

City of West Allis

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An Ordinance to Repeal and Recreate Section 6.035 of the Revised Municipal Code Relating to Fair Housing.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 6.035 of the Revised Municipal Code of the City of West Allis is hereby repealed and recreated to read:

6.035 FAIR HOUSING.

(1) Intent. It is the intent of this section to render unlawful discrimination in housing. It is the declared policy of this city 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. The Common Council hereby extends this ordinance governing equal housing opportunities to cover single-family residences, which are owner-occupied. The Common Council finds that the sale and rental of single-family residences constitute a significant portion of the housing business in this city and should be regulated. This section shall be deemed an exercise of the police powers of the city for the protection of the welfare, health, peace, dignity and human rights of the people of this city.

(2) Definitions. In this section:

(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 the city department in charge of handling Fair Housing Complaints.
- (F) "Condominium" has the meaning given in Wisconsin Statute 703.02(4).
- (G) "Condominium Association" means an association, as defined in Wisconsin Statute 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 Wisconsin Statute 961.01(4), or a controlled substance analog, as defined in Wisconsin Statute 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 sections (3), (4) or (5) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, 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 two 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 Wisconsin Statute 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.
- (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 based on one or more of the following characteristics: sex, race, color, disability, sexual orientation as defined in Wisconsin Statute 111.32(13m), religion, national origin, marital status, family status, 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, including natural and otherwise, 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 Wisconsin Statute 111.32(13m).
- (3) 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 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 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 section, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this section.
- (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.
- (4) 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.
- (5) Discrimination Against Persons with Disabilities Prohibited.
- (A) Types of discrimination prohibited. In addition to discrimination prohibited under sections (3) and (4), 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 department 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. This section (Animals assisting persons with disabilities) 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.
- (6) Exemptions and Exclusions.
- (A) Nothing in this section prohibits discrimination based on age or family status with respect to housing for older persons.
- (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 fact that a tenant has been or may be the victim of domestic abuse, as defined in Wisconsin Statute 813.12(1)(am).
- (E) 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.
- (7) Board Created; Membership Terms; Qualifications. There is hereby created a Fair Housing Board, consisting of five (5) members, residents of the city, who shall serve a three (3) year term, except that for the original appointment, two (2) shall be designated as having a three (3) year term, two (2) as having a two (2) year term, and one (1) as having a one (1) year term. The board shall annually designate one (1) of its members as chairman and one (1) as secretary.
- (8) Appointment of the Board. The members of the Fair Housing Board shall be appointed by the Mayor, subject to the approval of the Common Council.

- (9) Authority of Board to Adopt Regulations. The Fair Housing Board shall adopt such rules and regulations as may be desirable to carry out the purposes and provisions of this chapter.
- (10) Annual Reports of the Board. The Fair Housing Board shall submit an annual report to the Mayor and Common Council concerning the enforcement of this chapter, including its recommendations relating thereto.
- (11) Administration.
- (A) Authority and responsibility. The authority and responsibility for administering this chapter shall be in the Fair Housing Board of the City of West Allis, Wisconsin.
- (B) Cooperation of board and executive departments and agencies in administration of housing and urban development programs and activities to further fair housing purposes. All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this title and shall cooperate with the Board to further such purposes.
- (C) Functions of Board. The Fair Housing Board may:
- 1. Make studies with respect to the nature and extent of discriminatory housing practices in the City of West Allis;
- 2. Publish and disseminate reports, recommendations, and information derived from such studies;
- 3. Cooperate with and render any technical assistance requested by federal, state, local and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;
- 4. Cooperate with and render such technical and other assistance to the community relations service as may be appropriate to further its activities in preventing or eliminating discriminatory housing practices, and
- 5. Administer the programs and activities under its authority in a manner affirmatively to further the policies of this chapter.
- (12) Education and Conciliation; Conferences and Consultations; Reports. Immediately after the enactment of this chapter, the Fair Housing Board may commence such educational and conciliatory activities as in its judgment will further the purposes of this chapter. The Board may call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this chapter and suggest means of implementing it, and may endeavor with their advice to work out programs of voluntary compliance and of enforcement. The Board may consult with federal, state and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their locality, and whether and how enforcement programs might be utilized to combat such discrimination in connection with or in place of, the Board's enforcement of this chapter. The Board shall issue reports on such conferences and consultations as it deems appropriate.
- (13) Fair Housing Administrative Enforcement.

- (A) Person aggrieved; complaint; copy; investigation; informal proceedings; violations of secrecy; penalties. Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the City of West Allis Clerk/Treasurer's Office. Complaints shall be in writing and shall contain such information and be in such form as outlined in this chapter and as required by the board. If the claim alleges that the City is the discriminatory party, the complaint will be received, but referred to the proper state or federal agency and notice of the same will be provided to the complainant by the City in writing. The Clerk shall refer the complaint to the Community Development Division. Within five (5) days of receipt of the referral of such a complaint, the Manager of the Community Development Division shall furnish a copy of the complaint to each member of the Board, as well as, the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice and inform said person or persons of his/her right to file an answer to said complaint within twenty (20) days of receipt of the same. Within ten (10) days after receiving a complaint, the Chairman of the Board shall make a determination as to whether or not to convene the Board for the purpose of discussing what action, if any, to take on the complaint. In the event the Chairman convenes the Board, said meeting shall take place no later than forty-five (45) days after the Chairman's receipt of the complaint. In the event the Board determines at a meeting to conduct a formal investigation of the complaint, it shall direct the Manager of the Community Development Division, or his/her designee, to investigate the complaint and report back to the Board within a specified amount of time not to exceed ninety (90) days from said directive of the Board. All other administrative departments of the city shall cooperate as needed in the investigation of the complaint. Within a reasonable time as indicated by the Board, after the completion of the investigation and report to the Board, or after a decision by the Board that no action will be taken on the complaint, the Board shall give notice in writing to the person aggrieved as to whether the board intends to resolve the complaint. If the Board decides to resolve the complaint, it shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavors may be used as evidence in a subsequent proceeding under this chapter without the written consent of the person concerned. The Board may extend the timeframes as outlined in this subsection only at the discretion of the Board.
- (B) Complaint; limitations; answers; amendments; verification. A complaint under subsection (A) shall be filed within one hundred eighty (180) days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him/her and with the leave of the Board, which shall be granted whenever it would be reasonable and fair to do so, may amend his/her answer at any time. Both complaints and answers shall be sworn to before a Notary Public.
- (C) Burden of proof. In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.
- (D) Other remedies available\Private civil actions. Nothing in this chapter shall be construed as prohibiting or in any way limiting the right of complainants to pursue in any appropriate court, any remedy or cause of action available to him/her under state or federal law.
- (E) Trial of action; termination of voluntary compliance efforts. Whenever an action filed by an individual, in either federal or state court, pursuant to applicable federal or state laws shall come to trial, the Board shall immediately terminate all efforts to obtain voluntary compliance.

(14) Evidence.

- (A) Investigations; access to records, documents, and other evidence; copying; searches and seizures; subpoenas; interrogatories; administration of oaths. Subject to the provisions of the Fourth Amendment to the United States Constitution relating to unreasonable searches and seizures, the Community Development Division, when conducting an investigation authorized by this chapter, shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take the record of the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation. The Board may issue subpoenas to compel its access to or the production of such materials, or the appearance of such person, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the courts of Wisconsin. The Board may administer oaths.
- (B) Compensation and mileage fees of witnesses. Witnesses summoned by subpoena of the Board shall be entitled to the same witness and mileage fees as are witnesses in proceedings in the Circuit Courts in the State of Wisconsin. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by the respondent.
- (C) Enforcement of subpoena. In case of contumacy or refusal to obey a subpoena, the Board or other person at whose request it was issued may petition for its enforcement in the Circuit Court of Milwaukee County.
- (D) Violations; penalties. Any person who willfully fails or neglects to attend and testify or to answer to any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Board, shall forfeit not more than five hundred dollars (\$500.00) as in the discretion of the Board. Any person who, with intent thereby to mislead the Board, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document submitted to the Board pursuant to his subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by other means falsify any documentary evidence, shall forfeit not more than five hundred dollars (\$500.00) as in the discretion of the Board. Each day that a violation continues after proper notice has been served shall be deemed a separate offense.
- (E) City Attorney to conduct litigation. The City Attorney shall represent the Board in all litigation that the Board participates as a party or as amicus pursuant to this chapter.
- (15) Hearing Procedures. If the Board finds probable cause to believe that any discrimination has been or is being committed in violation of this section and that such discrimination cannot be eliminated by means of conference, conciliation and/or persuasion, the Board shall issue and serve a written notice of hearing specifying the nature and acts of discrimination of the complaint and/or those found during the investigation which appear to have been committed and requiring the person named, hereinafter called the "respondent", to answer the complaint in a hearing before the Board. The notice shall specify a time of hearing and place of hearing, not less than ten (10) days after service of the complaint. The testimony at the hearing shall be recorded by the Board. If, after the hearing, the Board finds upon majority vote and by a fair preponderance of the evidence that the respondent has engaged in discrimination in violation of this section, the Board shall make written

findings and recommend such action by the respondent as will effectuate the purpose of this section and shall serve a certified copy of its findings and recommendations on the respondent and complainant together with an order requiring the respondent to comply with the recommendations. Failure to comply with such order shall be a violation of this section and shall subject the respondent to a forfeiture, as hereafter provided. If the Board finds that the respondent has not engaged in discrimination as alleged in the complaint, it shall serve a certified copy of its findings on the complainant and the respondent, together with an order dismissing the complaint. Where the complaint is dismissed, costs in an amount not to exceed one hundred dollars (\$100), plus actual disbursements for the attendance of witnesses, may be recommended by the Board to be assessed against the City and may be paid in the discretion of the Common Council, where proper claim therefore is made by the respondent.

- (16) Judicial Review. Within thirty (30) days after service upon all parties of an order or determination of the Fair Housing Board under this Chapter, the respondent, the complainant or the aggrieved party may appeal the order or the determination to the Circuit Court for Milwaukee County by the filing of a Petition for Review. The Circuit Court shall review the order or determination of the Fair Housing Board as provided in Wisconsin Statutes 227.52 through 227.58.
- (17) Damages and Penalties.
- (A) Any respondent who willfully violates this section, or any lawful order issued hereunder shall, for each such violation, forfeit not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) as in the discretion of the Board. Each day that a violation continues after proper notice has been served shall be deemed a separate offense. In addition to the monetary penalty heretofore stated, the Fair Housing Board may order relief of an injunctive or other equitable manner. The Fair Housing Board may not order punitive damages. Any respondent adjudged to have violated this section within five (5) years after having been adjudged to have violated this section, for every violation committed within five (5) years, shall forfeit not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000) as in the discretion of the Board. Each day that a violation continues after proper notice has been served shall be deemed a separate offense.
- (B) In addition to any damages ordered under subdivision (A), any respondent who is not a natural person adjudged to have willfully violated this section, or any lawful order issued hereunder shall, for each such violation, forfeit not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) as in the discretion of the Board. Each day that a violation continues after proper notice has been served shall be deemed a separate offense. Any responden who is not a natural 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 five (5) years, shall forfeit not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000) as in the discretion of the Board. Each day that a violation continues after proper notice has been served shall be deemed a separate offense.
- (C) In the event that any person, natural or otherwise, fails to abide by an Order of Relief or Determination issued by the Fair Housing Board, the City Attorney, on behalf of the Fair Housing Board, may petition to the Circuit Court for Milwaukee County to enforce the Order or Determination of the Fair Housing Board.
- (18) Cooperation with Federal, State and Local Agencies Administering Fair Housing Laws; Utilization of Services and Personnel; Reimbursement; Written Agreements. The Board may cooperate with federal, state and local agencies charged with the administration of fair housing laws and, with the consent of such agencies, utilize the services of such agencies and their employees. In

furtherance of such cooperative efforts, the Board may enter into written agreements with such state or local agencies. All agreements and terminations thereof shall be published according to law.

- (19) Interference, Coercion, or Intimidation; Enforcement by Civil Action. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections (3), (4) and (5) of this Chapter. This section may be enforced by appropriate civil action.
- (20) Discrimination by Licensed or Permitted Persons. If the Board finds probable cause to believe that an act of discrimination has been or is being committed in violation of this Chapter by a person taking an action enumerated under sections (3), (4) and/or (5) for which the person is licensed or permitted under City ordinances, the Fair Housing Board shall notify the licensing or permitting body of its findings and shall file a complaint with such body, together with a request that the body initiate proceedings to suspend or revoke the license or permit of such person, or take other less restrictive disciplinary action. Upon filing a complaint hereunder, the Fair Housing Board shall make available to the appropriate licensing or permitting body all pertinent documents and files in its custody and shall cooperate fully with such body in the proceedings.
- (21) Separability of Provisions. If any provision of this section of the application thereof to any person or circumstances is held invalid, the remainder of the section and the application of the provisions to other persons, not similarly situated or to other circumstances, shall not be affected thereby.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Repeal&Recreate Sec 6.035 Fair Housing