

**A RESOLUTION REQUESTING THE TOWN'S LEGISLATIVE DELEGATION TO
INTRODUCE AND SUPPORT AMENDMENTS TO THE TOWN CHARTER
Resolution No. 71/2008-09**

THE BOARD OF ALDERMEN RESOLVES:

Section 1. Having held a public hearing on and having considered the attached proposed amendments to the Carrboro Town Charter, the Board of Aldermen hereby requests the members of the Town's Legislative Delegation to the General Assembly to introduce and support the passage of the attached two amendments.

Section 2. The Town Attorney is instructed to forward this request to the members of the Town's Legislative Delegation.

This 17 day of February, 2009.

**A BILL TO BE ENTITLED
AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO ADD SEXUAL
ORIENTATION, GENDER IDENTIFICATION, AND GENDER EXPRESSION TO
THE LIST OF BASES UPON WHICH THE BOARD OF ALDERMEN MAY BY
ORDINANCE PROHIBIT HOUSING DISCRIMINATION**

The General Assembly of North Carolina enacts:

SECTION 1. Section 10-1 of the Charter of the Town of Carrboro, being Chapter 476 of the 1987 Session Laws, is amended as follows:

Section 10-1. Housing Discrimination. The board of aldermen may adopt ordinances designed to ensure that all housing opportunities in the Town of Carrboro shall be equally available to all persons without regard to race, color, religion, sex, ~~or~~ national origin, sexual orientation, gender identification, or gender expression. Such 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 that affects or may tend to affect the availability or desirability of housing on an equal basis to all persons, without regard to race, color, religion, sex, ~~or~~ national origin, sexual orientation, gender identification, or gender expression. However, ordinances adopted pursuant to the authority contained in this act shall not apply to the rental of rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence. Any ordinance passed pursuant to this authorization may be enforced by any method authorized for enforcement of ordinances generally in G.S. 160A-175. In addition, any ordinance adopted pursuant to this authorization may provide that any person aggrieved by any act, practice, activity or procedure prohibited by such ordinance may seek equitable relief in the appropriate division of the General Court of Justice.

SECTION 2. This act is effective when it becomes law.

**A BILL TO BE ENTITLED
AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO
AUTHORIZE THE BOARD OF ALDERMEN BY ORDINANCE TO PROHIBIT
RESTRICTIVE COVENANTS THAT PREVENT THE INSTALLATION OF
SOLAR COLLECTORS OR OTHER DEVICES DESIGNED TO GENERATE OR
CONSERVE ENERGY THROUGH THE USE OF RENEWABLE RESOURCES
OR TO CAPTURE, STORE OR REUSE WATER.**

The General Assembly of North Carolina enacts:

SECTION 1. Article 10 (Miscellaneous Regulations) of the Carrboro Town Charter, being Chapter 476 of the 1987 Session Laws, is amended by adding a new Section 10-2 as follows:

Section 10-2. Prohibiting Covenants that Restrict Energy Generating or Saving Devices. (a) The board of aldermen may by ordinance declare void and unenforceable any deed restriction, covenant, or similar binding agreement that runs with the land that would prohibit, or have the effect of prohibiting, the installation of a solar collector, clothesline, rain barrel, garden fence, or any other device designed to generate or conserve energy through the use of renewable resources or to capture, store, or reuse water. Such ordinance may also provide that a property owner may not be denied permission to install any such device by any entity granted the power or right in any deed restriction covenant, or similar binding agreement to approve, forbid, control, or direct the alteration of property.

(b) An ordinance adopted under this section may provide for enforcement using any of the means authorized by G.S. 160A-175. In addition, any person aggrieved by a violation of an ordinance adopted under this section may apply to a court of competent jurisdiction for equitable relief against the enforcement of any deed restriction, covenant, or similar binding agreement that is prohibited by such ordinance, and the court may award costs and reasonable attorneys' fees to the prevailing party in any such action.

SECTION 2. This act is effective when it becomes law.