

ORDINANCE 3406-X

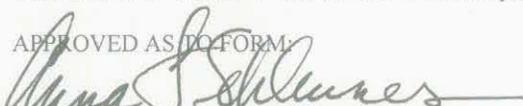
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3020 PARKWAY AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF BERNICE D. LANE, 3020 PARKWAY AVENUE, CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 3020 Parkway Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte 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; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3020 Parkway Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

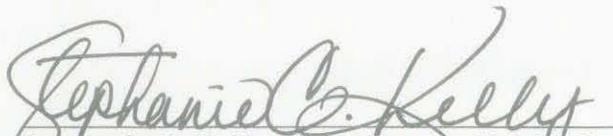
APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 527.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3407-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 407 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 TODD GARNER AND CYNTHIA P. GARNER 1021 TIMBERWOOD COURT, MATTHEWS N.C. 28105

WHEREAS, the dwelling located at 407 Lakewood Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte 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; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 407 Lakewood Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

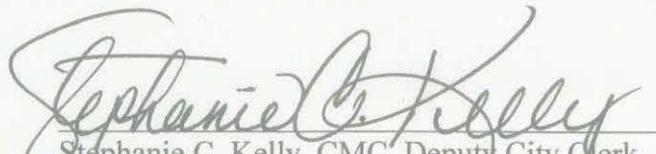
APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 528.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3408-X

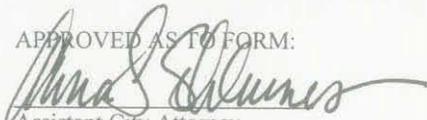
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE OUTBUILDING AT 700 EAST 36TH STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF PHIL W. BROOME & LARRY MORGAN, 414 MELBOURNE COURT CHARLOTTE NC 28209

WHEREAS, the outbuilding located at 700 East 36th Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte 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 outbuilding; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the outbuilding located at 700 East 36th Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

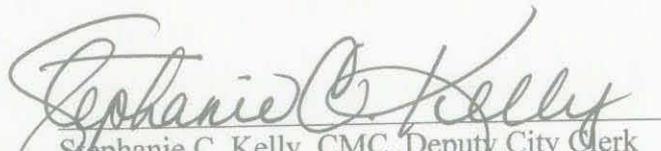
APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 529.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3409-X

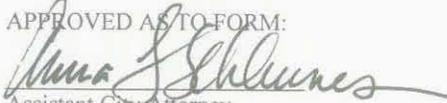
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3946 BARLOWE ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF EAST EIGHT STREET PARTNERS, 218 TRANQUIL AVENUE CHAROTTE, N.C 28209

WHEREAS, the dwelling located at 3946 Barlowe Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte 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; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3946 Barlowe Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 530.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3410-X

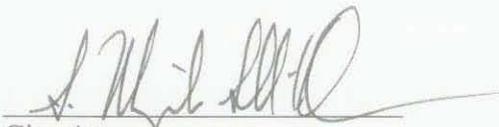
O-32

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING FUNDING FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO CONTINUE THE LEAD HAZARD CONTROL PROGRAM.

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

- Section 1. That the sum of \$2,999,944 is hereby estimated to be available from the U. S. Department of Housing and Urban Development.
- Section 2. That the sum of \$2,999,944 is hereby appropriated to the Neighborhood Development Grant Fund to continue the Lead Hazard Control Program grant (Fund: 6807; Center: 900.71).
- Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

Asst. 
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 531.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3411-X

O-33

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET
ORDINANCE, PROVIDING AN SUPPLEMENTAL APPROPRIATION FOR THE I-277
AND INDEPENDENCE BOULEVARD INTERSECTION PROJECT.

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

Section 1. That the sum of \$400,000 is hereby available from General Capital Projects Fund 2010; 336.30 - Old Statesville Road Widening and is transferred and appropriated to General Capital Projects Fund 2010; 481.10 - I277/Independence.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall be effective immediately.

Approved as to Form:

S. M. J. 10-10
Asst. City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 532.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

Stephanie C. Kelly
Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3412

AMENDING CHAPTER 14

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CITY CODE OF
CHARLOTTE ENTITLED "MOTOR VEHICLES AND TRAFFIC"**

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

Section 1. Section 14-216(a)(9) of Chapter 14 of the City Code shall be amended by
to read as follows:

"(a) It shall be unlawful to stop, stand, or park a vehicle:

(9) On a sidewalk. This provision shall not be applicable to non-motorized bicycles."

Section 2. This ordinance shall take effect upon adoption.

Approved as to Form:

S. Mitchell

Asst. City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 533.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

Stephanie C. Kelly

Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3413-X

AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15 OF THE CHARLOTTE CITY CODE ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS"

WHEREAS, the City of Charlotte has a significant government interest in preventing transactions involving stolen property and in identifying offenders; and

WHEREAS, North Carolina law regulates pawnshops through the Pawnbroker Modernization Act of 1989, G.S. 91A-1 to 91A-14; and

WHEREAS, pawnbrokers are required by G.S. 91A-7 to describe the pledgor and require some form of identification at the time of a pawn or purchase transaction and record such information on a pawn ticket; and

WHEREAS, the current identification procedures have proven ineffective in identifying an individual who pawns stolen property sufficiently for successful criminal prosecution; and

WHEREAS, G.S. 91A-12 allows a city by ordinance to adopt further rules and regulations concerning pawnbrokers and pawn transactions as deemed appropriate; and

WHEREAS, the City Council finds that a requirement that fingerprints be taken of pledgors in all pawn transactions will increase the likelihood of successful criminal prosecution of those who pawn stolen property.

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

Section 1. Chapter 15, "Offenses and Miscellaneous Provisions", of the Charlotte City Code is amended by adding Section 15-, to read as follows:

"Sec. 15- . Fingerprinting required in all pawn transactions.

(a) *Definitions.* The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fingerprint means to require an individual to lace a clear, unsmearred impression in ink of the index finger of each hand on a pawn ticket to be submitted to the Charlotte-Mecklenburg Police Department.

Pawn or pawn transaction means a written bailment of personal property as security for a debt, redeemable on certain terms within 180 days, unless renewed, and with an implied power of sale on default.

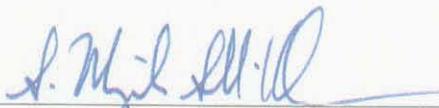
Pawnbroker means any person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders, as well as any employee or agent of such person.

Pledgor means any person who deposits with or delivers tangible personal property into the possession of a pawnbroker in the course of his business in connection with a pawn transaction.

(b) It shall be the duty of a pawnbroker to fingerprint the pledgor in connection with every pawn transaction. It shall be unlawful for a pawnbroker to fail to perform said duty. In addition to the remedies provided in Section 2-21 of this Code, the pawnbroker's license may be revoked for a violation of this section, as permitted under G.S. 91A-6.

Section 2. This ordinance shall be effective on _____, 2006.

Approved as to Form:

Asst. 

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page(s) 534-535.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3414-X

O-34

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE PROVIDING APPROPRIATIONS FOR VARIOUS CHARLOTTE AREA TRANSIT SYSTEM CAPITAL AND GRANT PROJECTS AND FUNDING SOURCE ADJUSTMENTS ON TWO ORDINANCES

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

Section 1. That the sum of \$3,296,000 is hereby estimated to be available from CATS Operating Fund Balance (7801).

Section 2. That the sum of \$3,296,000 is hereby appropriated for transfer to the Rapid Transit Capital Fund (2098) in projects as follows:

Center	Project Title	Amount
53660	LRT Equipment / Tools	\$170,000
53670	VMF Shop Equipment	250,000
53710	LRT Facilities Project	886,000
53681	ROW Direct Costs	1,500,000
53720	Other Rail Capital	190,000
53730	Safety & Security Equipment	300,000
Total		\$3,296,000

Section 3. That the sum of \$2,400,000 is hereby estimated to be available from CATS COPS.

Section 4. That the sum of \$2,400,000 is hereby appropriated for transfer to the Rapid Transit Capital Fund (2098) in the project for STV Ammendment (89822).

Section 5. That funding sources associated with Ordinance 3350-X associated with the I-485 Parking Garage Project are hereby amended as follows:

Source	From	To
Federal Grant	\$429,595	\$0
CATS Operating Fund (7801) fund balance	1,070,405	0
CATS COPS	0	1,500,000
Total	\$1,500,000	\$1,500,000

Section 6. That funding sources associated with Ordinance 2989-X associated with the the purchase of Gillig Buses are hereby amended as follows:

Source	From	To
Federal Grant	\$0	\$2,065,060
NCDOT	\$0	\$199,042
CATS Operating Fund (7801) fund balance	2,550,000	223,922
Total	\$2,550,000	\$2,488,024

- Section 7. That the sum of \$11,336,074 in Temporary COPS replaces fund balance loaned as a source of funding until grant funds are received in the Rapid Transit Capital Fund.
- Section 8. Sections of this ordinance estimates federal and state grant participation. Upon receipt of the grant assistance, the sources and levels of funding for the project specified may be adjusted to reflect permanent financing. Until permanent financing is realized, the Finance Director is hereby authorized to advance funding from Fund 7801 fund balance to cover the estimated grant revenues specified above. Upon receipt of grant revenues, funds advanced to the project shall revert back to the Fund 7801 fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level will not exceed the amounts specified , unless amended by a subsequent ordinance(s).
- Section 9. All ordinances in conflict with this ordinance are hereby repealed.
- Section 10. This ordinance shall be effective upon adoption.

Approved as to Form:

Asst. Hope A. Root
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page(s) 536-537.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

Stephanie C. Kelly
Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3415-X

O-35

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE PROVIDING APPROPRIATIONS FOR CONTRACT CHANGE ORDERS AND AMENDMENTS ASSOCIATED WITH THE SOUTH CORRIDOR LIGHT RAIL PROJECT

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

Section 1. That the sum of \$9,340,000 is hereby estimated to be available from CATS COPS.

Section 2. That the sum of \$9,340,000 is hereby appropriated for transfer to the Rapid Transit Capital Fund (2098) as follows:

Center	Project Title	Amount
89834	Ralph Whitehead Associates	\$1,010,000
89669	Archer Western (Roadbed, Bridges & Trk)	5,500,000
89676	Archer Western (Roadbed, Bridges & Trk)	500,000
89711	Mass Electric/Aldridge Electric (Traction Power)	815,500
89731	Mass Electric/Aldridge Electric (Train Contro)	1,514,500
Total		\$9,340,000

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective upon adoption.

Approved as to Form:

Asst. Hope A. Root
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 538.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

Stephanie C. Kelly
Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3416-X

O-36

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE PROVIDING APPROPRIATIONS FOR LIGHT RAIL VEHICLE MAINTENANCE FACILITY OFFICE UPFIT AND FURNITURE

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

- Section 1. That the sum of \$1,243,481 is hereby estimated to be available from CATS Operating Fund balance (7801).
- Section 2. That the sum of \$1,243,481 is hereby appropriated for transfer to the Rapid Transit Capital Fund (2098) in the project for the Vehicle Maintenance Facility Upfit and Furniture Project (53740)
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

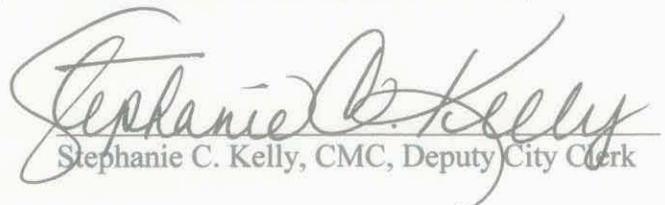
Approved as to Form:

Asst. Hope A. Root
City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3417-X

O-37

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE
PROVIDING APPROPRIATIONS FOR SOUTH CORRIDOR LIGHT RAIL PROJECT LEGAL CLAIMS

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

- Section 1. That the sum of \$265,000 is hereby estimated to be available from CATS COPS.
- Section 2. That the sum of \$265,000 is hereby appropriated to the Rapid Transit Capital Fund (2098) in the project for South Corridor Legal Claims (53684)
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

Approved as to Form:

Hope A. Root
Asst. City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 540.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

Stephanie C. Kelly
Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3418-X

O-38

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET
ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR CITY ATTORNEY
EASTWAY WRECKER LAWSUIT PREPARATION

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

Section 1. That the sum of \$300,000 is hereby estimated to be available from General
Fund fund balance.

Section 2. That the sum of \$300,000 is hereby appropriated to the General Fund 0101;
50100.199 - City Attorney - Miscellaneous Contractual Services

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

Approved as to Form:

[Signature]
Asst. City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 541.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.

[Signature]
Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE 3419-X

O-39

AMENDING CHAPTER 15

**AN ORDINANCE AMENDING CHAPTER 15 OF THE CHARLOTTE CITY
CODE ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS"**

WHEREAS, the City of Charlotte has a significant government interest in preventing transactions involving stolen property and in identifying offenders; and

WHEREAS, North Carolina law regulates pawnshops through the Pawnbroker Modernization Act of 1989, G.S. 91A-1 to 91A-14; and

WHEREAS, pawnbrokers are required by G.S. 91A-7 to describe the pledgor and require some form of identification at the time of a pawn or purchase transaction and record such information on a pawn ticket; and

WHEREAS, the current identification procedures have proven ineffective in identifying an individual who pawns stolen property sufficiently for successful criminal prosecution; and

WHEREAS, G.S. 91A-12 allows a city by ordinance to adopt further rules and regulations concerning pawnbrokers and pawn transactions as deemed appropriate; and

WHEREAS, the City Council finds that a requirement that fingerprints be taken of pledgors in all pawn transactions will increase the likelihood of successful criminal prosecution of those who pawn stolen property.

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

Section 1. Chapter 15, "Offenses and Miscellaneous Provisions", of the Charlotte City Code is amended by adding Section 15-, to read as follows:

"Sec. 15- . Fingerprinting required in all pawn transactions.

(a) *Definitions.* The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fingerprint means to require an individual to lace a clear, unsmearred impression in ink of the index finger of each hand on a pawn ticket to be submitted to the Charlotte-Mecklenburg Police Department.

Pawn or pawn transaction means a written bailment of personal property as security for a debt, redeemable on certain terms within 180 days, unless renewed, and with an implied power of sale on default.

Pawnbroker means any person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders, as well as any employee or agent of such person.

Pledgor means any person who deposits with or delivers tangible personal property into the possession of a pawnbroker in the course of his business in connection with a pawn transaction.

(b) It shall be the duty of a pawnbroker to fingerprint the pledgor in connection with every pawn transaction. It shall be unlawful for a pawnbroker to fail to perform said duty. In addition to the remedies provided in Section 2-21 of this Code, the pawnbroker's license may be revoked for a violation of this section, as permitted under G.S. 91A-6.

Section 2. This ordinance shall be effective on _____, 2006.

Approved as to Form:

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 23rd day of October, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page(s) 542-543.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk