

MILWAUKEE COUNTY BOARD OF SUPERVISORS

DATE: 04/24/2014

AMENDMENT NO: 1

Resolution File No: 14-332
Item No: 52

COMMITTEE: Committee on Judiciary, Safety, and General Services

OFFERED BY SUPERVISOR(S): Romo West

ADD AND/OR DELETE AS FOLLOWS:

Additions to the ordinance that passed committee are single-underlined.
Deletions to the ordinance that passed committee are in ~~striketrough~~.
This amendment’s additions are double-underlined.
This amendment’s deletions are in double ~~striketrough~~.

SECTION 11.

Chapter 107 of the Milwaukee County Code of General Ordinances, up to and including _____, is hereby amended as follows:

107.01. Intent.

It is the intent of this chapter to render unlawful discrimination in housing and to enact this chapter pursuant to the authority granted to counties by s. 66.432(2), Wis. Stats. It is the declared policy of the county that all persons shall have an equal opportunity for housing regardless of age, sex, sexual orientation as defined in s. 111.32(13m), Wis. Stats., gender identity and gender expression, race, color, handicap disability, religion, creed, national origin or ancestry, or marital status of the a person maintaining a household, ~~or status as a victim of domestic abuse, sexual assault, or stalking, or~~ lawful source of income, ~~age, ancestry or sexual orientation as defined in s. 111.32(13m), Wis. Stats.,~~ age, sexual orientation, as defined in s.111.32(13m), Wis. Stats., status as a victim of domestic abuse, sexual assault, or stalking, gender identity and gender expression, or status in a domestic partnership.

107.02. Definitions.

In this chapter unless the context requires otherwise:

- (1) "Housing" means any improved property, including any mobile home as defined in s. 66.058, Wis. Stats., which is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.
- (2) "Discriminate" and "discrimination" mean to segregate, separate, exclude or treat any person or class of persons unequally because of ~~age, sex, sexual orientation as defined in s. 111.32(13m), Wis. Stats., gender identity and gender expression,~~ race, color, ~~handicap disability,~~ religion, creed, national origin or ancestry, ~~or marital status of the person maintaining a household, or status as a victim of domestic abuse, sexual assault, or stalking, or~~ lawful source of income, ~~age, ancestry or sexual orientation as defined in s. 111.32(13m), Wis. Stats., age, sexual orientation, as defined in s.111.32(13m), Wis. Stats., status as a victim of domestic abuse, sexual assault, or stalking, gender identity and gender expression, or status in a domestic partnership.~~ It is intended that the factors set forth herein shall be the sole basis for prohibiting discrimination.
- (3) "Handicap" "Disability" means any physical disability or any developmental disability as defined under s. 51.01(5)(a), Wis. Stats. 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 as defined in s. 106.50 Wis. Stats. "Disability" does not include the current illegal use of a controlled substance, as defined in s. 961.01(4) Wis. Stats., or a controlled substance analog, as defined in s. 961.01(4m) Wis. Stats., unless the individual is participating in a supervised drug rehabilitation program.
- (4) "Unimproved residential lot" means any residential lot upon which no permanent building or structure containing living quarters has been constructed.
- (5) "Condominium" means property subject to a condominium declaration under ch. 703, Wis. Stats.
- (6) "Condominium association" means an association as defined in s. 703.02(1m), Wis. Stats.
- (7) "Gender identity" is the actual or perceived condition, status or acts of:
 - a) Identifying emotionally or psychologically with the sex other than one's biological or legal sex at birth, whether or not there has been a physical change of the organs of sex;
 - b) Presenting and/or holding oneself out to the public as a member of the biological sex that was not one's biological or legal sex at birth;
 - c) Lawfully displaying physical characteristics and/or behavioral characteristics and/or expressions which are widely perceived as being more appropriate to the biological or legal sex that was not one's biological or legal sex at birth, as when a male is perceived as feminine or a female is perceived as masculine; and/or

(d) Being physically and/or behaviorally androgynous.

(8) "Gender expression" refers to all of the external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture may not be assessed similarly in another.

SECTION 12.

Appendix F, Article XVII., of the Milwaukee County Code of General Ordinances, up to and including _____, is hereby amended as follows:

Section 1702 Nondiscrimination.

Each air carrier and air transportation company operating at the Airport shall conduct its operation, maintenance, improvement and use of the property and facilities at the airport so that no person, on the grounds of race, color, ancestry or national origin, sex, sexual orientation, or gender identity and expression, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities; that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person, on the grounds of race, color, ancestry or national origin, sex, sexual orientation, or gender identity and expression, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination. Each air carrier and air transportation company shall use the premises in compliance with all other requirements imposed by or pursuant to title 49, Code of Federal Regulations, department of transportation, subtitle A, office of the secretary, part 21, nondiscrimination in federally assisted programs of the department of transportation - effectuation of title VI of the Civil Rights Act of 1964, and as said regulations may be amended and all Milwaukee County rules and regulations, policies, procedures and ordinances in effect or as they may be amended from time to time.

Section 13

This ordinance shall become effective upon passage and publication or on July 1, 2014, whichever is later.

TO PROVIDE ADDITIONAL CLARITY, THE ABOVE AMENDMENT IS CONTRASTED TO THE CURRENT ORDINANCE WITH ALL PROPOSED CHANGES IN SINGLE UNDERLINE AND ~~SINGLE STRIKETHROUGH~~. THIS PRESENTATION STYLE "DISREGARDS" THE PROPOSED CHANGES TO THE ORDINANCE CONTAINED IN THE ORIGINAL RESOLUTION/ORDINANCE AS REVIEWED BY THE COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES ON APRIL 10, 2014.

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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 as defined in s. 106.50 Wis. Stats. "Disability" does not include the current illegal use of a controlled substance, as defined in s. 961.01(4) Wis. Stats., or a controlled substance analog, as defined in s. 961.01(4m) Wis. Stats., unless the individual is participating in a supervised drug rehabilitation program.

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