

CHAPTER 21

HOUSING CODE

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21.01 DEFINITIONS.

- (1) The following definitions will apply in the interpretation and enforcement of this chapter:
- (a) "BASEMENT" A space of full story height below the first floor which is not designed or used primarily for year around living accommodations. Space, partly below grade, which is designed and finished as habitable space, is not defined as basement space.
 - (b) "CELLAR" A portion of a building located partly or wholly underground and having 2/3 or more of its clear floor-to-ceiling height below the average grade of the adjoining floor.
 - (c) "DWELLING UNIT" Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.
 - (d) "EXTERMINATION" The control and elimination of insects, rodents, or other pests by eliminating their harborage places by removing or making inaccessible materials which may serve as their food, by poisoning, spraying, fumigating, trapping or by other recognized and legal pest elimination methods approved by the Health Officer.
 - (e) "GARBAGE" The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
 - (f) "HABITABLE ROOM" A room or other enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.
 - (g) "HEALTH OFFICER" The Health Officer of the City of Algoma, Wisconsin or his duly authorized representative.
 - (h) "INFESTATION" The presence within or around a dwelling of any insects, rodents or other pests.
 - (i) "MULTIPLE DWELLING" Any dwelling containing more than two dwelling units.
 - (j) "OCCUPANT" Any person over one year of age living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.
 - (k) "OPERATOR" Any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are offered for rent.

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- (l) "ORDINARY MINIMUM WINTER CONDITIONS" The temperature which is 15 degrees Fahrenheit above the lowest recorded temperature for the previous 10-year period. Figure, winter base temperature not less than -15 degrees Fahrenheit with inside room temperature of plus 70 degrees Fahrenheit min. for range. (Bathroom plus 80 degrees Fahrenheit).
- (m) "OWNER" Any person who, along or jointly, or severally with others:
1. Shall have legal title to any dwelling unit, with or without accompanying actual possession thereof; provided, however, that whenever the dwelling or dwelling unit is subject to conditional sales contract, lease with option to purchase, or any other form of written contract under the terms of which any person is entitled to a conveyance of legal title upon payment of a specified sum, the term "owner" shall mean the person who shall have such a contractual right rather than the person who is holding the legal title; or
 2. Shall have charge, care or control of any dwelling or dwelling unit its executor, executrix, trustee, receiver or guardian of the owner as defined in par. 1. immediately proceeding. Any such person this representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as if he were the owner. Any person acting as agent of the owner shall be construed to be the owner within the terms of this chapter, but shall be bound to notify the owner, by means of this Chapter, but shall be bound to notify the owner, by means of this chapter, but shall be bound to notify the owner, by means of a register letter addressed to the owner at his last known address, of any order or notice to be issued by the Health Officer or General Inspector relating to the property of the owner.
- (n) "PERSON" Shall mean and include any individual, firm, corporation, association or partnership.
- (o) "PLUMBING" Shall mean and include all of the following supplied, facilities and equipment, gas pipes, gas burning equipment, water pipes, garbage disposal equipment, waste pipes, water closets, sinks, installed clothes washing machines, catch basins, drains, vents, floor drains, laundry traps, drinking fountains, gutters, downspouts, area drains, lines, sanitary and storm sewer systems, also subsoil drainage and any other supplied fixtures together with all connections to water, sewer or gas lines.
- (p) "ROOMING UNIT" Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

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- (q) "ROOMING HOUSE" Any dwelling or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to 5 or more persons who are not husband or wife, sister or brother, son or daughter or father or mother of the owner or operators. EXEMPTIONS: Any hotel, motel or lodging that is licensed by the State of Wisconsin is exempt from this definition.
- (r) "RUBBISH" Combustible or noncombustible waste, materials, except garbage; aid the term shall include the residue from the burning of wood, coal, coke and other combustible material paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard trimmings, leaves, tin cans, metals, mineral matter, glass, crockery or dust.
- (s) "GENERAL INSPECTOR" The General Building Inspector of the City of Algoma, Wisconsin, or his duly authorized representative.
- (t) "SUPPLIED" Paid for, furnished or provided by or under control of the owner or operator.
- (u) "TEMPORARY HOUSING" Any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than 30 days. Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming unit" or "premises" are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof".

21.02 INSPECTION OF DWELLINGS, DWELLING UNITS, ROOMING UNITS AND PREMISES. The Health Officer and General Inspector are hereby severally authorized and directed to make inspections to determine the condition of dwellings, dwelling units and premises located within this City, in order that they may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections of the Health Officer and General Inspector are hereby severally authorized to enter, examine and survey, at proper times after due notice, all dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit and rooming unit, or the person in charge thereof, shall give the Health Officer and General Inspector access to such dwellings, dwelling unit or rooming unit and its premises, at proper times after due notice, for the purpose of such inspection, examination and survey. Every occupant of a dwelling unit or dwelling shall give to the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter.

21.03 ENFORCEMENT-SERVICE OF NOTICES AND ORDERS-HEARINGS.

- (1) Whenever the Health Officer determined that there are reasonable grounds to believe that there has been a violation of any provision of this chapter which affects the health of the occupants of any dwelling, dwelling unit or rooming unit or the health of the general public, or whenever the General Inspector determines that there are reasonable grounds to believe that there has been a violation of any such provision which affects the safety of any such occupants or the safety of the general public, the Health Officer or the General Inspector as the case may be, shall give notice of such to the General Inspector as the case may be, shall give notice of such alleged violation to the person or persons responsible therefor and to any known agent of such person, as thereafter provided. Such notice shall:
 - (a) Be put in writing.
 - (b) Include a statement of the reasons why it is being issued.
 - (c) Allow a reasonable time for the performance of any act it requires.
 - (d) Be served upon the owner or his agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally, or if a copy thereof is sent by registered mail to his last known address, or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of this state.
 - (e) Such notice must contain an outline of remedial action, which, if taken, will affect compliance with the provisions of this chapter.
- (2) Any person affected by any such notice issued by the Health Officer or General Inspector may request and shall be granted a hearing on the matter before the Board of Appeals, provided that such person shall file in the office of the Health Officer or General Inspector as the case may be, within 10 days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition, the Health Officer or General Inspector respectively, shall arrange a time and place for such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with.

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- (3) After such hearing the Board shall sustain, modify or withdraw the notice, depending upon its findings as to whether the provisions of this chapter have been complied with. If the Board shall sustain or modify such notice, it shall be deemed an order. Any notice served pursuant to subsection (1) shall automatically become an order if a written petition for a hearing is not filed in the office of the Health Officer or General Inspector within 10 days after such notice is served. After a hearing in the case of any notice suspending any permit required by this chapter, when such notice has been revoked. Any such permit, which has been suspended by a notice, shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the Health Officer or General Inspector within 10 days after such notice is served.
- (4) The proceedings at such hearing, including the findings and decision of the Board shall be summarized, reduced to writing and entered as a matter of public record in the offices of the Board. Such record shall also include a copy of every notice of order issued in connection with the matter. Any person aggrieved by the decision of the Board may seek relief there from in any court of competent jurisdiction, as provided by the laws of the state.
- (5) Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken, as he deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately, but upon petition to the Health Officer shall be afforded a hearing as soon as possible, in the manner provided in subsection (2). After such hearing, depending upon the findings as to whether the provisions of this chapter have been complied with, the Board shall continue such order in effect, or modify it, or revoke it.

21.04 MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements.

- (1) Every dwelling unit shall contain a kitchen sink and laundry tray in good working condition and properly connected to water and sanitary sewer system approved by the Plumbing Code authorized for the General Inspector.
- (2) Every dwelling unit shall contain a room within its walls, separated from the habitable rooms, which afford privacy to a person within said room which is equipped with a flush water closet, a lavatory basin and a bathtub or shower and the necessary fixtures and accessories therefor in good working condition and properly connected to hot and cold water lines and sanitary sewer system approved by the Health Officer or General Inspector.
- (3) Every dwelling unit shall be supplied with water heating facilities which are installed in an approved manner, properly maintained and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower and laundry facility or other similar units, at a temperature of not less than 130 degrees Fahrenheit at any time needed.

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- (4) At the expiration of a period of 2 years from the effective date of this chapter, every kitchen sink, lavatory basin and bath, tub or shower, required under the provisions of subsections (1), (2), and (3) shall be properly connected with water line.
- (5) Every dwelling unit shall be supplied with adequate rubbish storage facilities.
 - (a) Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, (Refer to Garbage Ordinance).
 - (b) Multiple dwelling units consisting of 10 or more dwelling units shall be required to provide an electric garbage disposal installed in the kitchen sink and connected with the sanitary sewer system in accordance with the City Plumbing Code.
- (6) Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the laws of the state and ordinances of the City.

21.05 MINIMUM STANDARDS FOR LIGHT, VENTILATION AND HEATING. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

- (1) Electrical service and minimum number of electrical outlets and/or fixtures per room. Where there is electric service available to the building every habitable room of a dwelling unit shall contain at least 2 separate and remote outlets, one of which may be a ceiling or wall type electric light fixture. Every public hall, bathroom, laundry room or furnace room shall contain at least one electric light fixture. In addition, every bathroom and laundry room shall be provided with at least one electric outlet. All electrical wiring and electrical installations shall be in compliance with existing City Electrical Code.
- (2) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area measured between stops for every habitable room shall be 10% of the floor area of such room.
- (3) Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to not less than 4% of the floor area, except where there is supplied a mechanical device affording adequate ventilation.
- (4) Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsections (1) and (2), except that no window or skylight shall be required in bathrooms and water closet compartments equipped with an adequate mechanical ventilation system.
- (5) Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 70 degrees Fahrenheit at a distance of 30 inches above floor level, under ordinary minimum winter conditions.

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- (6) Every public hall and stairway in every multiple dwelling shall be adequately in conformity with the current issue of the National Electrical Code.
- (7) Every basement shall receive natural and artificial light and shall be able to be ventilated. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or other device as will effectively prevent their entrance.

21.06 GENERAL REQUIREMENTS RELATING TO THE SAFE AND SANITARY MAINTENANCE OF PARTS OF DWELLINGS AND DWELLING UNITS. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following:

- (1) **SCREEN REQUIREMENTS.** From May 1 to October 1, in every dwelling unit for protection against mosquitoes, flies and other insects - every door opening directly from a dwelling unit to outdoor space, shall have supplied and installed screens and a self-closing device, and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screen installed.
- (2) Every foundation, floor, wall, ceiling and roof shall be reasonably weather tight, watertight and rodent proof, shall be capable of affording privacy, and shall be kept in good repair.
- (3) Every window skylight, exterior door and basement hatchway shall be reasonably weather tight, watertight and rodent proof and shall be kept in good repair.
- (4) Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting any load that normal use may cause to be placed thereon, and shall be kept in sound condition and good repair.
- (5) Every plumbing fixture and water waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.
- (6) Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and as to permit such floor to be easily kept in a clean and sanitary condition.
- (7) Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that will function safely and effectively, and shall be maintained in satisfactory working conditions.
- (8) No owner, operator or occupant shall cause any service facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repair or alteration are in progress, or during temporary emergencies or when discontinuance of service is approved by the Health Officer or General Inspector.

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- (9) No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

21.07 MINIMUM SPACE, USE AND LOCATION REQUIREMENTS. No person shall occupy or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein, which does not comply with the following requirements.

- (1) Every dwelling unit shall contain a minimum gross floor area of not less than 150 square feet for the first occupant, 100 square feet for the second occupant and 75 square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.
- (2) In every dwelling unit of 2 or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 80 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 40 square feet of floor space for each occupant thereof over 12 years of age.
- (3) At least one half of the floor area of every habitable room shall have a ceiling height of at least 7'6", and the floor area of that part of any room where the ceiling height is less than 5 feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
- (4) No basement or cellar space shall be used as a dwelling unit unless it complies with the Minimum Requirements of this chapter so contained in sections 21.04, 21.05, 21.06 and 21.07.

21.08 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

- (1) Every owner of a dwelling containing more than 4 dwelling units shall be responsible for maintaining in a clean and sanitary condition the share or public area of the dwelling and premises thereof.
- (2) Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling or dwelling unit and premises thereof which he occupies and controls.
- (3) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish container required by section 21.04 (5). (See Garbage Ordinance.)

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- (4) Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste, which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities, or garbage storage containers required by section 21.04 (6). It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling container more than 4 dwelling units and from all dwelling units located on premises where more than 4 dwelling units share the same premises. In all other cases it shall be the responsibility of the occupant to furnish such facilities or containers. (See also Garbage Ordinance.)
- (5) Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens, whenever the same are required under the provisions of this chapter or of any rule or regulation adopted pursuant thereto, except where the owner has agreed to supply such service.
- (6) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a rat proof or reasonable insect proof condition, extermination shall be the responsibility of the owner.
- (7) Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

21.09 ROOMING HOUSES. No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house except in compliance with the provisions of every section of this chapter except the provisions of section 21.04 and 21.08.

- (1) No person shall operate a rooming house unless he holds a valid rooming house license issued by the office of the City Clerk in the name of the operator and for the specific dwelling unit. The operator shall apply to the office of General Inspector for a permit for license, which shall be issued, by the office of the City Clerk, upon compliance by the operator to the satisfaction of the General Inspector with the applicable provisions of this chapter. This license shall be displayed in a conspicuous place within the rooming house, at all times. No such license shall be transferable. Every person holding such a license shall give notice in writing to the office of the City Clerk and the General Inspector within 24 hours after having sold, transferred, given away or otherwise disposed of ownership of interest in or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control at the end of one-year following its date of issuance, unless sooner suspended or revoked as herein provided.
- (2) Any person whose application for a permit to obtain a license to operate a rooming house has been denied may request and shall be granted a hearing on the matter, under the procedure provided by sec. 21.03.

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- (3) Whenever upon inspection of any rooming house the Health Officer or General Inspector finds that conditions or practices exists which are in violation of any provision of this chapter, the Health Officer or General Inspector. As the case may be shall give notice in writing to the operator of such rooming house that unless such conditions or practices are corrected within a reasonable period, to be determined by the Health Officer or General Inspector as the case may be shall re-inspect such rooming house and if he finds that such conditions or practices have not been corrected he shall give notice in writing to the operator that the latter's license has been suspended. Upon receipt of notice of suspension, such operator shall immediately cease operation of such rooming house, and no person shall occupy for sleeping or living purposes any rooming unit therein.
- (4) Any person whose license to operate a rooming house has been suspended, or who has received notice from the Health Office or General Inspector that his license is to be suspended unless existing conditions or practices at his rooming house are corrected, may request and shall be granted a hearing on the matter before the Board of Appeals, under the procedure provided by sec. 21.03, provided that is no petition for such hearing is filed within 10 days following the day of which such license was suspended, such license shall be deemed to have been automatically revoked.
- (5) At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sanitary sewer system approved by the Plumbing Inspector or General Inspector and in good working condition, shall be supplied for each 10 persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of the said facilities, provided that in a rooming house where rooms are let only to males, tank system urinals of the floor resting type fixtures may be substituted for not more than one-half of the required number of water closets. All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Health Officer or General Inspector.
- (6) The operator of every rooming house shall change supplied bed linen and towel therein at least once a week, and prior to the letting of any room to any occupant, the operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- (7) Every room occupied for sleeping purposes by one person shall contain at least 80 square feet of floor space and every room occupied for sleeping purposes by more than one person shall contain at least 40 square feet of floor space for each occupant thereof over 12 years of age and at least 30 square feet for each occupant therein under 12 years of age, as computed in accordance with section 21.07 (3).
- (8) Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of this state and this City.

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- (9) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for maintenance of a sanitary condition in every other part of the rooming house and shall be further responsible for the sanitary maintenance of the entire premises where leased or occupied by the operator.
- (10) Every provision of this chapter which applies to rooming houses shall also apply to efficiency apartments, motels, cabins, hotels and similar accommodations except to the extent that any such provision may be found in conflict with the laws of this state or with the lawful regulations of any state board or agency.
- (11) The Health Officer is empowered to suspend the operation of sections 21.07 (1) and (2) and/or 21.09 (7), hereof by special or general order in writing when he shall deem an emergency exists, which in his discretion shall warrant such suspension, provided however, that no such general or special order to suspending operation of sections 21.07 (1) and/or 21.09 (7) shall be of a duration longer than 10 days.

21.10 DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE OF CONDEMNATION.

- (1) The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:
- (a) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Health Officer or General Inspector.
1. One, which is so damaged, decayed, dilapidated, unsanitary, and unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public.
 2. One which lacks illumination, ventilation or sanitary facilities adequate to protect the health or safety of the occupants or of the public.
 3. One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of occupants or of the public.
- (2) Any dwelling or dwelling unit condemned as unfit for human habitation, and so designated and placarded by the Health Officer or General Inspector, shall be vacated within 60 days as ordered by the Health Officer or General Inspector.
- (3) No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Health Officer or General Inspector. The Health Officer or General Inspector shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

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- (4) No person shall deface or remove the placard from any dwelling or dwelling unit, which has been condemned as unfit for human habitation and placarded as such except as, provided in subsection (3).
- (5) Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the Board of Appeals, under the procedure set forth in section 21.03.

21.11 FAIR AND OPEN HOUSING.

Whereas, the Common Council of the City of Algoma recognizes its responsibilities under Section 106.04, Wisconsin Statutes, as amended, and endorses the Concepts of Fair and Open Housing for all persons and prohibition of discrimination therein;

Now, therefore, be it ordained that:

- (1) The Common Council of the City of Algoma hereby adopts section 106.04, Wis. Stats., as amended, and all subsequent amendments thereto.
- (2) The officials and employees of the City of Algoma shall assist in the orderly prevention and removal of all discrimination in housing within the City of Algoma by implementing the authority and enforcement procedures set forth in Section 106.06, Wis. Stats. As amended.
- (3) The City Clerk shall maintain forms for complaints to be filed under Section 106.04, Wis. Stats., as amended, and shall assist any person alleging a violation thereof in the City of Algoma to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.04, Wis. Stats., as amended.

21.12 PENALTIES. Any person violating any of the terms of the chapter shall forfeit not less than \$5.00 or more than \$25.00 together with costs of prosecution, provided that for violation of any condition in this chapter which condition can be corrected by modification or repair, then failure to correct or rectify such defect within a reasonable time shall constitute a separate violation and be subject to penalties herein provided.

21.13 CONFLICT OF ORDINANCES-EFFECT OR PARTIAL INVALIDITY.

- (1) In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or Code of this City existing on the effective date of this chapter (July 13, 1967) the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or Code of this City existing on the effective date of this chapter, which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall be deemed to prevail, and such other ordinances or Codes are hereby declared to be repealed to the extent that they may be found in conflict with this chapter.

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- (2) If any section, subsection, paragraph, sentence, clause, or phrase of this chapter should be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this chapter, which shall remain in full force and effect and to this end the provisions of this chapter are hereby declared to be severable.