

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 653

Short Title: Fayetteville Fair Housing.

(Local)

Sponsors: Representatives Beard, Edwards, Hurley, Jeralds, and Warner.

Referred to: Government.

March 16, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A FAIR HOUSING ORDINANCE FOR THE CITY OF
3 FAYETTEVILLE.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the City of Fayetteville, being Chapter 557,
6 Session Laws of 1979, as amended, is amended by adding a new Article to Chapter VIII
7 to read:

8 **“ARTICLE 8. FAIR HOUSING.**

9 **"Sec. 8.30. Equal housing.** The City Council shall have the power to adopt
10 ordinances prohibiting discrimination in real estate transactions on the basis of race,
11 color, sex, religion, handicap, familial status, or national origin. Such ordinances may

12 (1) Regulate or prohibit any act, practice, activity, or procedure related,
13 directly or indirectly, to the sale or rental of public or private housing,
14 which affects or may tend to affect the availability or desirability of
15 housing on an equal basis to all persons;

16 (2) Provide that violations constitute a criminal offense;

17 (3) Subject the offender to civil penalties;

18 (4) Provide that the City may enforce the ordinances by application to the
19 Superior General Court of Justice for appropriate legal and equitable
20 remedies, including but not limited to mandatory and prohibitory
21 injunctions and orders of abatement, attorney's fees and punitive
22 damages, and the court shall have jurisdiction to grant such remedies.

23 **"Sec. 8.31. Exemptions.** Any ordinance enacted pursuant to this Article may
24 provide for exemption from its coverage:

- 1 (1) The rental of housing accomodations in a building which contains
2 housing accomodations for not more than four families living
3 independently of each other, if the owner or a member of his family
4 resides in one of the housing accomodations;
- 5 (2) The rental of one room or one rooming unit in a housing accomodation
6 by an individual if he or a member of his family resides therein;
- 7 (3) A landlord who refuses to rent to an unmarried male-female couple;
- 8 (4) Discrimination by a religious organization, association or society, or
9 any nonprofit institution or organization operated, supervised, or
10 controlled by or in conjunction with a religious organization,
11 association, or society, in limiting the sale, rental, or occupancy of
12 dwellings which it owns or operates for other than a commercial
13 purpose to persons of the same religion, or in giving preference to such
14 persons, unless membership in such religion is restricted on account of
15 race, color, sex, or national origin.

16 Single-sex dormitory rental property shall be excluded from the provisions of this
17 Article which relate to discrimination based on sex.

18 **"Sec. 8.32. Complaints and other records.** The City Council may provide that
19 neither complaints filed pursuant to the ordinance nor the results of any investigations,
20 discovery, or attempts at conciliation, in whatever form prepared and preserved, shall be
21 subject to inspection, examination, or copying under the provisions of what is now
22 Chapter 132 of the General Statutes.

23 **"Sec. 8.33. Board meetings.** The City Council may provide that the statutory
24 provisions relating to meetings of government bodies, presently embodied in Article
25 33B of Chapter 143 of the General Statutes, shall not apply to the activity of the board
26 authorized to enforce the ordinance, to the extent that said board is receiving a
27 complaint or conducting an investigation, discovery, or conciliation pertaining to a
28 complaint filed pursuant to the ordinance."

29 Sec. 2. This act shall become effective July 1, 1989.