

Ordinance 0028-25 – Safe Temperature Limits in Housing for Older Persons

An ordinance to amend Chapter 19, Article I, Section 19-02(b) of the Municipal Code of the City of Racine, Wisconsin; and to amend Chapter 19, Article III, Division 3, of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 19, Article I, Section 19-02(b) is amended to include the following definition in alphabetical order as follows:

Housing for older persons as defined in the Federal Fair Housing Act, 42 U.S.C. § 3607(b)(2) and (3).

Federal Law reference – 42 U.S.C. § 3607(b)(2) and (3).

Cross reference – Exemption for housing the elderly, § 62-44.

Indoor common gathering space means any area inside a housing facility where it is intended that residents may access such area equally and freely, including, but not limited to, meeting rooms, party rooms, exercise/fitness centers, and dining facilities. Hallways, laundry rooms, and garages are not included.

Part 2: Chapter 19, Article III, Division 3, is amended to create Section 19-311 as follows:

Sec. 19-311. *Safe temperature limits in housing for older persons.*

- a. *Findings and purpose.* The common council finds that there is a disproportionate health risk to older persons when the outside temperature rises, and that there is a need to set safe temperature limits for indoor common gathering spaces in housing for older persons.
- b. *Safe temperature limit.* Housing for older persons shall maintain a room temperature of no more than 81°F (27°C) in indoor common gathering spaces from May 1 through September 30.
- c. *Notification.* Whenever the code official finds, upon inspection, any violation of subsection (b), the code official may issue a notice of violation under section 19.08.

Secs. 19-312 – 19-399. – Reserved.

Cross reference – Notice of violation, § 19-08.

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: Potential reinspection fees as determined by the budget as set forth in the fee schedule and established by the Common Council and potential money judgments for instances of noncompliance.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.