

ORDINANCE NO. 66 TO AMEND CHAPTER 10 OF THE CODE OF THE CITY OF CHARLOTTE SETTING FORTH THE DUTIES OF THE COMMUNITY IMPROVEMENT DIVISION OF THE PUBLIC WORKS DEPARTMENT, AND PROVIDING PENALTIES FOR LITTERING AND FAILURE TO REMOVE WEEDS, GRASS AND MISCELLANEOUS REFUSE FROM PROPERTY.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. Chapter 10, Sec. 8 is hereby amended by deleting the following words from lines 5 and 6:

"uncut grass or weeds on any property, and"

Section 2. Chapter 10, Sec. 9, subsection (a) is hereby amended by the addition of the following sentence at the end of said subsection:

"Drive-in restaurants and other food establishments that permit carry-out food service shall maintain at all times on their premises, sufficient receptacles for the disposal of trash, garbage and miscellaneous refuse."

Section 3. Chapter 10, Sec. 9, subsection (d) is hereby amended by the deletion of the words "superintendent of the building inspection department", and substituting the following words in lieu thereof on lines 6 and 7:

"supervisor of the community improvement division"

Section 4. Chapter 10, Sec. 9 is hereby amended by the addition of the following new subsections to read as follows:

"(f) No person when occupying or riding in any vehicle on a street, highway, alley, public or private lot within the city shall litter the ground by throwing or dropping from the said vehicle, any item such as bottles, cans, papers, liquid, ice or trash of any kind, or by unloading or dumping any trash from a vehicle onto any area not authorized for a trash disposal. A person violating this provision may be assessed a penalty of \$10.00.

(g) In addition to and separate and apart from the other remedies set forth in this section, a violator of any of the above provisions may be assessed a penalty of \$10.00, and each and every day during which a violation occurs shall be a separate and distinct offense."

Section 5. Chapter 10 is hereby amended by the addition of a new section to read as follows:

"Sec. 10-10. Community Improvement Division - duties and responsibilities of supervisor and inspectors.

The supervisor of the Community Improvement Division and those inspectors assigned to assist him shall have the duty and responsibility of enforcing Sections 10-9, 13-1, 13-1.1, 13-1.2, 10-15, 10-16, 17-12 and 17-29.1 of this Code. The supervisor and his inspectors shall enforce the provisions of these sections by the inspection of property and by the observance of those persons who are seen to violate any of the provisions. They shall be empowered to issue citations when in their opinion any of the provisions of these sections cited above have been violated. Citations so issued may be delivered in person to the violator by the supervisor or his inspectors, or they may be mailed to the person so charged, if he cannot be readily found. Any

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notice or citation so delivered or mailed shall direct the alleged violator to appear at the Violations Bureau of the City on or before a specific day and hour named in the notice; and the period so specified shall be not less than seventy-two (72) hours after its delivery to the violator.

When a person charged with violation of the sections administered by the Community Improvement Division shall appear before the clerk on duty at the Violations Bureau in response to a citation as hereinabove provided, such clerk is authorized, if the person appearing so desires, to allow him to sign on the docket which is kept in connection with violations and pay the civil penalty assessed. Upon payment, the clerk shall give him a receipt for the money paid, showing the type of violation, and shall deliver the money to the collector of revenue for the city. A copy of the citation shall be mailed at the time of issuance to the Captain of the Records Division of the Police Department.

The supervisor of the Community Improvement Division shall cause all citation forms to be serially numbered in triplicate and records with respect to the said citation forms are to be maintained so that all of them can be accounted for. The city accountant, or his representative, shall periodically investigate the records of the Community Improvement Division for the purpose of determining the disposition of the forms, and he shall report the result of such investigation to the city manager. For the purpose of making this investigation, the city accountant shall have access to the necessary records of the Community Improvement Division.

If a violator of the provisions of these sections does not appear in response to the notice or citation at or before the date and hour named, a complaint will be filed and a warrant of arrest issued against that person."

Section 6. Chapter 10, Sec. 10-14 is amended by deleting it in its entirety and substituting in lieu thereof the following:

"The administration and enforcement of the provisions of this article shall be the duty of the Department of Public Works."

Section 7. Chapter 10, Sec. 10-15 is amended by the addition of a new subsection entitled (f) to read as follows:

"(f) Any person violating, failing, refusing, or neglecting to comply with any of the provisions of this section shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Section 8. Chapter 10, Sec. 10-16 is amended by the addition of a new subsection entitled (i) to read as follows:

"(i) Any person violating, failing, refusing, or neglecting to comply with any of the provisions of this section shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Section 9. That this ordinance shall become effective June 1, 1971.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 132.

Ruth Armstrong
City Clerk

ORDINANCE NO. 67 AMENDING CHAPTER 13 ESTABLISHING PENALTIES FOR VIOLATION OF PROVISIONS OF SECTIONS 13-1, 13-1.1 and 13-1.2 OF THE CODE OF THE CITY OF CHARLOTTE

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. Chapter 13 of the Code of the City of Charlotte is hereby amended by adding a third paragraph to Section 13-1 to read as follows:

"Any person violating, failing, refusing, or neglecting to comply with any of the provisions of this section shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Section 2. Chapter 13, Section 13-1.1 is hereby amended by the addition of a second paragraph to read as follows:

"Any person violating, failing, refusing, or neglecting to comply with any of the provisions of this section shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Section 3. Chapter 13, Section 13-1.2 is hereby amended by the addition of a new subsection entitled (i) to read as follows:

"(i) Penalty. In addition to and separate and apart from any other remedies set forth and established by this section, any person violating the provisions of this section shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Section 4. That this ordinance shall become effective June 1, 1971.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 134.

Ruth Armstrong
City Clerk

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ORDINANCE 68

AN ORDINANCE AMENDING CHAPTER 17, "STREETS AND SIDEWALKS", OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. Chapter 17, Sec. 17-12 of the Code of the City of Charlotte is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

"Every person, firm or corporation engaged in business in the City shall keep the sidewalks in front of their stores or places of business swept clean at all times during their normal hours of business operation. Any person failing to comply with this provision shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Sec. 2. Chapter 17 of the Code of the City of Charlotte is hereby amended by adding a new section, Sec. 17-29.1, to read as follows:

"Sec. 17-29.1 Responsibility for dirt and debris on streets and sidewalks as a result of construction.

In the event that dirt, mud, construction materials or other debris shall be deposited upon any street or sidewalk as a result of a construction project in progress, the contractor in charge of the project shall be required to remove said debris. Any contractor failing to comply with this provision shall be assessed a penalty of \$10.00, and each and every day during which such violation continues, shall be a separate and distinct offense."

Sec. 3. That this ordinance shall become effective 1st day of June, 1971.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 135.

Ruth Armstrong
City Clerk

Ordinance No. 69-X

AN ORDINANCE TO AMEND ORDINANCE NO. 732-X, THE 1970-71 BUDGET ORDINANCE, AUTHORIZING THE CREATION OF A COMMUNITY IMPROVEMENT DIVISION OF THE PUBLIC WORKS DEPARTMENT THROUGH THE TRANSFER OF POSITIONS AND FUNDS FROM THE BUILDING INSPECTION DEPARTMENT AND THE AUTHORIZATION TO HIRE AND FUND FIVE ADDITIONAL POSITIONS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That one Building Inspector II position and three Building Inspector I positions are hereby deleted from Account 517.00 - Building Inspection Department.

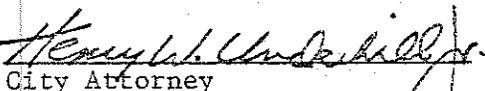
Section 2. That the following positions are hereby authorized for Account 519 - Community Improvement; one Community Improvement Supervisor; seven Community Improvement Inspectors; one Clerk Typist II.

Section 3. That the sum of \$11,155 is hereby transferred from Account 517.00 - Building Inspection Department to Account 519.00 - Community Improvement Division of the Public Works Department. These funds shall be used to pay salaries, contractual services, commodities, and other expenses related to the transfer of four existing positions from Building Inspection to Community Improvement.

Section 4. That the sum of \$14,298 is hereby transferred from Account 508.011 - Refuse Collection - Personal Services, to Account 519.00 - Community Improvement and that such funds shall be used to pay for salaries, contractual services, commodities and capital outlay for the new positions authorized in Section 2.

Section 5. That this ordinance shall become effective upon its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 136.

Ruth Armstrong
City Clerk

ORDINANCE NO. 70-X

AN ORDINANCE ORDERING THE Removal of Trees & Rubbish PURSUANT TO SECTION 6.103 and 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Section 1.

WHEREAS, Trees & Rubbish located on the premises at (address) adjacent to 1955 Arnold Dr. has been found to be a nuisance by the Supervisor of Community Improvement Division of the Building Inspection Department, and the owner or those responsible for the maintenance of the premises has been ordered to remove the same pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte; and

WHEREAS, the owner (s) or those person (s) responsible for the maintenance of these premises have failed to comply with the said order served by registered mail on March 1, 1971 : and

WHEREAS, The City Council upon consideration of the evidence finds as a fact that the aforesaid premises are being maintained in a manner which constitutes a public nuisance because of Trees & Rubbish

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division of the Building Inspection Department is hereby ordered to cause removal of Trees & Rubbish from the aforesaid premises in the City of Charlotte, and that the City assess costs incurred, and this shall be a charge against the owner, and shall be a lien against this property, all pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 137.

Ruth Armstrong
City Clerk

ORDINANCE NO. 71-X

AN ORDINANCE ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE (s) LOCATED AT 730 Marble St. PURSUANT TO THE ARTICLE 13-1.2 OF THE CODE OF CHARLOTTE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, an abandoned motor vehicle (s) located at 730 Marble St. in the City of Charlotte has been found by the Supervisor of the Community Improvement Division of the Building Inspection Department to be unsafe and to constitute a health hazard, and the owner (s) thereof has/have been ordered to remove said abandoned motor vehicle (s), all pursuant to the Article 13-1.2 of the Code of the City of Charlotte and Chapter 160-200 (43) of the General Statutes of North Carolina, and

WHEREAS, said owner (s) has/have failed to comply with said order served by registered mail on March 8, 1971; and,

WHEREAS, the City Council, upon consideration of the evidence, finds as a fact that the aforesaid vehicle (s) is unsafe and constitutes a health hazard;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division of the Building Inspection Department is hereby ordered to cause the removal of said abandoned motor vehicle (s) located at 730 Marble St., in the City of Charlotte in accordance with Article 13-1.2 of the Code of the City of Charlotte and Chapter 160-200 (43) of the General Statutes of North Carolina.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1971, the reference having been made in Minute Book 55, and recorded in full in Ordinance Book 18, at Page 138.

Ruth Armstrong
City Clerk