

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 881
SENATE BILL 1054

AN ACT TO BRING MECKLENBURG COUNTY'S FAIR HOUSING ACT INTO
COMPLIANCE WITH THE FEDERAL FAIR HOUSING ACT.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 292 of the 1981 Session Laws, as amended by Section 3 of Chapter 1042 of the 1987 Session Laws, reads as rewritten:

"Section 1. Equal Housing. (a) A county board of commissioners may adopt ordinances prohibiting discrimination on the basis of race, color, sex, religion, handicap, familial status, or national origin in real estate transactions. These ordinances may 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; may provide that violations constitute a criminal offense; may subject the offender to civil penalties; and may provide that the county may enforce the ordinances by application to the ~~district~~ superior court for appropriate legal and equitable remedies, including mandatory and prohibitory injunctions and orders of abatement, attorney's fees and punitive damages. ~~The District Court Superior Courts of the 26th District Court District Superior Court Districts 26A, 26B, and 26C~~ shall have jurisdiction to grant all remedies arising out of this act.

(b) A county board of commissioners may also amend any ordinance adopted pursuant to the provisions contained in subsection (a) of this section to ensure that the ordinance remains substantially equivalent to the federal Fair Housing Act, 42 U.S.C. §§ 3601 et seq. Any ordinance enacted pursuant to subsection (a) of this section prohibiting discrimination on the basis of familial status shall not apply to housing for older persons, as that term is defined in the federal Fair Housing Act, 42 U.S.C. §§ 3601 et seq. The remaining sections of the ordinance shall remain in force and effect."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of July, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives