



**AN ORDINANCE AMENDING CHAPTER 15 OF THE TOWN OF PITTSBORO CODE OF ORDINANCES TO PROHIBIT DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATIONS AND IN EMPLOYMENT**

WHEREAS, S.L. 2016-3 (commonly known as “House Bill 2”) established statewide standards for discriminatory practices in employment and public accommodations, and preempted local governments from prohibiting or regulation discriminatory practices in employment and public accommodations; and

WHEREAS, S.L. 2017-4 repealed S.L. 2016-3 and, in Section 3, preempted local governments from enacting or amending ordinances regulating private employment practices or regulating public accommodations; and

WHEREAS, Section 3 of S.L. 2017-4 expired on December 1, 2020; and

WHEREAS, the Board of Commissioners serving the Town of Pittsboro desire to provide protections against discrimination that reflect the community’s shared values of equality, inclusion, and fair access, and to preserve the health, safety, and welfare of people without regard to certain actual or perceived statuses or characteristics.

NOW, THEREFORE, BE IT ORDAINED that:

Chapter 15: Licenses and Business Regulations is hereby amended by adding definitions to Article I and new provisions in a newly created Article IV, to read as follows:

**“15-100.4** “Employer” includes any person employing one or more persons and any person acting in the interest of an employer, directly or indirectly.

**15-100.5** “Gender Identity or Gender Expression” includes having or being perceived as having gender related identity, expression, appearance, or behavior, whether or not that identity, expression, appearance, or behavior is different from that traditionally associated with the sex assigned to that individual at birth.

**15-100.6** “Place of Public Accommodation” includes, but is not limited to, any place, facility, store, other establishment, hotel, or motel, which supplies goods, services, or accommodations on the premises to the public or which solicits or accepts the patronage or trade of any person.

**15-100.7** “Pregnancy” includes, but is not limited to, pregnancy, childbirth, or any medical condition related to pregnancy or childbirth.

**ARTICLE IV: NON-DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATIONS AND IN EMPLOYMENT**

**15-400 Applicability.**

This Chapter shall be applicable to any and all parts of the Town located within the corporate limits of the Town of Pittsboro.

**15-401 Discrimination in Places of Public Accommodations Prohibited.**

It shall be unlawful for any person in a place of public accommodation to deny the full enjoyment of the accommodations, advantages, facilities, or privileges thereof on the basis of race, natural hair or hairstyles, ethnicity, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, national ancestry, marital status, familial status, pregnancy, veteran status, religion, religious belief or non-belief, age, or disability.

**15-402 Discrimination in Employment Prohibited.**

It shall be unlawful for any employer, because of the race, natural hair or hairstyles, ethnicity, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, national ancestry, marital status, familial status, pregnancy, veteran status, religion, religious belief or non-belief, age, or disability of any person, to refuse to hire or otherwise discriminate against that person with respect to hire, tenure, conditions or privileges of employment, or any matter directly or indirectly related to employment.

**15-403 Penalties and Enforcement.**

Any person violating any provisions of this Article may be subject to an enforcement action brought by the Town under G.S. 160A-175(d) and (e) for an appropriate equitable remedy, including but not limited to a mandatory or prohibitory injunction commanding the defendant to correct the conduct prohibited under this Article. A violation of this Article shall not constitute a misdemeanor or infraction. This Article is not intended to limit the remedies available to any person under state or federal law.

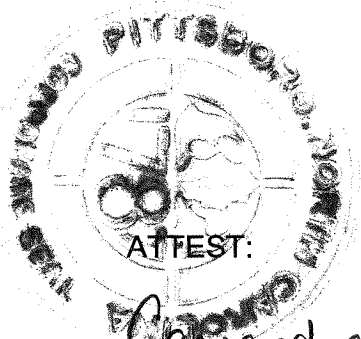
**15-404 Severance, Conflict with State or Federal Law.**

If the provisions of this Chapter conflict with any right or privilege of an employer or person who provides a public accommodation that is established or recognized by state or federal law, or the state or federal constitution, that right or privilege shall prevail over the requirements of this Chapter.”

Adopted the 13<sup>th</sup> day of September 2021.

TOWN OF PITTSBORO

By: James Nass  
James Nass, Mayor



Cassandra M. Bullock  
Cassandra M. Bullock, Town Clerk