

ORDINANCE NO.

**ORDINANCE REPEALING BUNCOMBE COUNTY ORDINANCE NO. 19690 CREATING THE
ASHEVILLE-BUNCOMBE FAIR HOUSING COMMISSION**

WHEREAS, the Asheville City Council adopted Ordinance No. 1876 and Buncombe County adopted Ordinance No. 19690, on the 18th day of September, 1990 creating the Asheville-Buncombe Fair Housing Commission (Commission); and

WHEREAS, the Commission served as the Fair Housing Commission for the City of Asheville and the County of Buncombe to enforce the State Fair Housing Act, under Chapter 41A of the North Carolina General Statutes after being deemed by the United States Department of Housing and Urban Development as being substantially equivalent to the federal fair housing program; and

WHEREAS, the Asheville Buncombe Community Relations Council (Council), served as the administrative and enforcement agency for the Commission, charged with the responsibility of investigating and mediating fair housing matters; and

WHEREAS, during the summer of 2011, administrative and financial issues arose with the Council and upon request, the local Fair Housing Program was deemed by HUD as no longer substantially equivalent under Section 810(f)(3) of the Federal Fair Housing Act; and

WHEREAS, following decertification by HUD, the North Carolina Human Relations Commission commenced fair housing enforcement within the City of Asheville and Buncombe County, rendering the role of the Commission obsolete; and

WHEREAS, on August 28, 2012, the City Council of the City of Asheville repealed the Ordinance No. 1876 which created the Asheville-Buncombe Fair Housing Commission.

NOW THEREFORE, BE IT ORDAINED BY THE Board of Commissioners for the County of Buncombe as follows:

Section 1. Ordinance No. 19690, creating the Asheville Buncombe Fair Housing Commission is hereby repealed and the Commission is hereby dissolved.

Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declare that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance is effective upon adoption.

This the 18th day of September 2012.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

KATHY HUGHES, CLERK

BY: _____
DAVID GANTT, CHAIRMAN

APPROVED AS TO FORM

MICHAEL FRUE, COUNTY ATTORNEY