

POLITICS & GOVERNMENT FEBRUARY 8, 2016 5:46 PM

Council sets LGBT vote for Feb. 22

HIGHLIGHTS

Majority of council members say they support expanding ordinance

Opponents urge council 'Don't do it'

They say it's 'common sense' to keep gender divisions in bathrooms



1 of 3



BY STEVE HARRISON

sharrison@charlotteobserver.com

Opponents of adding new legal protections for gay, lesbian and transgender residents urged the Charlotte City Council on Monday to “Don’t do it” and “Keep Women Safe.”

But it appears there is still enough support on council to expand the nondiscrimination ordinance. Council members voted 7-3 to schedule a vote for Feb. 22.

During the fall elections, at least eight of 11 council members said they would support expanding the ordinance for LGBT residents. It takes a majority of six council members to pass the ordinance.

Before Monday’s council meeting, one at-large council member, Democrat Claire Fallon, said she would support the ordinance, but in an unusual way.

Fallon said she was unfairly blamed last year for the ordinance’s failure – it lost in a 6-5 vote. Fallon had voted in favor of expanding the ordinance last year, though she voted for a version of the ordinance that didn’t include a provision that would allow transgender residents to use either a men’s or women’s bathroom.

Fallon said she plans to leave the dais before the vote. A council member who leaves before a vote is counted as a yes vote.

“No one should be discriminated against,” said Fallon, who added that she was unfairly criticized by the LGBT community a year ago.

“They dragged me through the mud,” Fallon said.

At-large council member Julie Eiselt, elected last year, said Monday she would support expanding the ordinance.

At a news conference before the council meeting, religious leaders and business owners said the proposal to allow transgender people to use either men’s or women’s restrooms was objectionable and possibly dangerous.

Mark Harris, pastor of First Baptist Church, held a stack of signatures of people he said oppose the new LGBT protections.

“It’s common sense to prevent men from entering women’s restrooms,” he said at a news conference Monday evening.

If the City Council approves the new protections, Harris said, residents could later vote the ordinance down, as voters in Houston did for a similar ordinance in November.

The General Assembly could give Charlotte voters the ability to repeal the ordinance.

“The people’s voice will be the last voice,” he said.

[READ MORE: Charlotte is again weighing LGBT protections. Here’s what the rules would do.]

Tami Fitzgerald of the N.C. Values Coalition said she would not bring her grandchildren to Charlotte if the ordinance passes.

The city already has an ordinance that prohibits discrimination based on a number of characteristics, such as race, age, gender and religion.

The proposal would add sexual orientation, and gender identity and gender expression to the list of protections.

The ordinance applies to places of public accommodation, such as stores, restaurants and bars. It wouldn’t apply to private clubs.

It also only applies to how a business interacts with its customers. It doesn’t affect employment.

If the ordinance is expanded, a business would be prohibited from discriminating against a customer because the customer is gay. The business would still be allowed to not hire workers based on their sexual orientation.

Council members held a detailed discussion on details about the proposed ordinance expansion.

City Attorney Bob Hagemann said already existing state law about indecent exposure would still apply, even if the ordinance is expanded. Someone born as a man but who identifies as a woman would be allowed to use a women’s restroom under the proposal. But if that person shall “willfully expose” their “private parts” they would have committed indecent exposure.

City staff presented a survey of some recent cities that enacted similar LGBT ordinances, including Atlanta, Orlando and San Antonio.

Those cities reported few issues from the new ordinances.

Republican council member Ed Driggs questioned whether the city's research was thorough, and said the city hadn't answered whether the bathroom flexibility reduced cases of discrimination against transgender people. He also said he felt city staff was rushing the issue.

That prompted a sharp reply from Mayor Jennifer Roberts, a Democrat who supports expanding the ordinance.

She said she "resented" the accusation that the city was "railroading" the ordinance.

Steve Harrison: 704-358-5160, @Sharrison_Obs



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COMMENTS

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**George Stevens**

So now transvestites are an officially recognized minority. I wonder if the city would have any liability if a woman or a child were molested or traumatized as a result of this ruling? I wonder if the Mayor or council people would have any personal liability for a molestation connected to this ruling? Interesting legal questions.

Like · Reply ·  3 · Feb 9, 2016 3:46pm**Chele Nett** · Strayer University

no more than they do right now !!!!! everyone should be recognized, ignorant people such as yourself are allowed to go in the restroom.

Like · Reply · Feb 10, 2016 9:25am

**George Stevens**

Chele Nett : No, I usually go in the nearest potted plant. It is much more convenient for me and it benefits the plant as well. It is all about recycling and sustainability.

Like · Reply ·  1 · Feb 10, 2016 11:08am**Dave Thompson** · Charlotte, North Carolina

Political office holders have immunity against being sued in personam for their official acts in almost all circumstances.

Were it not this way, government could not function. Yes, government has to function.

Good luck with that frivolous lawsuit. Your remedy, if any, is at the ballot box. But Charlotte voters just spoke about that a couple months ago and it resulted in an even bigger majority in favor of transgender (not transvestite) accommodations.

The state may try to overturn it.

I suspect the days of North Carolina's cities having no home rule powers will soon come to an end.

Like · Reply · Feb 10, 2016 3:28pm · Edited

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Kevin Whisnant

The plumbing dictates the restroom, period. Roberts is a liberal hack at best.

Like · Reply · 1 · Feb 9, 2016 2:30pm



Brian Kelly

Charolette is one of the most advanced cities in the entire state and should have a non discrimination ordinance.

With or without the ordinance, the chances of someone going into a restroom with a trans person is like 1 in 10000.

In fact I have rarely ever seen a transgendered person anywhere and if I did, I didn't notice. Some people just like stoking fear and hatred for their own pocket books.

Like · Reply · 4 · Feb 9, 2016 2:06pm



Dave Thompson · Charlotte, North Carolina

That, and their own twisted little minds.

Makes 'em feel all righteous-y, don'cha see.

Like · Reply · Feb 10, 2016 3:30pm



Donnie Miller Dotson · Owner at Self-Employed

Voting for perseveration on Feb.22nd. The act of preserving something, i.e. saving their seats on the City Council.

Like · Reply · 2 · Feb 10, 2016 9:24pm · Edited



Dirk Anderson · Tewksbury, Massachusetts

I don't think that there is anything in this that says that you will be made to have gay sex. But I haven't read it, could be wrong.

Like · Reply · 1 · Feb 9, 2016 12:34pm



Donnie Miller Dotson · Owner at Self-Employed

Dirk Anderson , look up the word perseveration

Like · Reply · 1 · Feb 10, 2016 9:24pm · Edited



Dirk Anderson · Tewksbury, Massachusetts

Lol, I read it as perversion

Like · Reply · Feb 9, 2016 5:44pm

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Ine NdiliMfumu

The admonition that suppressing recognition and protection of transgender people will somehow prevent sexual predators from invading women's restrooms is simply LUDICROUS. The further admonition that granting the LGBT populace legal protection for our Equal Dignity will in any way

endanger women is equally ludicrous.

The fact is that sexual predators are not stopped, today, by a sign on a bathroom wall designating it as a women's bathroom. They commonly dress as women and then enter that bathroom to harass and abuse the women, there. While such occurrences are RARE, considering the numbers... See More

Like · Reply ·  3 · Feb 9, 2016 8:16am



Frank Burns · Works at Self-Employed

The mayor got a little prickly when it was pointed out that the city is pushing this ordinance through with inadequate study. Sounds like the truth hurts.

Like · Reply ·  7 · Feb 9, 2016 5:43am



Meg Mastrianni Sawicki · Program Assistant at Davidson College

how much studying do we need to do Frank?? hate to tell ya, but all transgender folks want to do is get into the bathroom to pee.

Like · Reply ·  5 · Feb 9, 2016 10:53am



Frank Burns · Works at Self-Employed

Meg Mastrianni Sawicki Pssst, they can already do that without permission using the equipment that they were issued.

Like · Reply ·  4 · Feb 9, 2016 10:59am



Kevin Whisnant

Meg Mastrianni Sawicki They already can. This gives them permission to use any restroom they want.

Like · Reply · Feb 9, 2016 2:33pm



Traci Tsakiris

A transexual woman is at the most risk of sexual and physical assault when using a Men's restroom.

Most women would feel uncomfortable if someone dressed and built like a man entered a Women's restroom, even if they were born with female anatomy.

Bathrooms have private stalls. Why does it matter?

If you fear that allowing people to use the restroom of their gender identity, because that will allow a rapist or pedophile to sneak into a Lady's room in a wig, you are nieve.

If a rapists wants to rape a woman in a restroom, he doesn't need to wear a wig to break the law!

Like · Reply ·  4 · Feb 9, 2016 5:18am



Thomas Reece · Charlotte, North Carolina

then do away with gender bathrooms all together. we will call it the socialist bathroom

everyone will be uncomfortable together.

Like · Reply ·  5 · Feb 9, 2016 7:30am



Dale Silva · Santa Clara University

Such backwards people...

Like · Reply ·  2 · Feb 9, 2016 12:58am



Dave Thompson · Charlotte, North Carolina

The City of Charlotte isn't backward.

The law will pass.

The state is full of backwardness, however.

Like · Reply · Feb 10, 2016 3:33pm



Donnie Miller Dotson · Owner at Self-Employed

Dave Thompson , Feel free to move from N.C..

Like · Reply · Feb 10, 2016 9:32pm



Bonita Frederick

✓✓✓ I am making a good salary from home \$1200-\$2500/week , which is amazing, under a year ago I was jobless in a horrible economy. I thank God every day I was blessed with these - instructions and now it's my duty to pay it forward and share it with Everyone, Here is I - started,,,,,,

|| CHECK MY SOURCE ||  <https://www.facebook.com/Working-online-564533230388739/...>

Like · Reply · Feb 8, 2016 8:19pm



Dave Thompson · Charlotte, North Carolina

"Tami Fitzgerald of the N.C. Values Coalition said she would not bring her grandchildren to Charlotte if the ordinance passes."

Promises, promises...

Why did she toddle down here from Raleigh to thrust her theocracy anyway?

Like · Reply ·  6 · Feb 8, 2016 6:23pm



Johnny Smith

I live in Cabarrus County, dine at a variety of Charlottes outstanding restaurants and also do a lot of shopping in Mecklenburg County but if the City Council approves this measure that will end completely.

Like · Reply ·  8 · Feb 8, 2016 7:44pm



Dave Thompson · Charlotte, North Carolina

We'll miss you.

Like · Reply ·  3 · Feb 8, 2016 10:04pm



Maxi Backhouse · Owner at Dreamspirit

Johnny Smith goodbye

Like · Reply ·  2 · Feb 8, 2016 10:04pm

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