

ORDINANCE AMENDING CHAPTER 2 ENTITLED “ADMINISTRATION” OF THE CITY
CODE OF THE CITY OF WINSTON-SALEM TO INCLUDE A POLICY OF
NONDISCRIMINATION

BE IT ORDAINED, by the Mayor and Winston-Salem City Council as follows:

Section 1. Chapter 2 Entitled “Administration” of the Code of the City of Winston-Salem is hereby amended by creating a Section 2.8 Entitled “Policy of Nondiscrimination” to read as follows:

“2.8. POLICY OF NONDISCRIMINATION.

- (a) The policy of the City of Winston-Salem is, and shall be, to oppose any discrimination based on race, ethnicity, color, creed, religion, sex, sexual orientation, gender identity, gender expression, pregnancy, veteran status, disability, age, marital status, familial status, protected hairstyle, political affiliation or national origin in any aspect of modern life.

For purposes of this Article, the terms used herein shall mean the following: (i) Familial status means one or more individuals (who has not attained the age of 18 years) being domiciled with: (1) A parent or another person having legal custody of such individual; or (2) The designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years; (ii) Protected Hairstyle means any hairstyle, hair type, or hair texture historically associated with race such as, but not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, and afros; and (iii) Consistent with the decision of United States Supreme Court in Bostock v. Clayton County, 140 S. Ct. 1731 (2020), the term “sex” or the phrase on the “basis of sex” or “because of sex” shall expressly include sexual orientation, gender identity, gender expression and any other protected category held to be covered by said term and phrases in the aforementioned case.

- (b) The administration, committees, commissions, and boards of the City are hereby directed to use their full power and resources, as by law duly given, to prohibit any discrimination as hereinabove mentioned.
- (c) The City Manager and the City Attorney are directed to include within the terms of all contracts and grants from the City a nondiscrimination provision which will carry out the effectiveness of this section; provided, nothing in this section shall be construed to encroach upon the powers or immunities of the State or Federal governments.
- (d) The City Manager is directed to establish such policies as will ensure that there is no discrimination in any function or area of City government.
- (e) Recognizing the substantial benefits that an equitable, diverse, and inclusive community provides, the City supports those community members and businesses whose efforts support a community free from discrimination. Equity, diversity and inclusion are cornerstones of a strong local economy and commercial activities within the City should support economic growth and not hamper it. The City will not tolerate illegal discrimination and encourages its corporate and individual community partners to oppose discrimination in all forms.

- (f) The City Manager and City Attorney are directed to investigate the authority of the City to adopt and implement procedures for enforcement of nondiscrimination ordinances upon third parties and provide a report regarding such to the City Council, or a committee thereof, within one hundred (100) days of the adoption of this ordinance.
- (g) G.S. 14-4. Violation of local ordinances; misdemeanor shall not apply to this ordinance.”

Section 2. This ordinance shall become effective upon adoption.