

1 STATE OF GEORGIA  
2 COUNTY OF FULTON  
3 CITY OF SOUTH FULTON

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5 AN ORDINANCE, TO BE KNOWN AS THE SOUTH FULTON CROWN ACT,  
6 AMENDING TITLE 15, CRIMINAL OFFENSES, OF THE CITY CODE OF  
7 ORDINANCES TO PROHIBIT BUSINESS, HOUSING, AND PUBLIC  
8 ACCOMMODATION DISCRIMINATION BASED ON PROTECTIVE AND CULTURAL  
9 HAIR TEXTURES AND HAIRSTYLES WITHIN THE CITY AND FOR OTHER LAWFUL  
10 PURPOSES

11 (Sponsored by Councilmen Baker and Reeves)

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13 WHEREAS, the City of South Fulton (“City”) is a municipal corporation duly  
14 organized and existing under the laws of the State of Georgia;

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16 WHEREAS, the duly elected governing authority of the City, is the Mayor and  
17 Council thereof (“City Council”);

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19 WHEREAS, as a Home Rule municipality, the City possesses authority to enact  
20 this Ordinance pursuant to its general and police powers which define, regulate, and  
21 prohibit any act, practice, conduct, or use of property which is detrimental to the health,  
22 sanitation, cleanliness, welfare, and safety of the inhabitants of the City;

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24 WHEREAS, the City is further authorized to regulate business activities and  
25 situations which may be dangerous to persons or property and so to promote or protect  
26 the safety, health, peace, security, good order, comfort, convenience, or general welfare  
27 of the city and its inhabitants;

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29 WHEREAS, the City Council understands and acknowledges the importance of  
30 racial equity and equal protection under the laws of the City;

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32 WHEREAS, all citizens deserve to wear their natural hair without being denied  
access to opportunity or experiencing discrimination;

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34 WHEREAS, it is imperative that the City do its part to remove barriers to success  
and health for persons within the City;

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36 WHEREAS, the City Council desires to make certain that residents and religious  
37 groups do not face natural hair discrimination in the workplace, when searching for a  
home, and when entering a business within the City;

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39 WHEREAS, the City may use this authority as a civil society to respond to  
changing social, economic and political circumstances to maintain its vitality and order;

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41 WHEREAS, the acknowledgment of rights proposed herein is necessary for the  
accomplishment of such purposes herein and not unduly oppressive upon individuals;

42           **WHEREAS**, nothing in this amendment is intended to diminish the protections of  
43 rights all individuals currently enjoy under existing interpretations of antidiscrimination  
44 laws; and

45           **WHEREAS**, this Ordinance is in the best interests of the health and general  
46 welfare of the City, its residents and general public.

47           **THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as  
48 follows:

49           **Section 1.** The City of South Fulton Code of Ordinances, Title 15, Criminal  
50 Offenses, is hereby amended by adding a new Section 15-8003 to Chapter 8, Unlawful  
51 Discharge, which shall read as follows:  
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54 **TITLE 15 – CRIMINAL OFFENSES**

55 ...

56 **CHAPTER 9. – CROWN ACT**

57 **Sec. 15-9001. – Title**

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59           This Chapter shall be known as the “South Fulton Crown Act.” Nothing in this  
60 Chapter shall diminish the protections of rights all individuals currently enjoy under  
61 existing interpretations of state and federal antidiscrimination laws.  
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63 **Sec. 15-9002. – Definitions**

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65           “*Hairstyle*” means hair texture and styles of hair of any length, such as protective  
66 or cultural hairstyles, natural hairstyles, and other forms of groomed hair presentation.  
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68           “*Protective and cultural hair textures and hairstyles*” means hairstyles and hair  
69 textures most commonly associated with race, including, but not limited to braids,  
70 cornrows, locs, Bantu knots, Afros, and twists, whether or not hair extensions or  
71 treatments are used to create or maintain any such style, and whether or not hair is  
72 adorned by hair ornaments, beads, or, headwraps.  
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74 **Sec. 15-9003. – Unlawful business practices**

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76           Except where permitted based upon applicable national security regulations  
77 established by the State of Georgia or federal government, it shall be unlawful for any  
78 business owner and/or hiring personnel to discriminate against any person in any way  
79 which would deprive or limit such person’s employment opportunities or otherwise  
80 adversely affect their status as an applicant for employment with regard to tenure,  
81 compensation, promotion or discharge because of hairstyles and protective and cultural  
82 hair textures and hairstyles.  
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**Sec. 15-9004. – Unlawful housing practices**

It shall be unlawful for any owner, real estate broker or any other person to refuse to sell, lease, sublease, rent, negotiate, assign or otherwise transfer the title or other interest in any dwelling to any person on the basis of hairstyles and protective and cultural hair textures and hairstyles.

**Sec. 15-9005. – Unlawful public accommodation practices**

It shall be an unlawful public accommodation practice for the owner, lessee, proprietor, manager, superintendent, agent or employee of any business or place of public accommodation to withhold from or deny to any person any of the accommodations, advantages, facilities, services or privileges, products or goods in such place of public accommodation on the basis of hairstyles and protective and cultural hair textures and hairstyles.

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**Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

**Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the City Clerk.

126 **Section 5.** The City Police Chief, and/or his designee, in conjunction with the City  
127 Attorney, shall be authorized to make forms for applications and the issuance of permits  
128 consistent with the terms of this Ordinance and as permitted by State law.

129 **Section 6.** The effective date of this Ordinance shall be on the date as set forth  
130 under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state  
131 and/or federal law.

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171 The foregoing Ordinance No. 2020-xxx was moved for approval by Councilmember  
172 \_\_\_\_\_. The motion was seconded by Councilmember  
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174 follows:

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William "Bill" Edwards, Mayor  
Carmalitha Gumbs, Mayor Pro Tem  
Catherine Foster Rowell  
Helen Zenobia Willis  
Gertrude Naeema Gilyard  
Corey Reeves  
khalid kamau  
Mark Baker

AYE NAY

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189 THIS ORDINANCE so adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2020. **CITY OF**  
190 **SOUTH FULTON, GEORGIA.**

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195 WILLIAM "BILL" EDWARDS, MAYOR

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ATTEST:

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201 CORY E. ADAMS, INTERIM CITY CLERK

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APPROVED AS TO FORM:

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EMILIA C. WALKER, CITY ATTORNEY