GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 355
HOUSE BILL 653

AN ACT TO CREATE A FAIR HOUSING ORDINANCE FOR THE CITY OF FAYETTEVILLE.

The General Assembly of North Carolina enacts:

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

"Article 8. Fair Housing.

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

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

(2) Provide that violations constitute a criminal offense;

(3) Subject the offender to civil penalties;

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

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

(1) The rental of housing accommodations in a building which contains housing accommodations for not more than four families living independently of each other, if the owner or a member of his family resides in one of the housing accommodations;

(2) The rental of one room or one rooming unit in a housing accommodation by an individual if he or a member of his family resides therein;

(3) A landlord who refuses to rent to an unmarried couple;

(4) Discrimination by a religious organization, association or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, in limiting the sale, rental, or occupancy of

dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or in giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, or national origin.

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

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

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

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

In the General Assembly read three times and ratified this the 19th day of June, 1989.