

ORDINANCE NO. 3783-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2721 CRADDOCK AVENUE, APTS. 1-5, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BBA, INC. RESIDING AT P. O. BOX 30731, CHARLOTTE, NC 28230.

WHEREAS, the dwelling located at 2721 Craddock Avenue, Apts. 1-5, in the City of Charlotte has been found by the Director of the Community Development Department to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 4th day of February, 1992 and the 12th day of March, 1992.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 2721 Craddock Avenue, Apts. 1-5, in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of January, 1994, the reference having been made in Minute Book 103, and recorded in full in Ordinance Book 45, at Page(s) 151.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of January, 1994.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

ORDINANCE NO. 3784-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 500 LAKEWOOD AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF GEORGE DAVIS HEIRS RESIDING % ROSA LEE SHORTER, 215 JONES STREET, CHARLOTTE, NC 28208.

WHEREAS, the dwelling located at 500 Lakewood Avenue in the City of Charlotte has been found by the Director of the Community Development Department to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 10th day of February 1992 and the 27th day of April, 1992.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 500 Lakewood Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of January, 1994, the reference having been made in Minute Book 103, and recorded in full in Ordinance Book 45, at Page(s) 152.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of January, 1994.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

ORDINANCE NO. 3785-X

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING AT 7917 PARK ROAD IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF TRI STATE ASSOCIATES RESIDING AT P. O. BOX 33695, CHARLOTTE, NC 28233.

WHEREAS, the dwelling located at 7917 Park Road in the City of Charlotte has been found by the Director of the Community Development Department to be in violation of the Housing Code of the City of Charlotte;

WHEREAS, said dwelling was occupied/unoccupied at the time of the initial inspection in which violations of the Housing Code of the City of Charlotte were found to exist;

WHEREAS, said dwelling is located in Census Tract #30.05;

WHEREAS, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Section 11-28 of the Housing Code of the City of Charlotte, the owner(s) of said dwelling have been ordered by the Director of the Community Development Department to repair, alter or improve said dwelling;

WHEREAS, the owner(s) of said dwelling has failed to comply with said order to repair, alter or improve said dwelling; served upon them by advertisement on February 15, 1991 and March 19, 1991; and

WHEREAS, among the Housing Code violations existing in and upon said dwelling is a violation of Section(s) 11-57 (i) and 11-58 (9) 7.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ORDERED to cause the dwelling at 7917 Park Road in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated March 11, 1991 and all other repairs necessary to bring said dwelling into compliance with the Housing Code of the City of Charlotte, and to cause a lien in the amount of cost incurred in making such repairs, alterations or improvement to be placed against the real property at said location, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Sections 11-28 and 11-31 of the Charlotte City Code.

This Ordinance shall become effective upon its adoption.

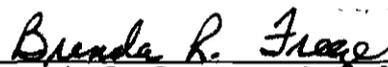
APPROVED AS TO FORM:


CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened the 24th day of January, 1994, the reference having been made in Minute Book 103, and recorded in full in Ordinance Book 45, at Page(s) 153.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of January, 1994.


Brenda R. Freeze, City Clerk

ORDINANCE NO. 3786

AN ORDINANCE TO AMEND SECTION 6-68 OF THE CABLE COMMUNICATIONS REGULATIONS OF ARTICLE V OF THE CITY CODE TO PROVIDE FOR THE REGULATION OF BASIC SERVICE TIER RATES AND RELATED EQUIPMENT, INSTALLATION AND SERVICE CHARGES OF ANY CABLE TELEVISION SYSTEM OPERATING IN THE CITY OF CHARLOTTE

WHEREAS, on October 5, 1992, Congress enacted the Cable Television Consumer Protection and Competition Act of 1992 which, among other things, provided that the basic service tier rates, and the charges for related equipment, installation and services, of a cable television system (hereinafter, "Basic Service Rates and Charges") shall be subject to regulation by a franchising authority in accordance with regulations prescribed by the Federal Communications Commission (hereinafter the "FCC"); and

WHEREAS, pursuant to Section 6-66(c) of the Charlotte City Code, the City of Charlotte (hereinafter, the "City") reserved the right to exercise additional authority at any time such authority became permissible under applicable legislative, judicial or regulatory authority, including the authority with or without the approval of the cable television system operator to legislate any additional regulations the City deemed justified; and

WHEREAS, on April 1, 1993, the FCC prescribed such regulations in the Report and Order, In the Matter of Implementation of Sections of Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation, MM Docket 92-266, FCC 93-177 (released May 3, 1993) (hereinafter the "FCC Rate Regulations"); and

WHEREAS, the City is a franchising authority with the legal authority to adopt, and the personnel to administer, regulations with respect to the Basic Service Rates and charges of any cable television system operating in the City, including, without limitation, the systems currently being operated by Cablevision of Charlotte, a division of Time Warner Entertainment, L.P. and Vision Cable of North Carolina, Inc. (hereinafter "the Companies") pursuant to their franchise agreements; and

WHEREAS, the City desires to regulate the Basic Service Rates and Charges of the Companies and any other cable television system operating in the City and shall do so in accordance with the FCC Rate Regulations, notwithstanding any different or inconsistent provisions in the franchise agreements;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte as follows:

Section 6-68, Rates and Charges, of Article V. Cable Communications Regulations of the Charlotte City Code, shall be amended as follows:

- (a) The City may regulate basic cable service tier rates and related equipment, installation and service charges of any cable television system operating in the City of Charlotte under the Cable Television Consumer Protection and Competition Act of 1992. In its regulation of rates, the City will follow the FCC regulations, notwithstanding any different or inconsistent provisions in the franchise.
- (b) In connection with such rate regulation, the City shall ensure a reasonable opportunity for consideration of the views of interested parties.
- (c) The City Manager, or his designee, is authorized to execute on behalf of the City and file with the FCC such certification forms or other instruments as are now or may hereinafter be required by the FCC Rate Regulations in order to enable the City to regulate Basic Service Rates and Charges.
- (d) The Grantee shall file with the City schedules which shall describe all services offered, all rates and charges of any kind, and all terms and conditions relating thereto.

This ordinance shall become effective after having been read and approved at two regular meetings of City Council.

APPROVED AS TO FORM:



Asst. City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of January 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 154-155.

Brenda R. Freeze
City Clerk

ORDINANCE AMENDING CHAPTER 8 OF THE CHARLOTTE CITY CODE ENTITLED
"FIRE PREVENTION AND PROTECTION".

BE IT ORDAINED, by the Charlotte City Council that Chapter 8
of the Charlotte City Code is hereby amended as follows:

Section 1. Amend Section 8.2 by re-writing this section to
read as follows:

"The North Carolina State Building Code,
Volume V, Fire Prevention Code, 1988 Edition, as
amended from time to time, is hereby adopted and
incorporated by reference as though fully set out
herein. It shall be enforced by the Bureau of Fire
Prevention and the Fire Department of the City,
which is hereby established and which shall be
operated under the supervision of the Chief of the
Charlotte Fire Department."

Section 2. Amend Section 8.5 (a) of the Charlotte City Code
as follows:

Rewrite the first sentence of said section to read as follows:

"North Carolina State certified fire
inspectors of the Charlotte Fire Department are
empowered to issue notices of violation when such
fire inspectors have reasonable cause to believe
that any person has violated any provision of the
North Carolina State Building Code, Volume V, Fire
Prevention Code, as amended, or of this Chapter."

Further amend Section 8.5 (a) by rewriting the last sentence
of said section to read as follows:

"However, violations of Section 802, 'Exit
Obstruction' and Section 803, 'Doors' of Volume V
of the Fire Prevention Code shall subject the
offender to a penalty of Two Hundred Dollars
(\$200.00) instead of Fifty Dollars (\$50.00).
A violation of Section 802.2 of the Fire Prevention
Code, 'Overcrowding' shall be deemed a life safety
violation and shall subject the offender to civil
penalty of Five Hundred Dollars (\$500.00.)"

Section 3. Sections 8.8 and 8.9 of the Charlotte City Code
are hereby amended by deleting said sections in their entirety and
placing in lieu thereof a new Section 8.8 which reads as follows:

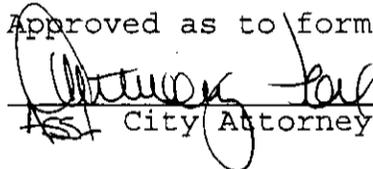
"Section 8.8 Fire Department Rules and Regulations Governing Fire Flow, Water Demand, Fire Hydrants, Fire Connections and Unattended Service Stations.

The Charlotte Department provisions entitled, "City of Charlotte Fire Department Rules and Regulations Governing Fire Flow, Water Demand, Fire Hydrants, Fire Connections and Unattended Service Stations", dated December 20, 1993, as amended, (hereinafter referred to as "Regulations") is hereby adopted and incorporated as if fully set out herein; and the provisions thereof shall be controlling within the limits of the City. The Chief of the City of Charlotte Fire Department is hereby authorized to approve all revisions or amendments to the Regulations for the City as maybe necessary from time to time, and such revisions or amendments shall also be incorporated as if fully set out at length herein, and said revisions or amendments shall supersede all previous provisions and shall be controlling within the limits of the City. A copy of the Regulations, as amended, shall be on file in the Office of the City Fire Department and the Office of the City Clerk.

Section 4. Amend Section 19-101 of the Charlotte City Code by deleting the reference to Sections 8 - 11 and 8 - 12 and substituting in lieu thereof "Sections 8 - 5 and 8 - 6."

Section 5. This ordinance shall become effective immediately 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 24th day of January, 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 156-162.

Brenda R. Freeze
City Clerk

Explanations of Proposed Fire Code Revisions

Section 1

This change will make it no longer necessary to have Council adopt emendations of the state fire code.

Section 2

This change will enable firefighters who have been certified by the state to enforce provision of the state fire code and to issue notices of violations (citations).

This change will increase the penalty for the life safety code violation of overcrowding. The current penalty is readily absorbed by businesses and is considered an incidental cost of doing business. Fire Department personnel have issued over 200 citations for life safety violations since the Hamlet, N.C. fire in September 1991.

Section 3

These regulations are now in the state fire code and are no longer needed in the local code.

Section 8.8

Fire Department rules and regulations governing fire flow, water demand, fire hydrants, fire connections, and unattended service stations:

Fire flow:

This requirement ensures there is adequate water available for fire fighting purposes.

Water demand:

This requirement provides a 10% cushion to account for water supply variations and to ensure there is adequate water available for domestic use.

Fire hydrants:

This requirement allows for a 50% increase in the spacing of fire hydrants. Large diameter fire hose and innovations in firefighting strategies permit these changes, which lessen the financial impact of citizens.

Fire Department connections:

This requirement allows fire hose lines to be readily and conveniently attached to fire department connections to augment sprinkler/standpipe systems without interference from nearby objects.

Unattended service stations:

The state fire code gives local jurisdictions authority to regulate these occupancies. This requirement enables approved unattended service stations to provide fuel to businesses which had to remove in-house fueling operations as a result of U.S. Environmental Protection Agency regulations.

Charlotte, N.C.
December 20, 1993

CITY OF CHARLOTTE FIRE DEPARTMENT RULES AND REGULATIONS GOVERNING
FIRE FLOW, WATER DEMAND, FIRE HYDRANTS, FIRE CONNECTIONS AND
UNATTENDED SERVICE STATIONS.

No construction, renovation or addition to any building or structure within the City limits of the City of Charlotte shall be made without compliance with the regulations contained herein. In addition, no unattended service station shall exist without meeting the requirements, terms and conditions contained herein.

FIRE FLOW

The required fire flow for new occupancies and additions to existing occupancies shall be determined by the City Fire Marshal using the Insurance Services Office, Inc.'s guide entitled "Guide for Required Fire Flow" as may be amended from time to time. Construction alternatives shall be required if the available water supply is insufficient for fire fighting operations.

WATER DEMAND

The water demand for sprinkler systems and/or pipe systems within the City limits shall be designated by the Charlotte Fire Department and shall not be greater than 90% of the water supply available.

FIRE HYDRANTS

Fire hydrant coverage, for other than one or two family dwellings, shall not exceed 750 feet to the most remote point of any building, as determined by the Fire Marshal.

FIRE DEPARTMENT CONNECTIONS

Fire Department connections for buildings and structures shall meet the following requirements:

(a) Fire Department connections at buildings provided with more than two (2) stand pipe risers shall have one two and one-half (2-1/2) inch female swivel connection with national standard threads for each additional stand pipe riser.

(b) Fire Department connections shall be located not less than eighteen (18) inches nor more than five (5) feet above finished grade.

(c) Fire Department connections shall be located in clear space at least ten (10) feet horizontally and at least ten (10) feet vertically in all directions.

(d) Fire Department connections shall be readily visible and not more than 50 feet from a street fire lane or similar area providing access to Fire Department apparatus. The area between the connection and vehicular access shall be free of obstructions.

(e) There shall be an approved pumper fire hydrant within 200 feet of the Fire Department connection. The distance shall be measured along an approved path of travel for the Fire apparatus, as determined by the Fire Marshal.

UNATTENDED SERVICE STATIONS

Unattended service stations not open to the public shall be permitted by the Fire Marshal subject to the following:

(a) The facility shall comply with all applicable provisions of the NFPA 30, Flammable and Combustible Liquids Code, NFPA 30A, Automotive and Marine Service Station Code, and the North Carolina State Building Code, Volume V, Fire Prevention.

(b) Fueling transactions shall be subject to review by the Fire Marshal.

(c) Accounts shall be of the commercial type operating with a business license.

(d) All accounts shall be under contract with the facility station operator for a minimum volume of 300 gallons per month or a minimum four (4) vehicle fleet exempting company employees.

(e) The fuel dispensing area shall have photocell lighting for personal safety and/or safe equipment operation.

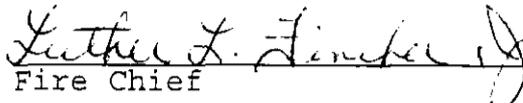
(f) A telephone with 911 access shall be accessible from pump dispensers and its accessibility shall be approved by the Fire Marshal.

(g) The fuel dispensing area shall be clearly posted with emergency numbers, site operator's phone numbers, and the address of the site to report malfunctioning equipment.

(h) The Fire Marshal may impose reasonable provisions to promote safety and to prevent spillage during fueling operations.

These regulations were adopted and approved on this the ____ day of _____, 199__.

Approved:


Fire Chief

AN ORDINANCE TO AMEND ORDINANCE NO. 3585-X, THE 1993-94 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS TO FUND THE CHARLOTTE-TO-ROCK HILL COMMUTER BUS SERVICE.

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

Section 1. That the sum of \$15,000 is hereby estimated to be available from the Public Transportation Fund fund balance (7801; 4110).

Section 2. That the sum of \$15,000 is hereby appropriated to the Public Transportation Fund - Rock Hill Commuter Service Program (7801; 829.00).

Section 3. This project is anticipated to remain in effect beyond the end of the fiscal year; therefore, this ordinance will remain in effect for its duration.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. It is the intent of this ordinance to be 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 24th day of January, 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 163.

Brenda R. Freeze
City Clerk