in project costs:

Counties	Proposed Allocation
Brown	\$141,554.57
Calumet	\$60,000.00
Door	\$60,000.00
Fond du Lac	\$66,598.73
Kewaunee	\$60,000.00
Manitowoc	\$121,681.68
Marinette	\$73,682.05
Outagamie	\$128,747.79
Sheboygan	\$67,158.16
Winnebago	\$90,577.02
Totals	\$870,000.00

SECTION E:

COMMUNITY DEVELOPMENT PROGRAM

CITIZENS PARTICIPATION PLAN

Northeastern Wisconsin Housing Consortium

PURPOSE

In order for the Community Development program to operate effectively and to address the needs of the citizens of the Northeastern Wisconsin Housing Consortium counties, the entire population must be kept informed. The decision-making process must be open and consistent with state and federal regulations. To accomplish this, the following plan will be followed:

PROGRAM OVERSIGHT

1. The Community Development Program is administered by the Northeastern Wisconsin Housing Consortium Committee by the authority of the Brown County Board and Brown County Executive. The Northeastern Wisconsin Housing Consortium Committee will also serve in the capacity of the Citizen Participation Committee.
2. To insure responsiveness to the needs of its citizens, the Northeastern Wisconsin Housing Consortium Committee shall provide for and encourage citizen participation. Particular emphasis shall be given to participation by persons of low- and moderate-income (LMI) who are residents of blighted areas of the Northeastern Wisconsin Housing Consortium counties.

PROGRAM OVERSIGHT

1. A Citizen Participation Committee (CPC) shall be established. The CPC shall be responsible for coordinating and overseeing all required elements of this Citizen Participation Plan.
2. The CPC shall consist of at least 10 members, with one member per consortium county appointed by the respective County Executive or County Board Chair. The membership of the CPC shall be composed of persons representative of the community's demographics. This committee must include at least one LMI person. The committee members should also include representatives from the local government, real estate, banking, and labor communities. All members must be residents of the Northeastern Wisconsin Housing Consortium counties.

NOTICES OF HEARINGS

1. Official notice of hearings will be by public notice in Brown County's designated official newspaper at least two weeks preceding the hearing. In addition, the public notice shall be posted at each participating county's primary administrative building and any other public place likely to reach LMI persons. These notices will include time, place, and date of meeting, as well as a brief agenda.

2. For projects concentrated in a specific area or neighborhood, in addition to the above notification, notices shall be posted at locations of public gathering with the target area or neighborhood.
3. All notifications of meetings and available assistance will be worded in such a way as to encourage LMI participation.

REQUIRED PUBLIC HEARINGS

Public hearings shall be held to obtain citizen views and to enable residents to respond to proposals at all stages of the community development program, including the development of needs, the review of proposed activities, and the review of program performance. Hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the physically challenged, and, if needed, for non-English speaking persons.

1. The first hearing will receive citizen views and provide an explanation of:
 - a. Community development needs, objectives, and strategies.
 - b. The CDBG program including goals, objectives, application process, amount of funds available, timetable, and eligible activities.
2. The first hearing also will receive citizen views and provide a summary of proposed activities, including an explanation of how the activities address community development needs and objectives.
3. The second hearing will receive citizen views and provide a review of the performance of the funded activities.
4. The first public hearing shall be held prior to the submission of the application for funds. The second public hearing shall be held during the implementation of the program.

PROGRAM INFORMATION / FILES/ ASSISTANCE

1. Technical assistance will be provided to any citizen who requests information about program requirements. Assistance with the application process will be provided by Brown County. A Brown County program representative will meet with citizens on request.
2. Brown County will maintain, at the agency location designated to administer the program, a record of all citizen participation efforts including minutes of meetings, newspaper clippings, and copies of notices and brochures.
3. Citizens will be invited to make proposals regarding the application. If suitable proposals are submitted in writing, a written response will be provided within 15 days. Every effort will be made to respond to all proposals prior to the final action on that subject.
4. Citizens may petition or request in writing assistance or changes. Brown County staff will respond to all such requests within 15 days after the CPC has met to discuss the request.

COMPLAINTS

1. Brown County will handle citizen complaints about the program in a timely manner. Brown County will respond in writing to all written letters of complaint within 15 days after receipt of the complaint. The nature and disposition of verbal complaints will be reported in a complaint log. The first contact for complaints should be made to the Northeastern Wisconsin Housing Committee Program Administrator.

CDBG-Housing Program

Brown County Planning and Land Services Department

PO Box 23600

Green Bay, WI 54305-3600

2. In addition to the above procedure, any citizen wishing to object may complain directly to the Department of Administration, Bureau of Affordable Housing attention to:

CDBG Program Manager

PO Box 7970

Madison, WI 53707-7970

NON-ENGLISH SPEAKING RESIDENTS

Brown County will regularly survey the Housing Consortium area to identify non-English speaking persons and will make all special efforts to assure them equal opportunity in the citizen participation process.



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STATE OF WISCONSIN BROWN COUNTY

BC PLANNING DEPT-LEGALS
305 E WALNUT, ROOM 320
GREEN BAY, WI 54301

Natalie Bridenhagen

Being duly sworn, doth depose and say that she/he is an authorized representative of the Green Bay Press Gazette, a newspaper published in Brown and Kewaunee Counties, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on

Account Number: 284368

Ad Number: 6668348

Published Date: September 19, 2012

Total Ad Cost: \$49.20

(Signed) Natalie Bridenhagen
Legal Clerk

(Date) 9/19/12

Signed and sworn before me

Brenda M. Zaleski
Notary Public, Brown County, Wisconsin

My commission expires 10/6/2013

BC PLANNING DEPT-LEGALS

Re: public hearing



PUBLIC HEARING
Northeastern Wisconsin
Housing Consortium
6:30 p.m. Wednesday,
October 3, 2012
Pamperin Park Dance
Hall
2477 Shawano Avenue
Green Bay, WI 54313
The Northeastern Wis-
consin Housing Consor-
tium comprised of the fol-
lowing counties: Brown,
Calumet, Door, Fond du
Lac, Kewaunee, Manitow-
ish, Marinette, Outagamie,
Sheboygan and
Winnebago will conduct
a public hearing regard-
ing its proposed applica-
tion for the 2012 Com-
munity Development
Block Grant (CDBG)
funds. The public is
invited to attend to learn
about the CDBG pro-
gram, to help identify ad-
ditional local housing and
community development
needs, and to comment
on the activities pro-
posed to be included in
the CDBG application.
The agenda for the pub-
lic hearing is:
1. Identification of total
potential funds.
2. Eligible CDBG activi-
ties
a. Economic Develop-
ment
b. Public Facilities
c. Housing
(1) Rehabilitation
(2) Homebuyer Assis-
tance
(3) Special Housing Pro-
jects
3. Presentation of identi-
fied housing and commu-
nity development needs.
4. Identification of hous-
ing and community de-
velopment needs by pub-
lic.
5. Presentation of activi-
ties proposed for CDBG
application, including po-
tential residential dis-
placement.
6. Citizen input regarding
proposed and other
CDBG activities.
Residents of the North-
eastern Wisconsin Hous-
ing Consortium Counties
are encouraged to at-
tend, especially residents
with low to moderate in-
comes. The meeting
room is handicapped ac-
cessible. The CDBG-
funded activities are car-
ried out in a manner that
will provide for equal op-
portunity in employment
and contracting.
Persons needing addi-
tional accessibility ac-
commodations should
contact Aaron Schuette,
Brown County Principal
Planner at (920) 448-
6486 or email at schuet-
te_am@co.brown.wi.us.
Sept 19, 2012 WNAXLP

2012 - 2013 CDBG APPLICATION

SECTION F: CPP Certification

I, Lori Williams, as Recording Secretary for the Brown County Planning Commission, hereby certify that the following checked topics were discussed at the Community Development Block Grant (CDBG) Citizen Participation public hearing held at 6:30 p.m. on October 3, 2012.

- 1. Basic overview of the CDBG program.
- 2. Total CDBG funds (including anticipated revolving loan funds) available for housing, public facilities and economic development.
- 3. Types of activities eligible using CDBG funds for:
 - a. Economic Development
 - b. Public Facilities
 - c. Housing
 - (1) Rehabilitation
 - (2) Homebuyer Assistance
 - (3) Special Housing Projects
- 4. Housing needs identified by staff/consultant prior to the public hearing.
- 5. Community development (public facilities, economic development) needs identified by staff/consultant prior to the public hearing.
- 6. Housing needs identified by attendees of the public hearing.
- 7. Community development needs identified by attendees of the public hearing.
- 8. Activities proposed for CDBG application.
- 9. Potential for residential displacement as a result of the proposed CDBG activities.
- 10. Public attending the meeting were offered an opportunity to discuss the proposed CDBG application.

Minutes of the above-described meeting are available on request.

Lori S. Williams

Signature of Recording Secretary

10/5/12

Date

Lori Williams _____

Typed Name of Recording Secretary

2012 - 2013 CDBG APPLICATION

Subscribed and sworn to before me this 5th day of Oct, 2012.

Shari Keon
Shari Keon

Notary Public,

Brown County



Section G:

Northeastern Wisconsin CDBG-Housing Consortium Adopted Fair Housing Ordinances

CHAPTER 32

EQUAL OPPORTUNITIES IN HOUSING

32.01 DEFINITIONS. Terms used in this chapter mean as follows:

Housing: Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof, but does not include the rental, lease or sub-lease of rooms in a one family building or structure in which one of the units is occupied by the owner as his/her residence.

Agent: Any person designated by the Commission, and may be a member of the Commission.

Commission: The Brown County Commission on Equal Opportunities in Housing or a quorum of at least four members thereof when acting as the Commission, and "Commissioner" shall mean a member thereof.

Complainant: Any person who files a complaint with the Commission pursuant to this chapter.

Discriminatory practice: Any type of act or refusal to act prohibited by Section 32.05 which is based on a consideration of race, color, religion, ancestry, national origin, gender, handicap, age, lawful source of income, or marital status of person maintaining a household.

Family: Includes a single individual.

Hearing: A hearing under the jurisdiction of the Commission except where otherwise indicated.

Person: One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

Respondent: Any person who, according to the allegations contained in any complaint filed with the Commission, has committed any discriminatory practice prohibited by this chapter and has been named in the complaint as a respondent.

To rent: Includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

Disability: Means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" does not include the current illegal use of a controlled substance, as defined in s. 161.01(4) of the Wisconsin Statutes, unless the individual is participating in a supervised drug rehabilitation program.

Family Status: Means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or perspective member of the person's household regardless of the person's marital status:

1. A person is pregnant.
2. A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
3. A person's household includes one or more minor or adult relatives.
4. A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
5. A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

32.02 CREATION. There is hereby created a Brown County Commission on Equal Opportunities in Housing which is given the power and duty to enforce equal and fair opportunity in housing for all persons.

32.03 COMMISSION; FORMATION. The purposes and provisions of this chapter shall be implemented by:

(1) The Brown County Commission on Equal Opportunities in Housing, whose seven members shall be appointed by the County Executive and approved by the County Board of Supervisors to serve five-year terms.

(2) Initial terms of Commission members shall be as follows: Two shall be initially appointed for one year; two shall be initially appointed for two years; one shall be initially appointed for three years; one shall be initially appointed for four years; and one shall be initially appointed for five years. Thereafter all Commissioners shall be appointed to serve five-year terms. Any appointments to fill vacancies on the board shall be for the duration of the unexpired term only. A member of the Commission may be removed by the County Executive and the County Board of Supervisors only for inefficiency, neglect of duty, misconduct or malfeasance in office or other cause; provided, however, the Commissioner is first given a written statement of the charges and an opportunity to be heard thereon by the County Executive and the County Board of Supervisors. Commission members shall be residents of the County of Brown and shall be reimbursed for all actual and necessary expenses, but shall receive no other compensation.

32.04 COMMISSION; POWERS AND DUTIES. The Commission shall have the following powers and duties:

(1) To adopt, amend, publish and rescind rules and regulations governing its meetings and hearings and for the enforcement of this chapter;

(2) To appoint such other employees, agents and staff as are necessary to promote the purposes of this chapter, and to prescribe their duties;

(3) To receive, initiate, and investigate all complaints alleging any discriminatory practice prohibited by this chapter;

(4) To appoint mediators who initially shall seek a settlement agreeable to both the complainant and the respondent by means of informal conferences;

(5) If necessary, to hold hearings after efforts at settlement based on complaints made against any person and a determination of probable cause; to administer oaths and take testimony; to compel the production of books, papers and any other documents relating to any matters involved in the complaint; and to subpoena witnesses and compel their attendance;

(6) To issue, after hearing, such final orders as are necessary to promote the purposes of this chapter;

(7) To issue temporary orders effective for a maximum of 20 days, restraining the respondent from taking action which would tend to render ineffectual or unenforceable any order which the Commission might issue;

(8) To make available to the public, in writing, copies of:

(a) Transcripts of all its proceedings except initial settlement efforts by its mediators;

(b) All temporary and final orders; and

(c) All decisions and opinions rendered;

(9) To require a written report of the manner of compliance with any final order it may issue; and

(10) To recommend to the County Board of Supervisors any legislation necessary to further promote the purposes of this chapter, and to file annual written reports of its work with the County Board of Supervisors;

(11) To carry on a continuing educational and interpretational program in the county about the philosophy and goals of this chapter.

32.05 PROHIBITED ACTS. It shall be a prohibited discriminatory practice for any person to, on the basis of his/her race, color, religion, ancestry, national origin, gender, disability, including handicapped persons assisted by animals as set forth in Sec. 101.32 (2p), Wis. Stats., age, lawful source of income, family status, and sexual orientation as defined in Sec. 111.32(13m), Wis. Stats.:

(1) Print, publish, circulate, issue, display, post, mail, or communicate in any other way an announcement, statement, advertisement, publication, or sign the import of which indicates to any substantial degree a decision or purpose to impair in any way the access of any person.

(2) Refuse to sell, rent, or in any other manner deny, withhold, or impair the transfer of title, leasehold or any other interest in any part of any housing.

(3) Refuse to lend money or security, guarantee any loan, accept any mortgage or in any other manner make available any other funds or resources for the construction, acquisition, purchase, rehabilitation, repair or maintenance of any housing.

(4) Refuse to furnish any facilities or services for any housing when ordinarily provided pursuant to legal duty or local custom.

(5) Refuse to list for sale or rent any housing to any person.

(6) To differentiate in the price of rental or in the terms or conditions of sale or rent of any housing between persons.

(7) Induce or attempt to induce any person to sell or rent any dwelling by representations regarding the prospective or present entry into the neighborhood or by representations to the effect that such present or prospective entry will or may result in:

(a) The lowering of real estate values in the area concerned;

(b) A deterioration in the character of the area concerned;

(c) An increase in criminal or antisocial behavior in the area concerned; or

(d) A decline in the quality of the schools or other public facilities serving the area.

(8) Refuse to make reasonable accommodations to persons with disabilities in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.

32.06 ENFORCEMENT PROCEDURES.

(1) Complaint. Any complaint alleging any discriminatory practice shall be in writing. Such complaints may be initiated by:

(a) The complainant who may mail his complaint to the Commission or dictate it to an agent of the Commission;

(b) Any agent of the complainant, including any agent who himself/herself has solicited offers to buy, or rent, or in any other manner seek access to any interest in any part of any housing for the complainant; or

(c) Any member of the Commission on his/her own initiative.

(2) Contents of Complaint. All complaints shall contain the following;

(a) The name and address and signature of the complainant; the name and address and signature of the agent; if any, of the complainant and the name and address of the person allegedly discriminated against;

(b) The name and address of the respondent or respondents;

(c) A statement setting forth the particulars of the alleged discriminatory practice; and

(d) The date or dates of the alleged discriminatory practice.

(3) Filing Complaints. Complaints shall be filed with the Brown County Commission on Equal Opportunities in Housing by the complainant, his/her duly authorized agent or a member of the Commission, and may be filed in person or by mail.

Complaints alleging any discriminatory practice shall be filed no later than 90 days after the person allegedly discriminated against knew or should reasonably have known that the alleged act or acts occurred.

(4) Notice to Respondent. Upon filing of a complaint, the Commission shall serve a copy thereof in the manner provided for the service of a summons upon the respondent within 10 days of filing.

(5) Amendment and Withdrawal. A complaint may be amended or withdrawn at any time with and subject to the approval of the Commission or its designated agent and under such terms as the Commissioner or agent shall direct.

(6) Investigation, Hearings, Determinations, Appeal. (a) An agent designated by the Commission shall promptly investigate all duly filed complaints. If said agent shall find, after such investigation, that any filed complaint is frivolous, sham, or without substance in fact, he/she shall, within 10 days of the filing of such complaint, issue to the complainant and respondent a determination of such in writing setting forth the basis of his/her determination.

Should such a determination be made that the complaint is frivolous, sham, or without substance in fact, the complainant shall be afforded an opportunity to appeal such decision to the Commission. Should the Commission decide that the complaint is frivolous, sham, or without substance in fact, the complainant may appeal by certiorari to the Circuit Court of Brown County. Said agent may at any time after the complaint is filed, issue a determination in writing to the complainant and respondent that the complaint is not frivolous, sham, or without substance in fact.

(b) Unless a finding is made that the complaint is frivolous, sham, or without substance in fact under the procedure set forth in paragraph (a) above or upon a finding that the complaint is not frivolous, sham, or without substance in fact, the Commission shall designate an agent who shall endeavor by means of conference, conciliation or persuasion to eliminate the alleged discriminatory practice.

(c) Within 30 days after the filing of the complaint, the agent designated pursuant to paragraph (b) above shall report to the Commission the results of the settlement efforts. If the efforts of settlement have failed to eliminate the discriminatory practice alleged in the complaint, the Commission shall promptly cause to be issued a notice of hearing before the Commission to determine the merits of the complaint. Such hearing before the Commission shall be a hearing of record.

(d) After such hearing, the Commission shall make written findings of fact and conclusions thereon and an order of such action to be taken by the respondent and, where necessary, by the complainant, as will effectuate the purposes of this chapter.

A certified copy of such findings, conclusions, and orders of the Commission, together with a summary of the findings of fact, shall be mailed to the last known addresses of the complainant and respondent.

After such determination by the commission, either party may appeal by certiorari to the Circuit Court of Brown County.

(7) Transfer of Proceedings. At any time after 10 days after the filing of the complaint the Commission may transfer the proceedings to itself by issuing to all interested parties a notice of hearing before the Commission to determine the merits of the complaint.

(8) Disqualification of Commissioners. No Commissioner, who, pursuant to this chapter has filed a complaint on his/her own initiative shall participate in any subsequent hearing or proceeding except as a witness, nor shall he/she participate in the deliberations of the Commission in such case.

32.07 REMEDIES. The Commission shall have the power and duty, after investigation and hearing, to issue and implement such orders as may be necessary to effectuate the purpose of this chapter. Such orders may include: (a) cease and desist orders; (b) affirmative action required of the respondent and, where necessary, of the complainant; and (c) any other orders which may be necessary to effect the purpose of this chapter.

32.08 JUDICIAL ENFORCEMENT AND PENALTIES.

(1) Violation of orders of the Commission shall constitute violations of this chapter.

(2) Penalties:

(a) The Commission may assess a forfeiture against a respondent who is not a natural person in an amount not to exceed \$10,000, unless the respondent who is not a natural person has been adjudged to have committed any prior discriminatory act. If a respondent who is not a natural person has been adjudged to have committed one other discriminatory act during the preceding 5 year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is not a natural person has been adjudged to have committed 2 or more prior discriminatory acts during the preceding 7 year period, based on the offense date of the prior discriminatory act, the Commission may assess a forfeiture in an amount not exceeding \$50,000.

(b) In addition to any damages ordered under subd. a, the commission may assess a forfeiture against a respondent who is a natural person in an amount not exceeding \$10,000, unless the respondent who is a natural person has been adjudged to have committed any prior discriminatory act. If a respondent who is a natural person has been adjudged to have committed one other prior discriminatory act based on an offense date that is before the effective date of this subdivision, the commission may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is a natural person has been adjudged to have committed 2 or more prior discriminatory acts based on an offense date that is before the effective date of this subdivision, the commission may assess a forfeiture in an amount not exceeding \$50,000.

(3) In the event of violation of a Commission order, the Commission may proceed to initiate enforcement in the Brown County Court.

Chapter 10

BUILDINGS AND BUILDING REGULATIONS*

* **Cross References:** Environment, ch. 18; Floods, ch. 26; Health and Sanitation, ch. 30; Solid Waste, ch. 54; Streets, Sidewalks and Other Public Places, ch. 58; Subdivisions, ch. 62; Utilities, ch. 74; Waterways, ch. 78; Zoning, ch. 82.

Article I.

Sec. 10-1 --Reserved.
Sec. 10-2. Fair Housing Ordinance.
Sec. 10-3--10-26. Reserved.

Article II. Construction Site Erosion Control

Sec. 10-27. Title.
Sec. 10-28. Purpose.
Sec. 10-29. Statutory Authorization.
Sec. 10-30. Findings of Fact.
Sec. 10-31. Applicability and Jurisdiction.
Sec. 10-32. Effective Date.
Sec. 10-33. Specific Words and Phrases.
Sec. 10-34. Technical Standards.
Sec. 10-35--10-36. Reserved.

Sec. 10-37. Performance Standards.
Sec. 10-38. Permitting Requirements, Procedures and Fees.
Sec. 10-39--10-41. Reserved.

Sec. 10-42. Erosion and Sediment Control Plan, Statement, and Amendments.
Sec. 10-43. Fee Schedule.
Sec. 10-44. Inspection.
Sec. 10-45. Enforcement.
Sec. 10-46. Appeals.
Sec. 10-47--10-48. Reserved.

Article III. Post-Construction Stormwater Management

Sec. 10-49. Title. Post-Construction Stormwater Management Ordinance for the County of Calumet, Wisconsin.
Sec. 10-50. Purpose and Intent.
Sec. 10-51. Statutory Authorization.
Sec. 10-52. Findings of Fact.
Sec. 10-53. Applicability and Jurisdiction.
Sec. 10-54. Effective Date.
Sec. 10-55. Specific Words and Phrases.
Sec. 10-56. Technical Standards.
Sec. 10-57--10-58. Reserved.

Sec. 10-59. Performance Standards.
Sec. 10-60. Permitting Requirements, Procedures and Fees.
Sec. 10-61--10-63. Reserved.
Sec. 10-64. Stormwater Management Plan.
Sec. 10-65. Maintenance Agreement.
Sec. 10-66. Financial Guarantee.
Sec. 10-67--10-69. Reserved.

Sec. 10-70. Fee Schedule.
Sec. 10-71. Enforcement.
Sec. 10-72. Appeals.

ARTICLE I.

Section 10-2. Fair Housing Ordinance.

(a) The County of Calumet recognizes its responsibilities under Section 106.50, Wisconsin Statutes, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein.

(b) The Calumet County hereby adopts Section 106.50 Wisconsin Statutes, and all subsequent amendments thereto.

(c) The officials and employees of Calumet County shall assist in the orderly prevention and removal of all discrimination in housing within the County of Calumet by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes.

(d) The County Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, and shall assist any person alleging a violation thereof in the County of Calumet to file a complaint thereunder with the Wisconsin Department of Workforce Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes.

(Ord. 2003-12, 9-23-03).

ARTICLE II.

CONSTRUCTION SITE EROSION CONTROL

Sec. 10-27. Construction Site Erosion Control Ordinance for the County of Calumet, Wisconsin.

Sec. 10-28. Purpose.

It is the purpose of this ordinance to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth, by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the State in Calumet County.

Sec. 10-29. Statutory Authorization.

(a) This ordinance is adopted under the authority granted by §59.693, Wis. Stats. This ordinance supersedes all provisions of an ordinance previously enacted under §59.69, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in §59.693, Wis. Stats., §59.69, Wis. Stats., applies to this ordinance and to any amendments to this ordinance.

(b) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of Calumet County.

(c) Calumet County hereby designates the Calumet County Resource Management Department or their designee to administer and enforce the provisions of this ordinance.

(d) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:

DOOR COUNTY FAIR HOUSING ORDINANCE

I. TITLE

This ordinance may be cited as the Door County Fair Housing Ordinance.

II. INTENT

It is the intent of this ordinance to prohibit discrimination in housing within the boundaries of Door County. It is declared to be the policy of Door County that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, mental status, family status, lawful source of income, age or ancestry.

This chapter shall be deemed an exercise of the police powers Door County for the protection of the welfare, health, peace, dignity and human rights of the people of Door County, and as a fulfillment of the legislative directive of Wis. Stat. §66.1011.

III. DEFINITIONS

- (1) *Complainant* means a person who files a complaint alleging discrimination in housing.
- (2) *Conciliation* means the attempted resolution of issues raised by a complaint or by the investigation of a complaint, through formal negotiations involving the aggrieved person(s), the complainant, the respondent and the designated negotiating official.
- (3) *Disability* means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. *Disability* does not include the current illegal use of a controlled substance, as defined in Wis. Stat. §961.01(4), or a controlled substance analog, as defined in Wis. Stat. §961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.
- (4) *Discriminate* or *Discrimination* mean to segregate, separate, exclude or treat any person or class of persons unequally because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age or ancestry.
- (5) *Family* includes one natural person.
- (6) *Family Status* means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:
 - (a) A person is pregnant.
 - (b) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
 - (c) A person's household includes one or more minor or adult relatives.
 - (d) A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
 - (e) A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.
- (7) *Housing* means any improved property, or any portion thereof, including a mobile home as defined in Wis. Stat. §66.0435(1)(d) or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. Housing includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.
- (8) *Person* means one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.
- (9) *Relative* means a parent, grandparent, great-grandparent, stepparent, step grandparent, brother, sister, child, stepchild, grandchild, step grandchild, great-grandchild, first cousin, second cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, half brother, half sister or any other person related by blood, marriage or adoption.

- (10) *Rent* means to lease, to sublease, to let or otherwise grant for a consideration the right of a tenant to occupy housing not owned by the tenant.
- (11) *Respondent* means the person accused in a complaint or amended complaint of discrimination in housing and any other person identified in the course of an investigation as allegedly having discriminated in housing.

IV. **DISCRIMINATION PROHIBITED.**

It shall be unlawful for any person to discriminate:

- (1) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
- (2) By refusing to permit inspection or to falsely represent that housing is not available for inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (3) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such a lot.
- (4) To differentiate in the price of rental or in the terms or conditions of sale or rent of any housing between persons.
- (5) By publishing, circulating, printing, issuing, displaying, posting, mailing, or causing to be published, circulated, printed, issued, displayed, posted, mailed, any communication, notice, advertisement or sign in connection with the sale, financing, lease or rental of housing, which states or indicates any preference or discrimination in connection with housing.
- (6) By refusing to lend money or security, guarantee any loan, accept any mortgage or in any other manner make available any other funds or resources for the construction, acquisition, purchase, rehabilitation, repair or maintenance of any housing.
- (7) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
- (8) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (9) In providing the privileges, services or facilities that are ordinarily provided pursuant to legal duty or local custom.
- (10) By falsely representing that housing is unavailable for inspection, rental or sale.
- (11) By coercing, intimidating, threatening or interfering with a person in the exercise of enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected by this section, or with a person who has aided or encouraged another person in the exercise of enjoyment of a right granted or protected under this section.
- (12) By deliberately and willfully submitting, filing, issuing, publishing, requiring the use of or otherwise utilizing any document evidencing a transfer of real estate interests which contains a provision, covenant or restriction which indicates any preference, limitation or discrimination based on race, gender, color, handicap, developmental disability, religion, national origin, ancestry, marital status of the person maintaining a household, lawful source of income, or sexual orientation.
- (13) By refusing to sell, rent, lease, or in any other manner deny, withhold, or impair the transfer of title, leasehold or any other interest in any part of any housing.
- (14) By refusing to make reasonable accommodations to persons with disabilities in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person(s) equal opportunity to use and enjoy housing, unless such accommodations would impose an undue hardship on the owner of the housing.
- (15) Inducing or attempting to induce any person to sell, rent or lease any housing by representations regarding the present or prospective entry into the neighborhood of a person or persons of a particular race, gender, age, religion, color, national origin, ancestry, marital status of the person maintaining a household, family status, mental illness, physical condition, appearance, lawful source of income, arrest or conviction record, or sexual orientation, or by representations to the effect that such present or prospective entry will or may result in any of the following:
 - (a) The lowering of real estate values in the area concerned.
 - (b) A deterioration in the character of the area concerned.
 - (c) An increase in criminal or antisocial behavior in the area concerned.
 - (d) A decline in the quality of the schools or other public facilities serving the area.

V. EXCEPTIONS

- (1) Nothing in this chapter shall prohibit discrimination:
 - (a) On the basis of age in relation to housing designed to meet the needs of elderly individuals;
 - (b) On the basis of physical condition or mental illness in relation to housing designed specifically to meet the needs of persons with physical impairments or developmental disabilities;
 - (c) On the basis of age with respect to any person less than 18 years old who is seeking to purchase, lease, finance or construct housing;
 - (d) On the basis of conviction record, where the nature of the offense is such given the nature of the housing, so as to cause a reasonable person to have justifiable fear for the safety of residents or employees; or
 - (e) On the basis of gender where such housing is devoted exclusively to members of one sex.
- (2) It is not discrimination based on family status to comply with any federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

VI. ENFORCEMENT PROCEDURES.

The Corporation Counsel shall enforce the provisions of this chapter as follows:

- (1) The Corporation Counsel may receive and investigate a complaint from any person aggrieved by a practice prohibited by this ordinance, provided that a written and verified statement of complaint is filed no more than 300 days after the alleged discrimination occurred.
 - (a) All Complaints shall contain the following:
 - (i) The name and address and signature of the complainant; the name and address and signature of the agent, if any, of the complainant and the name and address of the person allegedly discriminated against if different than the complainant;
 - (ii) The name and address of the respondent(s);
 - (iii) A statement setting forth the particulars of the alleged discriminatory practice;
 - (iv) The date(s) of the alleged discriminatory practice(s).
- (2) The Corporation Counsel shall serve a copy of the complaint upon the respondent, including a written statement directing the respondent to respond in writing to the allegations in the complaint within twenty (20) days after the date of the notice and stating that, if the respondent fails to answer the complaint in writing, an initial determination will be made as to whether discrimination has occurred based solely on the Corporation Counsel's investigation and the information supplied by the complainant.
- (3) The Corporation Counsel may dismiss the complaint if the complainant fails to respond to the Corporation Counsel within twenty (20) days from the date of mailing to the last known address of the complainant.
- (4) If probable cause exists to believe that any discrimination has been or is being committed in violation of this ordinance, the Corporation Counsel may endeavor to eliminate such discrimination by conference, conciliation and persuasion.
- (5) Upon a determination that conciliation and persuasion are either unlikely to eliminate or have not eliminated the alleged discrimination, the corporation counsel may commence a forfeiture action in the name of Door County and proceed in the Circuit Court for Door County for the enforcement of this chapter and penalty provided.
- (6) At any time after a complaint regarding discrimination in rental housing is filed with his or her office, the Corporation Counsel may also move the court as follows:
 - (a) If a vacancy exists in the unit or in a unit similar to that sought by the complainant, for which the complainant is willing and able to assume the cost and other responsibilities, the Corporation Counsel may move the court for an order directing the defendant-lessor to offer such unit to the complainant.
 - (b) If no vacancy exists in the unit or in a unit similar to that sought by the complainant, the Corporation Counsel may move the court for an order directing the defendant-lessor to offer the complainant the next available unit for which the complainant is willing and able to assume the costs and other responsibilities.

- (c) In the event of a final and binding determination by the court that the defendant-lessor's initial rejection of the complainant was not due to unlawful discrimination, tenancies entered into pursuant to a court order under (a) or (b) of this paragraph shall be terminated thirty (30) days after the parties and complainant receive notice of entry of judgment.
- (7) Whenever the Corporation Counsel has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this chapter, or that any group of persons has been denied any of the rights granted by this chapter, he or she may bring a civil action in the Circuit Court of Door County, including an application for temporary or permanent injunctive relief, restraining order, or other order against the person or persons responsible for such pattern or practice of denial of rights.
- (8) The Corporation Counsel shall report on all actions taken under this chapter to the Administrative Committee, which may also receive public testimony and recommend further appropriate action regarding the implementation of this chapter.

VII. PRIVATE RIGHTS RESERVED.

Nothing in this chapter shall limit an individual's right to initiate or maintain a private right of action to enforce his or her statutory or constitutional rights and privileges.

VIII. RIGHTS OF OWNER OR AGENT.

Nothing in this chapter shall limit the right of an owner or agent to require that any person who seeks to buy, rent or lease housing supply references or information concerning financial status.

IX. PENALTIES

- (1) Any person who willfully violates any provision of this ordinance or any lawful order issued under this ordinance shall, for the first violation, forfeit not less than \$500 nor more than \$2500.
- (2) Any person adjudged to have willfully violated any provision of this ordinance for the second time within a five year period shall, for that second violation committed within the same five year period, forfeit not less than \$2500 nor more than \$10,000.
- (3) Any person adjudged to have willfully violated any provision of this ordinance for the third or subsequent time within a five year period shall, for the third and subsequent violations committed within the same five year period, forfeit not less than \$10,000 nor more than \$25,000.

X. SEVERABILITY.

If any section, provision or portion of this ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

XI. EFFECTIVE DATE.

This Ordinance shall be effective upon adoption and publication by the Door County Board of Supervisors as provided by law.

Chapter 32

FAIR HOUSING

Sections:

- Sec. 32-1. Declaration of policy.
- Sec. 32-2. Applicability.
- Sec. 32-3. Definitions.
- Sec. 32-4. Discrimination prohibited.
- Sec. 32-5. Exceptions.
- Sec. 32-6. Administration and enforcement.
- Sec. 32-7. Penalty.
- Sec. 32-8. Other remedies applicable.

Sec. 32-1. Declaration of policy. It is the intent of this chapter to prohibit discrimination in housing within the boundaries of the County of Fond du Lac, except for those municipalities within the County that have a current fair housing ordinance in effect, that pursuant to the authority granted to counties by Wis. Stat. § 66.1011, it is the duty of the County of Fond du Lac to assist in the orderly prevention or removal of all discrimination in housing through the powers granted by the State of Wisconsin. It is declared, therefore, to be the policy of the County of Fond du Lac, in the exercise of its police power on behalf of the public safety, health, and general welfare, that all persons shall have an equal opportunity for housing regardless of sex, race, color, physical condition, disability as defined in Wis. Stat. § 106.50 (1m) (g), sexual orientation as defined in Wis. Stat. § 111.32 (13m), religion, national origin, sex or marital status, family status as defined in Wis. Stat. § 106.50(1m)(k), lawful source of income, age, or ancestry as defined in the Wisconsin Statutes, and in all subsequent amendments to the definitions and provisions outlined therein.

Sec. 32-2. Applicability. This chapter shall apply to all housing within Fond du Lac County, except for housing located in those municipalities within the County that have a fair housing ordinance in effect.

Sec. 32-3. Definitions.

A. "Disability" means physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment.

B. "Discriminate" and "discrimination" mean to segregate, separate, exclude or treat a person or class of persons unequally solely on the basis of being a member of a protected class.

C. "Housing" means any improved property, or any portion thereof, including any mobile home, that is used or occupied or intended, arranged or designed to be used or occupied, as a home or residence.

D. "Member of protected class" means a group of natural persons, or a natural person, who may be categorized based on one or more of the following characteristics: sex, race, color, disability, sexual orientation as defined in Wis. Stat. § 111.32(13m), religion, national origin, sex or marital status of the person maintaining a household, family status, lawful source of income, age, or ancestry, as defined in Wis. Stat. § 106.50(1m)(nm).

Sec. 32-4. Discrimination prohibited. It is unlawful for any person to discriminate:

A. By refusing to sell, lease, sublease, rent, finance, contract to construct, or to negotiate or discuss the terms thereof.

B. By refusing to permit inspection or exacting different or more stringent price, terms, or conditions for the sale, lease, financing, or rental of housing.

C. By refusing to finance or sell an unimproved residence upon such lot.

D. By printing, publishing, circulating, issuing, displaying, posting, mailing, or communicating in any other way any announcement, statement, advertisement, publication, or sign, or causing to be published, circulated, issued or displayed any communication, notice, advertisement or sign in connection with the sale, financing, lease or rental of housing, which states or indicates any discrimination in connection with housing by a preference or limitation.

E. For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.

F. By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.

G. In providing the privileges, services or facilities that are available in connection with housing.

H. By falsely representing that housing is unavailable for inspection, rental or sale.

I. By coercing, intimidating, threatening or interfering with any person in the exercise or enjoyment of a right granted or protected under this chapter, or with any person who has aided or encouraged another person in the exercise or enjoyment of any protected right.

J. By discriminating in the financing of housing, exacting different or more stringent terms for financing, or refusing to refinance housing or refusing to discuss the terms thereof, or refusing to lend money or security, guarantee any loan, accept any mortgage, or in any other manner, make available any other funds or resources for the construction, acquisition, purchase, rehabilitation, improvement, repair, or maintenance of housing.

K. By inducing or attempting to induce any person to sell, rent or lease any dwelling by representations regarding the present or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, sexual orientation or economic status, or by representations to the effect that such present or prospective entry will or may result in:

1. the lowering of real estate values in the area concerned;
2. a deterioration in the character of the area concerned;

3. an increase in criminal or antisocial behavior in the area concerned; or
4. a decline in the quality of the schools or other public facilities serving the area.

L. By discriminating against persons with disabilities as outlined in Wis. Stat. §§ 101.132 and 106.50 (1m) (g).

Sec. 32-5. Exceptions.

A. Nothing in this chapter shall prohibit discrimination on the basis of age in relation to housing designed to meet the needs of elderly individuals.

B. Nothing in this chapter shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

C. Nothing in this chapter shall prohibit the development of housing designed specifically for persons with a handicap and discrimination on the basis of handicap in relation to such housing.

D. It is not discrimination based on family status to comply with any reasonable federal, state, or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

E. Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status and marital, financial and business status but not concerning race, color, physical condition, disability, sexual orientation, age, ancestry, national origin, religion or creed.

Sec. 32-6. Administration and enforcement.

A. The provisions of this ordinance shall be administered by the county's fair housing officer, hereinafter referred to as the "officer" who shall be appointed by the County Executive. Administration shall include: 1) dissemination of information and other proper means to educate county residents to a greater understanding, appreciation, and practice of the basic right for all people to live in decent, safe, sanitary, and affordable housing, 2) making available forms for filing complaints with the Wisconsin Department of Workforce Development, Equal Rights Division, for the enforcement of Section 106.50, Wisconsin Statutes, as amended from time to time, and 3) investigating complaints of discrimination filed with the hearing officer and attempts to resolve the matter as follows:

1. Any person aggrieved by a practice prohibited by this chapter may file a complaint with the officer within 300 days from the date the alleged discrimination occurred.

2. A complaint shall be a written statement of the essential facts constituting the discrimination charged and shall be signed by the complainant.

3. Within 30 days after a complaint is filed with the officer, the officer shall serve written notice on the complainant acknowledging the filing of the complaint and advising the complainant of the time limits, choice of forums, and the right to bring a private civil action.

4. Within 30 days after a complaint is filed with the officer, the officer shall serve a copy of the complaint upon the respondent, including a written statement directing the respondent to respond in writing to the allegations in the complaint within 30 days after the date of the notice and stating that, if the respondent fails to answer the complaint in writing, an initial determination will be made as to whether discrimination has occurred based only on the officer's investigation and the information supplied by the complainant.

5. The officer shall investigate the allegations of the complaint and complete the investigation not later than 60 days after receipt of the complaint. If the investigation cannot be completed within 60 days, the complainant and respondent shall be notified in writing of the reasons.

6. If the officer finds there is probable cause to believe that discrimination has been or is being committed in violation of this chapter, the officer may endeavor to eliminate such discrimination by conference, conciliation, and persuasion.

B. Failure to achieve a resolution acceptable to both parties in compliance with this chapter shall be cause to refer the complaint to the county corporation counsel for prosecution.

1. The corporation counsel may commence a forfeiture action in the circuit court of Fond du Lac County for the enforcement of this chapter and penalty provided.

2. The corporation counsel may also seek appropriate temporary relief against the respondent, including an application for temporary injunction, restraining order, or other order against the person or persons responsible for the denial of the rights granted by this chapter as the corporation counsel deems necessary in order to ensure the full enjoyment of these rights. The court may grant such temporary relief or restraining order as it deems just and proper.

3. The officer or the corporation counsel may dismiss the complaint if the complainant fails to respond within 20 days from the date of mailing of any correspondence concerning the complaint to the last known address of the complainant.

Sec. 32-7. Penalty.

A. Any person who has willfully violated any provision of this chapter or any lawful order issued under this chapter shall forfeit not less than \$50 nor more than \$500. Each day such violation continues shall constitute a separate offense.

B. Payment of any such forfeiture shall be stayed during the period in which any appeal may be taken and during the pendency of any appeal.

Sec. 32-8. Other remedies applicable. Nothing contained in this chapter shall prevent any person from exercising any right or seeking any remedy to which he or she might otherwise be entitled or from filing a complaint with any appropriate governmental agency regarding the subject matter of this chapter.

Consideration of Ordinances:**ORDINANCE NO. 170-10-12****KEWAUNEE COUNTY FAIR HOUSING ORDINANCE****THE KEWAUNEE COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN AS FOLLOWS:**

- (1) **Authority.** This Ordinance is adopted pursuant to the authority of Wis. Stat. §66.1011(2).
- (2) **Purpose.** It is the policy of Kewaunee County that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.
- (3) **Definitions.**
 - (a) "Advertise" means to publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign in connection with the sale, financing or rental of housing.
 - (b) "Age", in reference to a member of a protected class, means at least 18 years of age.
 - (c) "Aggrieved person" means a person who claims to have been injured by discrimination in housing or believes that he or she will be injured by discrimination in housing that is about to occur.
 - (d) "Complainant" means a person who files a complaint alleging discrimination in housing.
 - (e) "Conciliation" means the attempted resolution of issues raised by a complaint or by the investigation of the complaint, through informal negotiations involving the aggrieved person, the complainant, the respondent and corporation counsel.
 - (f) "Condominium" has the meaning given in Wis. Stat. [§703.02 \(4\)](#).
 - (g) "Condominium association" means an association, as defined in Wis. Stat. [§703.02 \(1m\)](#).
 - (h) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" does not include the current illegal use of a controlled substance, as defined in Wis. Stat. [§961.01 \(4\)](#), or a controlled substance analog, as defined in Wis. Stat. [§961.01 \(4m\)](#), unless the individual is participating in a supervised drug rehabilitation program.
 - (i) "Discriminate" means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in this ordinance because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.
 - (j) "Dwelling Unit" means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons who are maintaining a common household, to the exclusion of all others.
 - (k) "Family" includes one natural person.
 - (l) "Family Status" means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:
 1. A person is pregnant.
 2. A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
 3. A person's household includes one or more minor or adult relatives.
 4. A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
 5. A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.
 - (m) "Hardship condition" means a situation under which a tenant in housing for older persons has legal custody or physical placement of a minor child or a minor child is placed in the tenant's care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the minor child.
 - (n) "Housing" means any improved property, or any portion thereof, including a mobile home as defined in Wis. Stat. [§101.91 \(10\)](#), manufactured home, as defined in Wis. Stat. [§101.91 \(2\)](#), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. "Housing" includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.
 - (o) "Housing for older persons" means any of the following:
 1. Housing provided under any state or federal program that the secretary determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program.
 2. Housing solely intended for, and solely occupied by, persons 62 years of age or older.

3. Housing primarily intended and primarily operated for occupancy by at least one person 55 years of age or older per dwelling unit.
- (p) "Interested person" means an adult relative or friend of a member of a protected class, or an official or representative of a private agency, corporation or association concerned with the welfare of a member of a protected class.
 - (q) "Member of a protected class" means a group of natural persons, or a natural person, who may be categorized because of sex, race, color, disability, sexual orientation, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.
 - (r) "Relative" means a parent, grandparent, great-grandparent, stepparent, step grandparent, brother, sister, child, stepchild, grandchild, step grandchild, great-grandchild, first cousin, 2nd cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, half brother or half sister or any other person related by blood, marriage or adoption.
 - (s) "Rent" means to lease, to sublease, to let or to otherwise grant for a consideration the right of a tenant to occupy housing not owned by the tenant.
 - (t) "Respondent" means the person accused in a complaint or amended complaint of discrimination in housing and any other person identified in the course of an investigation as allegedly having discriminated in housing.
 - (u) "Sexual orientation" has the meaning given in Wis. Stat. [§111.32 \(13m\)](#).
 - (v) "Status as a victim of domestic abuse, sexual assault, or stalking" means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in Wis. Stat. [§813.12 \(1\) \(am\)](#), sexual assault under Wis. Stat. §§ [940.225](#), [948.02](#), or [948.025](#), or stalking under Wis. Stat. [§940.32](#).
- (4) **Discrimination Prohibited.** It is unlawful for any person to discriminate:
- (a) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
 - (b) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
 - (c) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
 - (d) By advertising in a manner that indicates discrimination by a preference or limitation.
 - (e) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
 - (f) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
 - (g) In providing, services or facilities that are available in connection with housing.
 - (h) By falsely representing that housing is unavailable for inspection, rental or sale.
 - (i) By denying access to, or membership or participation in, a multiple listing service or other real estate service.
 - (j) By coercing, intimidating, threatening or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this ordinance, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this ordinance.
 - (k) In making available any of the following transactions, or in the terms or conditions of such transactions for a person whose business includes engaging in residential real estate-related transactions:
 - 1. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.
 - 2. Selling, brokering or appraising residential real property.
 - (l) By otherwise making unavailable or denying housing.
- (5) **Representations designed to induce panic sales.** No person may induce or attempt to induce a person to sell or rent housing by representations regarding the present or prospective entry into the neighborhood of a person of a particular economic status or a member of a protected class, or by representations to the effect that such present or prospective entry will or may result in any of the following:
- (a) The lowering of real estate values in the area concerned.
 - (b) A deterioration in the character of the area concerned.
 - (c) An increase in criminal or antisocial behavior in the area concerned.
 - (d) A decline in the quality of the schools or other public facilities serving the area.

(6) **Discrimination against persons with disabilities prohibited.**

- (a) Types of discrimination prohibited. In addition to discrimination prohibited under subs. (4) and (5), no person may do any of the following:
1. Segregate, separate, exclude or treat unequally in the sale or rental of, or otherwise make unavailable or deny, housing to a buyer or renter because of a disability of that buyer or renter, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that buyer or renter.
 2. Segregate, separate, exclude or treat unequally a person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection with such housing, because of a disability of that person, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that person.
 3. Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing that is occupied, or is to be occupied, by such a person if the modifications may be necessary to afford the person full enjoyment of the housing, except that in the case of rental housing the landlord may, where it is reasonable to do so, condition permission for a modification on the tenant's agreement to restore the interior of the housing to the condition that existed before the modification, other than reasonable wear and tear. The landlord may not increase any customarily required security deposit. Where it is necessary to ensure that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of a restoration agreement a requirement that the tenant pay into an interest-bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. If escrowed funds are not used by the landlord for restorations, they shall be returned to the tenant.
 4. Refuse to make reasonable accommodations in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.
- (b) Animals assisting persons with disabilities.
1. If an individual's vision, hearing or mobility is impaired, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from an individual as a condition of continued residence in housing or engage in the harassment of the individual because he or she keeps an animal that is specially trained to lead or assist the individual with impaired vision, hearing or mobility if all of the following apply:
 - a. Upon request, the individual shows to the lessor, seller or representative of the condominium association credentials issued by a school recognized by the State of Wisconsin as accredited to train animals for individuals with impaired vision, hearing or mobility.
 - b. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.
 2. Subdivision 1. does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.

(7) **Exemptions and exclusions.**

- (a)
1. Nothing in this section prohibits discrimination based on age or family status with respect to housing for older persons.
 2. Under this paragraph, housing under sub. (3)(o)3. may qualify as housing for older persons only if the owner of the housing maintains records containing written verification that all of the following factors apply to the housing:
 - a. At least 80% of the dwelling units under sub. (3)(o)3. are occupied by at least one person 55 years of age or older.
 - b. Policies are published and procedures are adhered to that demonstrate an intent by the owner or manager to provide housing under sub. (3)(o)3. for persons 55 years of age or older. The owner or manager may document compliance with this subdivision by maintaining records containing written verification of the ages of the occupants of the housing.
 3. No person may discriminate by refusing to continue renting to a person living in housing for older persons under sub. (3)(o)3. who is subject to a hardship condition.
 4. Under this paragraph, housing may qualify as housing for older persons with respect to persons first occupying the housing on or after September 1, 1992, regardless of whether a person who had not attained the age of 62 resided in the housing on that date or regardless of whether one or more dwelling units were unoccupied on that date, if the persons who first occupy the housing on or after that date have attained the age of 62.
- (b) Nothing in this section shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.
- (c) Nothing in this section shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.
- (d) Nothing in this section requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual that caused harm or damage, that directly threatened harm or damage, or that caused a reasonable fear of harm or damage to other tenants, persons employed on the property, or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the tenant's status as a victim of domestic abuse, sexual assault, or stalking.

- (e) It is not discrimination based on status as a victim of domestic abuse, sexual assault, or stalking for a landlord to bring an action for eviction of a tenant based on a violation of the rental agreement or of a statute that entitles the landlord to possession of the premises, unless subd. [1.](#) or [2.](#) applies. A tenant has a defense to an action for eviction brought by a landlord if the tenant proves by a preponderance of the evidence that the landlord knew or should have known any of the following:
1. That the tenant is a victim of domestic abuse, sexual assault, or stalking and that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was not the invited guest of the tenant.
 2. That the tenant is a victim of domestic abuse, sexual assault, or stalking, that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was the invited guest of the tenant, and that the tenant has done one of the following:
 - a. Sought an injunction under Wis. Stat. §§[813.12](#), [813.122](#), [813.123](#), or [813.125](#) enjoining the person from appearing on the premises.
 - b. Upon receiving notice under Wis. Stat. [§704.17](#), provided a written statement to the landlord indicating that the person will no longer be an invited guest of the tenant and has not subsequently invited the person to be a guest of the tenant.
- (f) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.
1. Subject to subd. [2.](#), nothing in this section applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in Wis. Stat. [§101.71\(2\)](#) except that dwelling unit does not include any residence occupied by more than 5 persons.
 2. Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under subd. [1.](#) may not violate sub. [\(4\)\(d\)](#), [42 USC 3604 \(c\)](#), or any rules or regulations promulgated under this section or [42 USC 3601 to 3619](#), except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.
- (g)
1. Nothing in this section prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. [2.](#), age.
 2. Notwithstanding subd. [1.](#), an owner or agent may require that a person who seeks to buy or rent housing under sub. [\(2\)\(c\)3.](#) supply information concerning his or her age for the purpose of verifying compliance with par. [\(a\)2.a.](#)
- (h) A person may not be held personally liable for monetary damages for a violation of sub. [\(4\)](#), [\(5\)](#) or [\(6\)](#) if the person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons. For purposes of this paragraph, a person may show reasonable reliance, in good faith, on the application of the exemption under this subsection relating to housing for older persons only if the person shows all of the following:
1. That he or she has no actual knowledge that the housing is not or will not be eligible for the exemption.
 2. That the owner of the housing has stated formally, in writing, that the housing complies with the requirements for the exemption.
- (8) **Fair Housing Enforcement.**
- (a) **Complaints.**
1. The Corporation Counsel may receive and investigate a complaint charging a violation of sub. [\(4\)](#), [\(5\)](#) or [\(6\)](#) if the complaint is filed with Corporation Counsel not later than one year after the alleged discrimination occurred or terminated.
 2. The complaint shall include a written statement of the essential facts constituting the discrimination that is charged, and shall be signed by the complainant.
 3. The complaint may be filed by an aggrieved person or by an interested person.
 4. Upon the filing of an initial, amended, final or supplemental complaint, corporation counsel shall promptly serve a copy of the complaint upon the respondent. The notice to the respondent shall include a written statement from corporation counsel directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of the notice and further stating that, if the respondent fails to answer the complaint in writing, corporation counsel will make an initial determination as to whether discrimination has occurred based only on the corporation counsel's investigation and the information supplied by the complainant.
 5. Corporation counsel may dismiss a complaint if the complainant fails to respond to corporation counsel within 20 days from the date of mailing of any correspondence to the last known address of complainant.
- (b) **Enforcement.**
1. If there is probable cause to believe that any discrimination has been or is occurring in violation of this ordinance, the Corporation Counsel may endeavor to eliminate such discrimination by conference, conciliation and persuasion.
 2. Upon a determination that the alleged discrimination continues and there is a likelihood that further efforts at conference, conciliation and persuasion will not eliminate the alleged discrimination, the corporation counsel may commence a forfeiture action in the name of Kewaunee County and proceed in the Circuit Court for Kewaunee County for the enforcement of this ordinance.
- (c) **Penalties.**
1. Any person violating this ordinance shall be subject to a forfeiture in an amount not exceeding \$10,000.
 2. Any person violating this ordinance for a second time a 5-year period shall be subject to a forfeiture not exceeding \$25,000.
 3. Any person violating this ordinance for a third or subsequent time in a 7-year period shall be subject to a forfeiture in an amount not exceeding \$50,000.

- (9) **Civil Actions.** Nothing in this ordinance shall limit an individual's right to initiate or maintain a private right of action to enforce his or her statutory or constitutional rights and privileges.
- (10) **Severability.** If a court of competent jurisdiction finds any section, provision or portion of this ordinance invalid, the remainder of this ordinance shall remain in full force and effect.
- (11) **Effective date.** This Ordinance shall be effective upon passage and publication.

Respectfully Submitted,
Human Services Committee

JAMES ABRAHAMSON, DONALD DELEBREAU, LEVERLE KOENIG, KAYE SHILLIN, LINDA SINKULA, JANICE SWOBODA

Supervisors Koenig moved and Swoboda seconded for adoption. Roll call vote: 16 ayes, 2 (Delebrea and Heuer) nays.
Motion carried.

Supervisors Mayer moved and Heidmann seconded that the December County Board Meeting will be held on December 18, 2012 at 5:00 PM. Motion carried.

Supervisors Barlow moved and Shillin seconded to adjourn. Motion carried.

Board adjourned at 7:37 PM.

CHAPTER 6

POLICE ORDINANCES

Part 1. Penalties.

6.01 Penalties.

Part 2. Statutes Adopted By Reference.

6.05 State Statutes Adopted By
Reference.

Part 3. Offenses Against Property.

6.07	Trespass to Land.	6.13	Worthless Checks.
6.08	Trespass to Dwellings.	6.14	Retail Theft.
6.09	Entry onto Construction Site, Building, School Grounds, or Premises.	6.16	Parking Regulations.
6.10	Theft.	6.17	Littering.
6.11	Attempted Theft.	6.18	Storage and Disposal of Automobiles, Tires, Junk, and Other Miscellaneous Waste.
6.12	Damage To Property.		

Part 4. Offenses Against Public Peace and Order.

6.19	Disorderly Conduct.	6.241	Shining Animals.
6.20	Disorderly Conduct With Injury.	6.25	Tire Squealing.
6.21	Disorderly Conduct With A Motor Vehicle.	6.255	Possession of Marijuana.
6.215	Lake Michigan Boating Restriction.	6.256	Possession of Drug Paraphernalia.
6.217	Launching and Loading Watercraft.	6.26	Lewd and Lascivious Behavior.
6.23	Animals Running At Large.	6.27	Obscenity.
6.231	Poisonous Snakes.	6.28	Fair Housing.
6.232	Wolf/dog Hybrids To Be Properly Confined.	6.285	Social Host Ordinance.
6.24	Noise Prohibited.	6.29	Open After Hours.
		6.295	Feeding Deer Prohibited.

- a. Is a vocational, technical, and adult education district school, is a school approved by the educational approval board under Wis. Stat. § 38.51 or is a school described in Wis. Stat. §§ 38.51(9)(f), (g), or (h); and
 - b. Is exempt from taxation under section 501(c)(3) of the internal revenue code.
- 4. Any institution of higher education that is accredited, as described in Wis. Stat. § 39.30(1)(d), and is exempt from taxation under section 501(c)(3) of the internal revenue code.
 - 5. A library that receives funding from any unit of government.
- (9) In determining whether material is obscene under subsections (2)(c) 1. and 3., a judge or jury shall examine individual pictures or passages in the context of the work in which they appear.

6.28 Fair Housing.

- (1) Intent. It is the intent of this section to render unlawful discrimination in housing. It is the declared policy of this County that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, handicap, religion, national origin, sex, or marital status of the person maintaining a household, lawful source of income, age, or ancestry.
- (2) Definitions. In this section unless the context requires otherwise:
- (a) “Condominium” means property subject to a condominium declaration under Wis. Stat. Ch. 703.
 - (b) “Condominium association” means an association as defined in Wis Stat. § 703.02(1m).
 - (c) “Discriminate” and “discrimination” mean to segregate, separate, exclude, or treat any person or class of persons unequally because of sex, race, color, handicap, sexual orientation, religion, national origin, sex, or marital status of the person maintaining a household, lawful source of income, age, or ancestry. It is intended that the factors set forth herein shall be the sole basis for prohibiting discrimination.
 - (d) “Handicap” means any physical disability or developmental disability as defined under Wis. Stat. § 51.01(5)(a).

- (e) “Housing” means any improved property, including any mobile home as defined in Wis. Stat. § 66.058, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as a home or residence.
 - (f) “Unimproved residential lot” means any residential lot upon which no permanent building or structure containing living quarters has been constructed.
- (3) Discrimination Prohibited. It is unlawful for any person to discriminate:
- (a) By refusing to sell, lease, finance, or contract to construct housing or by refusing to discuss the terms thereof.
 - (b) By refusing to permit inspection or exacting different or more stringent price, terms, or conditions for the sale, lease, financing, or rental of housing.
 - (c) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
 - (d) By publishing, circulating, issuing, or displaying, or causing to be published, circulated, issued, or displayed, any communication, notice, advertisement, or sign in connection with the sale, financing, lease, or rental of housing, which states or indicates any discrimination in connection with housing.
 - (e) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
 - (f) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (4) Exceptions.
- (a) Nothing in this section shall prohibit discrimination on the basis of age in relation to housing designed to meet the needs of elderly individuals.
 - (b) Nothing in this section shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.
 - (c) Nothing in this section shall prohibit the development of housing designed specifically for persons with a handicap and discrimination on the basis of handicap in relation to such housing.

- (5) Representations Designed to Induce Panic Sales. No person may induce or attempt to induce any person to sell, rent, or lease any dwelling by representations regarding the present or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, sexual orientation, or economic status, or by representations to the effect that such present or prospective entry will or may result in a) the lowering of real estate values in the area concerned; b) a deterioration in the character of the area concerned; c) an increase in criminal or antisocial behavior in the area concerned; or d) a decline in the quality of the schools or other public facilities serving the area.
- (6) Animals Assisting the Handicapped.
- (a) If an individual's vision, hearing, or mobility is impaired, it is discrimination on the basis of handicap for any person to refuse to rent or sell housing to the individual, cause the eviction of the individual from rental housing or a condominium, require extra compensation from an individual as a condition of continued residence in rental housing or a condominium, or engage in the harassment of the individual because he or she keeps an animal specially trained to lead or assist individuals with impaired vision, hearing, or mobility if all of the following apply:
1. Upon request, the individual shows to the lessor, seller, or representative of the condominium association credentials issued by a school recognized by the department as accredited to train animals for individuals with impaired vision, hearing, or mobility.
 2. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.
- (b) Paragraph (6) (a) does not apply in the case of rental of an owner occupied dwelling if the owner or a member of his or her immediate family occupying the dwelling possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.
- (7) Interference, Coercion, or Intimidation. No person may coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of any right granted or protected by this section, or with any person who has aided or encouraged another person in the exercise or enjoyment of any right granted or protected by this section.
- (8) Requiring References. Nothing in this section prohibits an owner or agent from requiring that any person who seeks to buy, rent, or lease housing supply information concerning family, marital, financial, and business status but not concerning race, color, physical condition, developmental disability as defined in Wis. Stat. § 51.01(5), sexual orientation, or creed.

- (9) Penalty.
- (a) Any person who wilfully violates this section or any lawful order issued under this section shall, for the first violation, forfeit not less than \$100.00 nor more than \$500.00.
 - (b) Any person adjudged to have violated this section within five (5) years after having been adjudged to have violated this section, for every violation committed within the five (5) years, shall forfeit not less than \$500.00 nor more than \$5,000.00.

6.285 Social Host Ordinance.

- (1) This ordinance may be referred to as the Social Host Ordinance.
- (2) The purpose of this ordinance is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and to hold any person who hosts an event or gathering where persons under 21 years of age possess or consume alcohol responsible regardless of whether the person hosting the event or gathering supplied the alcohol.
- (3) Definitions. For purposes of this section, the following terms have the following meanings:
 - “Allow” or “host” means to aid, conduct, entertain, organize, supervise, control, or permit an event or gathering.
 - “Alcohol” means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
 - “Alcoholic beverage” means alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.
 - “Control” means having the authority or power, or both, to direct, manage, oversee, or restrict the affairs, assets, or business of a person or entity.
 - “Event” or “gathering” means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
 - “Parent” means a person having legal custody of a juvenile as a natural, adoptive, or step parent; a legal guardian; or a person to whom legal custody has been given by court order.

ORDINANCE No. 361 - 12

**AMENDING CHAPTER 9 OF THE MARINETTE COUNTY
CODE OF ORDINANCES – PEACE AND ORDER**

The County Board of Supervisors of the County of Marinette does ordain as follows:

Section One: §9.04 Fair and Open Housing Code is created as follows:

9.04 Fair and Open Housing

- (1) **State law adopted.** Wis. Stats. §106.50 and all subsequent amendments are adopted by Marinette County.
- (2) **Discrimination to be removed.** The officials and employees of the county shall assist in the orderly prevention and removal of all discrimination in housing within the county.
- (3) **Complaint.** The County Clerk shall maintain forms for complaints to be filed under Wis. Stats. §106.50, and shall direct any person alleging a violation to file a complaint with the Wisconsin Department of Workforce Development, Equal Rights Division for enforcement.

Section Two: This ordinance shall be effective immediately upon passage and publication.

Adopted: September 18, 2012.



Vilas Schroeder, Chairperson



Katherine K. Brandt, Clerk

Recommended: Economic Development and Tourism Committee September 18, 2012

Outagamie County, Wisconsin, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 2 -
ADMINISTRATION >> ARTICLE IX. - FAIR AND OPEN HOUSING >>

ARTICLE IX. - FAIR AND OPEN HOUSING [7]

Sec. 2-837. - State law adopted.

Sec. 2-838. - Discrimination to be removed.

Sec. 2-839. - Complaints.

Sec. 2-837. - State law adopted.

The County Board hereby adopts Wis. Stats. § 106.50 and all subsequent amendments thereto.

(Ord. No. T-2005-2006, § 1.52(1), 3-28-2006)

Sec. 2-838. - Discrimination to be removed.

The officials and employees of the county shall assist in the orderly prevention and removal of all discrimination in housing within the county by implementing the authority and enforcement procedures set forth in Wis. Stats. § 106.50, as amended.

(Ord. No. T-2005-2006, § 1.52(2), 3-28-2006)

Sec. 2-839. - Complaints.

The county clerk shall maintain forms for complaints to be filed under Wis. Stats. § 106.50, and shall direct any person alleging a violation thereof in the county to file a complaint with the state department of work force development, equal rights division, for enforcement of Wis. Stats. § 106.50.

(Ord. No. T-2005-2006, § 1.52(3), 3-28-2006)

FOOTNOTE(S):

(7) State Law reference— Fair housing, Wis. Stats. § 106.50 (Back)

INSERT SHEBOYGAN COUNTY FAIR HOUSING ORDINANCE

(a) **Conviction.** Upon conviction of a violation of this Section, violators shall be fined \$100.00 plus any statutory surcharges imposed by state law. Each and every act of violation shall constitute a separate offense. Each day of violation, disobedience, omission, neglect, or refusal shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned no less than three (3) days nor more than thirty (30) days.

(b) **Public Nuisance.** Violation of any provision of this Section constitutes a public nuisance.

(6) **SEVERABILITY AND NON-LIABILITY.** If any Section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

(7) **JURISDICTION.** This Section of the Code shall apply in all unincorporated areas of Winnebago County.

(8) **EFFECTIVE DATE.** This Ordinance shall be in full force and effect as of October 1, 1996.

11.18 FAIR HOUSING

(1) **STATEMENT OF POLICY:** It is the intent of this subsection to render unlawful discrimination in housing. It is declared the policy of the County that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age, or ancestry.

(2) **DISCRIMINATION PROHIBITED:** It is unlawful for any person to discriminate contrary to the provisions of this Chapter.

(3) **STATE STATUTE ADOPTED BY REFERENCE:** The provisions of § 106.50, Wis Stats, are hereby adopted by reference. It shall be unlawful for any person to violate such section.

(4) **ENFORCEMENT AGENCY:**

(a) The Winnebago County Affirmative Action Commission is hereby charged with the responsibility of enforcing the provisions of this article within areas of Winnebago County that have not adopted an anti-discrimination housing ordinance.

(b) The powers and duties of the Winnebago County Affirmative Action Commission are as follows:

1) To adopt, amend, publish, and rescind rules for governing its meetings and hearings.

2) To receive and investigate all complaints alleging any discriminatory practice prohibited by this section. The Corporation Counsel's Office shall work in conjunction with the Affirmative Action Commission in the investigation of said complaints.

3) The Affirmative Action Commission shall seek a settlement agreeable to both the complainant and the respondent by means of informal conferences.

4) To hold hearings, if necessary, after the efforts at settlement, based on complaints made against any person, to administer oath and take testimony, to compel the production of books, papers, and other documents relating to any matter involved in the complaint, and to subpoena witnesses and compel their attendance.

5) To make recommendations for enforcement of this section to the Corporation Counsel.

6) To recommend to the Winnebago County Board of Supervisors any legislation necessary to promote and further the purposes of this section.

(5) **ENFORCEMENT AND PENALTY:** The following are the procedures for enforcement and penalty involving complaints under this article:

(a) **Complaint:** Any complaint alleging any discriminatory practices prohibited by this section shall be reduced to writing and verified by the complainant. Such complaints may be initiated by any person having personal knowledge of the facts constituting the alleged discriminatory practice. All complaints shall contain the following:

1) The name and address of the complainant, and of the person allegedly discriminated against, if different.

2) The name and address of the respondent or respondents.

3) A statement setting forth the facts constituting the alleged discriminatory practice.

4) The date or dates of the alleged discriminatory practice.

(b) **Where Filed:** Complaints shall be filed with the County Clerk who shall transmit the same to the Affirmative Action Commission within five (5) business days after receipt.

(c) **When Filed:** Complaints alleging any discriminatory practice prohibited by this section shall be filed no later than thirty (30) days after the alleged discriminatory practice occurred.

(d) **Notice to Respondent:** The Affirmative Action Commission shall provide a copy of the complaint to the respondent by regular first class mail within ten (10) business days after filing.

(6) **JURISDICTION:**

(a) This ordinance shall be in effect as to all municipalities in Winnebago County, with the exception of those incorporated municipalities that have adopted similar restrictive ordinances.

(7) **PENALTIES:**

(A) Penalties under this ordinance may be imposed pursuant to Section 25.04 of the General Code of Winnebago County.

Section H: Cooperative Agreement

Insert Executed Cooperative Agreement

SECTION I: STATEMENT OF ASSURANCES

I, Troy Streckenbach, County Executive, of Brown County certify that Brown County

1. Will minimize displacement as a result of activities associated with CDBG funds, and will follow an adopted residential antidisplacement and relocation assistance plan;
2. Will conduct and administer its program in conformance with the Civil Rights Act of 1964 and the Fair Housing Act, and affirmatively further fair housing;
3. Will develop and implement a citizen participation plan in accordance with the provisions of Section 104 (a)(2) and (3) of the Housing and Community Development Act of 1974, as amended;
4. Will not use assessments or fees to recover the capital costs of CDBG-funded public improvements from low- and moderate-income owner-occupants;
5. Has identified its housing and community development needs, including those of low- and moderate-income persons, and the activities to be undertaken meet such needs.;
6. Will comply with 24 CFR 570.608 regarding notification, inspection, testing, and abatement procedures concerning lead-based paint;
7. Has adopted and will enforce a policy prohibiting use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in accordance with Section 519 of Public Law 101-144; and
8. Has a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of non-violent and civil rights demonstrations within its jurisdiction; and
9. Will not enter into a contract with any entity that is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation.
10. Will comply with the other provisions of the Community Development Block Grant Program;
11. Will maintain documentation of compliance with the above certifications.



Signature of Chief Elected Official



Date

Troy Streckenbach, Brown County Executive
Troy Streckenbach, Brown County Executive

SECTION J: RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION PLAN

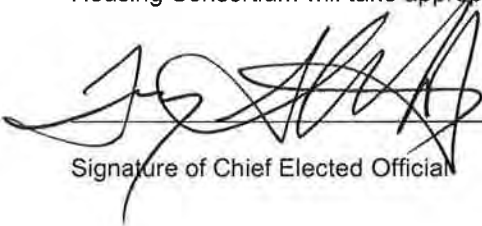
The Northeastern Wisconsin Housing Consortium will provide relocation assistance, as described in 570.496a (b)(2) and in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Northeastern Wisconsin Housing Consortium will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- and moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and described in 24 CFR 570.496a (b)(1) and in Section 104 (d) of the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the Northeastern Wisconsin Housing Consortium will make public and submit, in writing, to the Department of Administration, Division of Housing, the following information:

1. A description of the proposed activity.
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- to moderate-income dwelling units as a direct result of the assisted activity, and that will be provided as replacement dwelling units.
3. A timetable for the commencement and completion of the demolition or conversion.
4. The source of funding and time schedule for the provision of replacement dwelling units.
5. The basis for concluding that each replacement dwelling unit will remain a low- to moderate-income dwelling unit for at least ten years from the date of initial occupancy.

Consistent with the goals and objectives of activities assisted under the Act, the Northeastern Wisconsin Housing Consortium will take appropriate steps to minimize the displacement of persons from the homes.



Signature of Chief Elected Official _____

Brown County Executive _____

Title

Troy Streckenbach, Brown County Executive _____

SECTION K: CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

This certifies that, to the best of the undersigned's knowledge and belief:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete Standard Form - LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Chief Elected Official
Troy Streckenbach

Brown County Executive

Title

10/16/12

Date