

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

S

3

**SENATE BILL 392  
State and Local Government Committee Substitute Adopted 3/24/05  
House Committee Substitute Favorable 6/27/05**

Short Title: Raleigh Charter Amendments.

(Local)

---

Sponsors:

---

Referred to:

---

March 7, 2005

A BILL TO BE ENTITLED

1  
2 AN ACT AMENDING THE CHARTER OF THE CITY OF RALEIGH TO ALLOW  
3 THE CITY TO SELL PERSONAL UNIFORMS AND EQUIPMENT TO PUBLIC  
4 SAFETY EMPLOYEES UPON THE EMPLOYEES LEAVING THE CITY'S  
5 EMPLOYMENT AND AS IT RELATES TO CERTAIN PURCHASES AND  
6 LEASES OF REAL PROPERTY BY CITY EMPLOYEES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 33(b) of the Charter of the City of Raleigh, being  
9 Chapter 1184 of the 1949 Session Laws, as amended by S.L. 1991-312, S.L. 1993-649,  
10 and S.L. 1995-323, reads as rewritten:

11 "(b) Notwithstanding the provisions of subsection (a), nothing herein shall be  
12 construed as preventing any official or employee covered by this section from  
13 purchasing a plot or plots from the city in a city-owned cemetery, nor shall any such  
14 official or employee be prohibited from participating in any rental or home ownership  
15 program sponsored or operated by the city, so long as the official or employee meets all  
16 the criteria for the program and so long as the income of the recipient does not exceed  
17 ~~sixty five percent (65%)~~ eighty percent (80%) of the median area income based on  
18 household size. Participants in such a program must commit to occupying the unit  
19 acquired or rented as their personal dwelling and must commit to reside there at least  
20 three years unless prevented from doing so by extraordinary circumstances such as  
21 divorce, transfer of job, or death. The award of any such housing assistance to an  
22 employee shall be noted in the minutes of the City Council. Furthermore,  
23 notwithstanding the provisions of subsection (a) of this section or any other law or  
24 ordinance, the city may establish a program in which sworn law enforcement officers  
25 may purchase or lease city-owned houses at or below market rates for their personal  
26 residences if the City Council first determines that certain geographical areas of the city  
27 would benefit from an increased visible police presence. Any such sales or leases are  
28 determined by the General Assembly to be for a public purpose. The City Council shall

1 attach any conditions or restrictions to such sales or leases as it deems necessary to  
2 protect the integrity of the program and the law enforcement process."

3 **SECTION 2.** Section 33(c) of the Charter of the City of Raleigh, being  
4 Chapter 1184 of the 1949 Session Laws, as amended by S.L. 1991-312, S.L. 1993-649,  
5 and S.L. 1995-323, reads as rewritten:

6 "(c) Notwithstanding the provisions of subsection (a) of this section, nothing  
7 herein shall be construed as preventing any official or employee covered by this section  
8 from purchasing a utility service offered to the general public at uniform rates, sludge  
9 generated at a wastewater treatment plant, farm products grown on City-owned or  
10 City-leased farms, and mulch produced at the City's yard waste processing center. In  
11 addition to the transactions authorized in this section, the City may sell items of  
12 personal uniforms and equipment, excluding weapons, to public safety employees upon  
13 their separation from the City's employment. The items may be sold by private sale at  
14 the prices and under the terms and conditions that the City Council may establish by  
15 resolution."

16 **SECTION 3.** This act is effective when it becomes law.