

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-157
SENATE BILL 392**

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

The General Assembly of North Carolina enacts:

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

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

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

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

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 6th day of July,
2005.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives