

ORDINANCE NO. 4033-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1805 BEATTIES FORD 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 ROBERT LYTCH JR. & WIFE MARTHA LYTCH 1805 BEATTIES FORD ROAD CHARLOTTE, NC 28216-4509

WHEREAS, the dwelling located at 1805 Beatties Ford 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 1805 Beatties Ford 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:



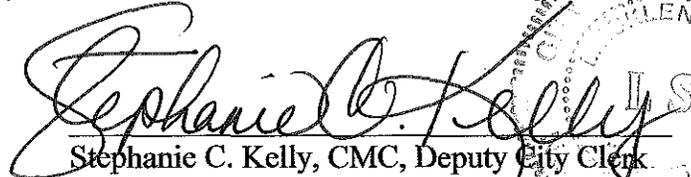
Mona Shivers

Assistant City Attorney

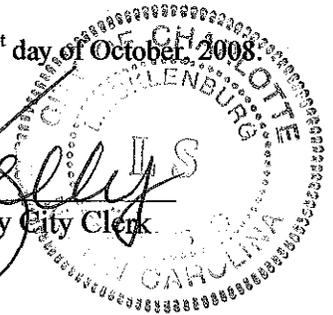
CERTIFICATION

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 807.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.



Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4034-X

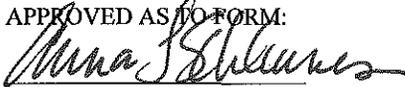
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 101 GOFF STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ISLAND REAL ESTATE HOLDINGS LLC 11508 PROVIDENCE ROAD SUITE H-245 CHARLOTTE, NC 28277

WHEREAS, the dwelling located at 101 Goff 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 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 101 Goff 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.

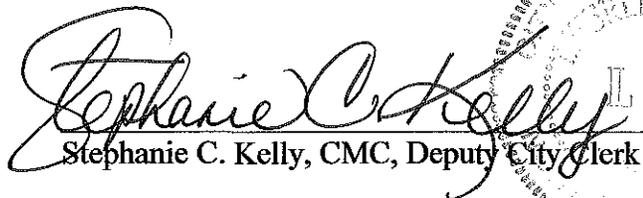
APPROVED AS TO FORM:

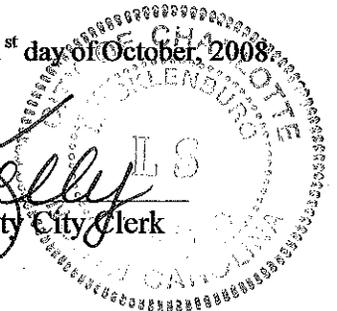

Assistant City Attorney

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 808.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4035-X

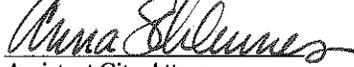
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1421 KENNON STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF MARK HOPF 11067 CEDAR VIEW ROAD #8336 CHARLOTTE, NC 28226

WHEREAS, the dwelling located at 1421 Kennon 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 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 1421 Kennon 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.

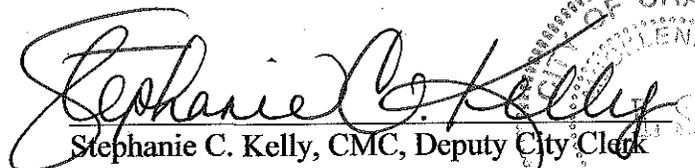
APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4036-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1724 MERRIMAN 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 CHRISTOPHER A. BORNEMANN 1724 MERRIMAN AVE CHARLOTTE, NC 28203

WHEREAS, the dwelling located at 1724 Merriman 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 1724 Merriman 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.

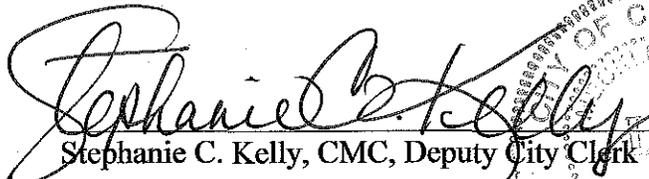
APPROVED AS TO FORM:


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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 810.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



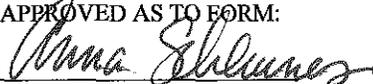
ORDINANCE NO. 4037-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2525 REBECCA 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 ANTHONY FUSCO 928 EAST 28TH STREET CHARLOTTE, NC 28205

WHEREAS, the dwelling located at 2525 Rebecca 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.

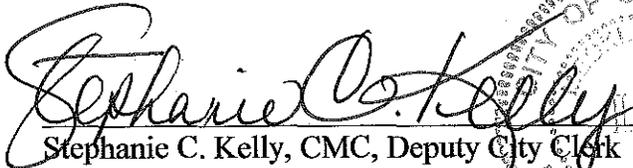
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2525 Rebecca Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

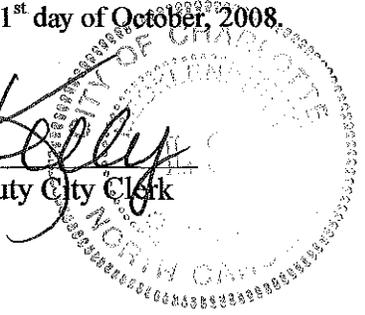
APPROVED AS TO FORM:

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 811.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4038-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2028 RUSSELL 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 BENJAMIN FERGUSON INCLUDING WILLIE ALEXANDER FERGUSON (SPOUSE) AND BENJAMIN FERGUSON JR (SON) 3508 SARGEANT DRIVE CHARLOTTE, NC 28217

WHEREAS, the dwelling located at 2028 Russell 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 2028 Russell 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.

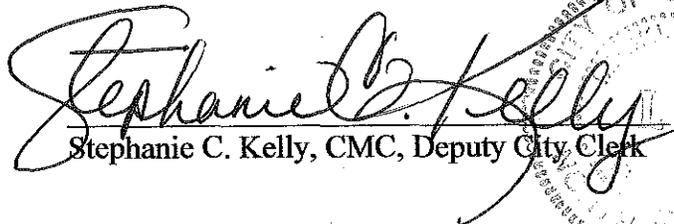
APPROVED AS TO FORM:

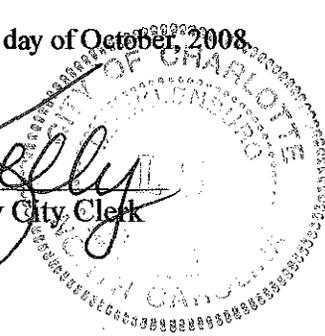

Assistant City Attorney

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 812.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4039-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3919 NORTH SHARON AMITY 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 NADER BEHROUZIOU 6225 DANBROOK PARK DRIVE CHARLOTTE, NC 28227

WHEREAS, the dwelling located at 3919 North Sharon Amity 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 3919 North Sharon Amity 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:

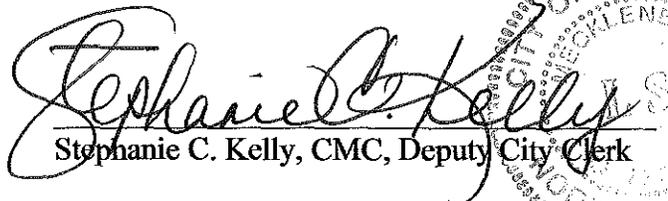


Assistant City Attorney

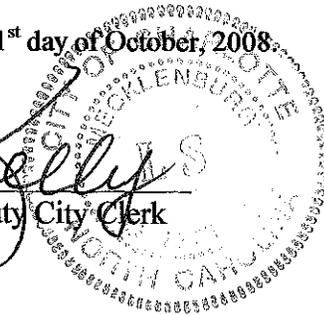
CERTIFICATION

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 813.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.



Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4040-X

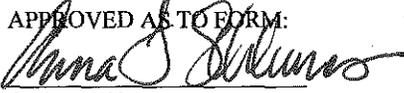
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2119 WILMORE DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF KATERINA ZLAMALOVA A/K/A KATERINA ZIAMALOVE N/K/A KATIE Z. BALCONI 17120 BELLE ISLE DRIVE CORNELIUS, NC 28031

WHEREAS, the dwelling located at 2119 Wilmore Drive 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 2119 Wilmore Drive 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:

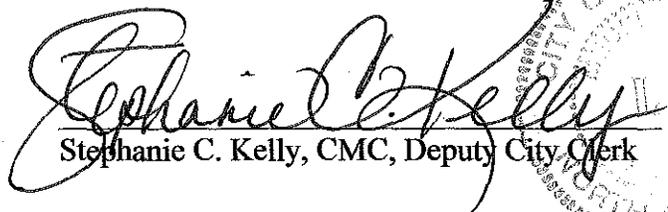


Assistant City Attorney

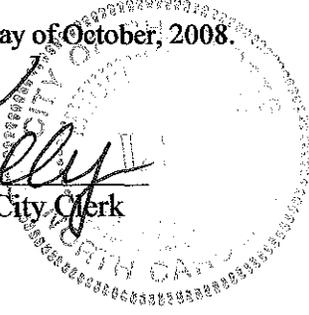
CERTIFICATION

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 814.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.



Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4041-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1427 WEST BLVD. 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 DEBORAH ROGERS A/K/A DEBORAH M. CONYEA ROGERS 3122 QUILTING ROAD MATTHEWS, NC 28105.

WHEREAS, the dwelling located at 1427 West Blvd. 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 1427 West Blvd. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

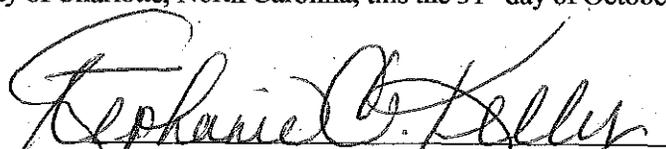
APPROVED AS TO FORM:


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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 815.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 4042-X

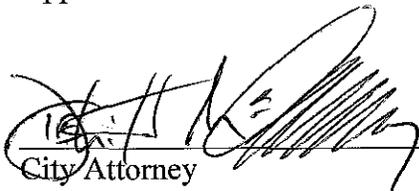
O-19

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING FUNDING FROM THE U. S. JUSTICE DEPARTMENT WEED AND SEED GRANT FOR THE CHARLOTTE WEED AND SEED INITIATIVE.

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

- Section 1. That the sum of \$150,000 is hereby estimated to be available from the U. S. Justice Department Weed and Seed Grant.
- Section 2. That the sum of \$150,000 is hereby appropriated to the Charlotte Weed and Seed Initiative (Fund: 6807).
- 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.

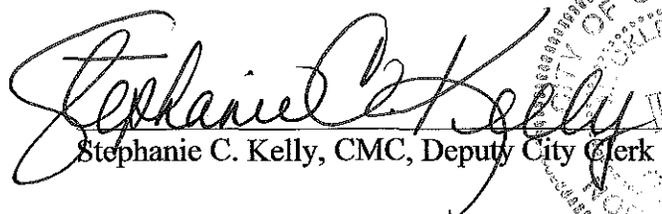
Approved as to form:

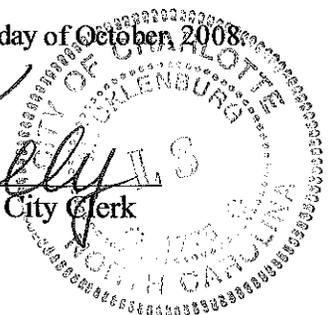

City Attorney

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 816.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4043-X

O-20

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, APPROPRIATING \$277,600 IN AIRPORT DISCRETIONARY FUNDS FOR SECURITY FENCING OF THE THIRD PARALLEL RUNWAY, TO BE REPLACED WITH FUTURE FEDERAL GRANTS AND PROCEEDS OF THE 2008 GENERAL AIRPORT REVENUE BOND ISSUE.

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

Section 1. That the sum of \$277,600 is available from Airport Discretionary Funds for Security Fencing of the Third Parallel Runway, to be replaced with future federal grants and proceeds of the 2008 General Airport Revenue Bond issue.

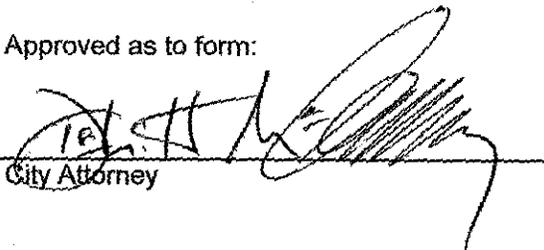
Section 2. That the sum of \$277,600 is hereby appropriated to the Airport Capital Projects:
2091 - 554.12

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:

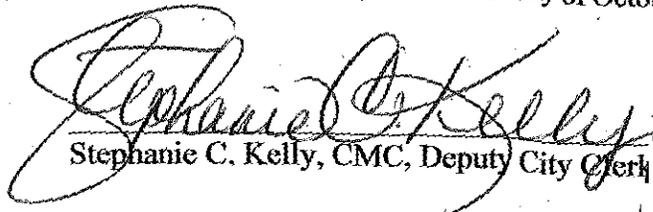


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that 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 27th day of October, 2008, the reference having been made in Minute Book 12, recorded in full in Ordinance Book 55, Page 817.

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


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 4044-X

O-21

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X , THE 2008-2009 BUDGET ORDINANCE, APPROPRIATING \$350,000 IN AIRPORT DISCRETIONARY FUNDS FOR MATERIAL TESTING SERVICES DURING CONSTRUCTION OF THE TAXIWAY BRIDGES, TO BE REPAID FROM PROCEEDS OF THE 2008 GENERAL AIRPORT REVENUE BOND ISSUE.

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

Section 1. That the sum of \$350,000 is available from Airport Discretionary Funds for material testing services during construction of the taxiway bridges, to be repaid from proceeds of the 2008 General Airport Revenue Bond issue.

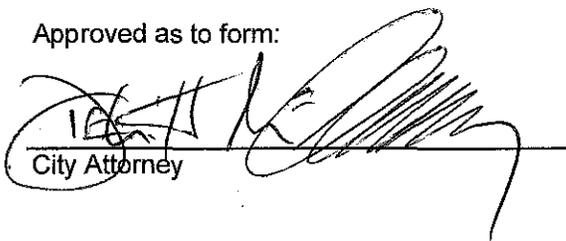
Section 2. That the sum of \$350,000 is hereby appropriated to the Airport Capital Projects:
2091 - 554.07

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:



City Attorney

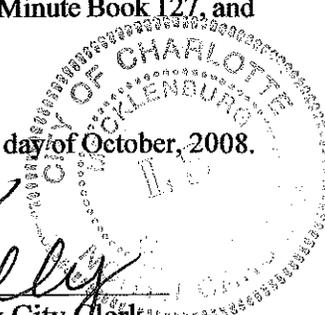
CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.



Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4045-X

O-22

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, APPROPRIATING \$136,000 IN AIRPORT DISCRETIONARY FUNDS TO MODIFY AND EXPAND THE BAGGAGE HANDLING SYSTEM, TO BE REPAID WITH PROCEEDS FROM THE UPCOMING 2008 GENERAL AIRPORT REVENUE BOND ISSUE.

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

Section 1. That the sum of \$136,000 is available from Airport Discretionary Funds to modify and expand the baggage handling system, to be repaid with proceeds from the upcoming 2008 General Airport Revenue Bond issue.

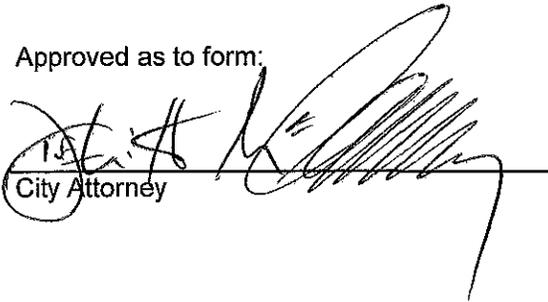
Section 2. That the sum of \$136,000 is hereby appropriated to the Airport Capital Projects:
2091 - 554.08

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.

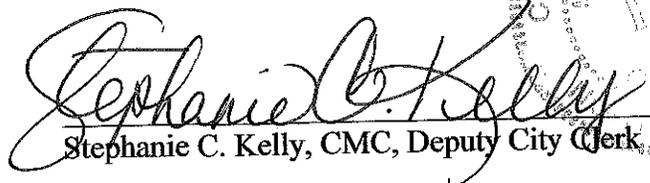
Approved as to form:

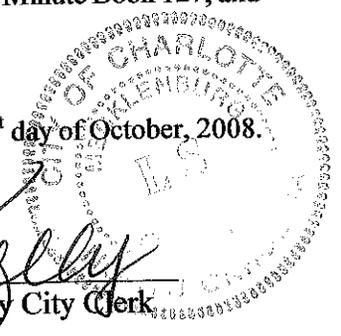

City Attorney

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 819.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4046-X

O-23

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, APPROPRIATING \$558,999.91 IN AIRPORT DISCRETIONARY FUNDS FOR COMPUTER HARDWARE AND SOFTWARE FOR THE THIRD PARALLEL RUNWAY AIRFIELD LIGHTING VAULT TO BE REPAID FROM PROCEEDS OF THE GENERAL AIRPORT REVENUE BONDS.

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

Section 1. That the sum of \$558,999.91 is available from Airport Discretionary Funds for computer hardware and software for the Third Parallel Runway Airfield Lighting Vault to be repaid from proceeds of the 2008 General Airport Revenue Bond Issue.

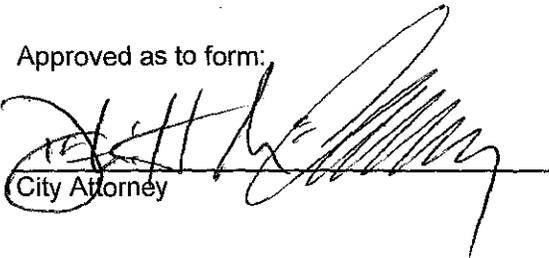
Section 2. That the sum of \$558,999.91 is hereby appropriated to the Airport Capital Projects Fund:
2091 - 554.12

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.

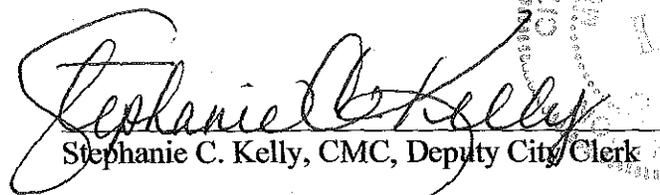
Approved as to form:

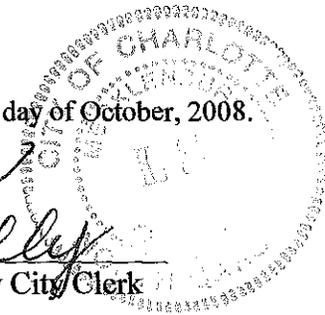

City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4047-X

O-24

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X , THE 2008-2009 BUDGET ORDINANCE, TRANSFERRING \$2,882,878 IN FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDS FROM THE RAMP E EXPANSION PROJECT TO THE THIRD PARALLEL RUNWAY PAVING AND LIGHTING PROJECT

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

Section 1. That the sum of \$2,882,878 is available in FAA Grant Funds from the Ramp 'E' Expansion capital project:
2087 - 529.52

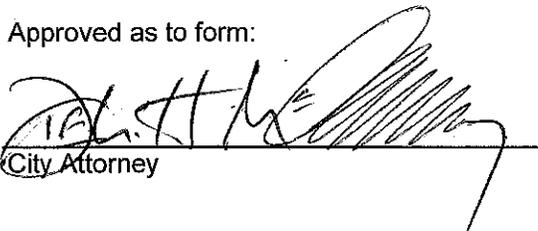
Section 2. That the sum of \$2,882,878 is hereby appropriated to the Third Parallel Runway Paving and Lighting capital project in accordance with the amended FAA grant description:
2091 - 554.12

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.

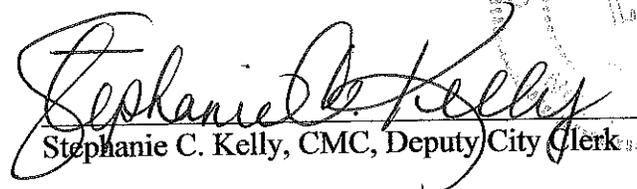
Approved as to form:

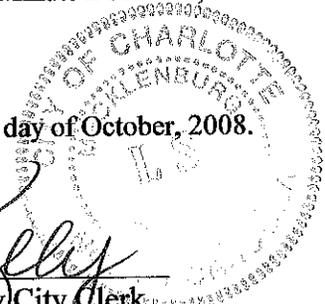

City Attorney

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 821.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4048-X

O-25

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET
ORDINANCE, APPROPRIATING A U.S. DEPARTMENT OF JUSTICE GRANT FOR
SOLVING COLD CASES WITH DNA**

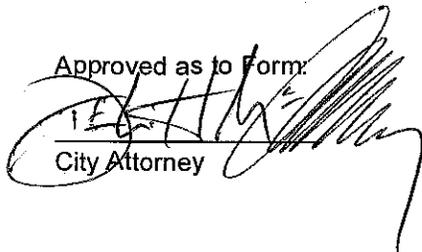
BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$197,245 is hereby available from the U.S. Department of Justice.

Section 2. That the sum of \$197,245 is hereby appropriated to the Public Safety Grant Fund (0413).

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

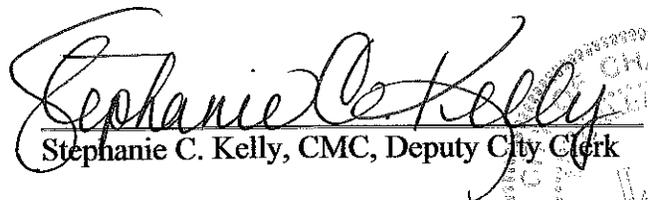
Section 4. This ordinance shall be effective immediately.

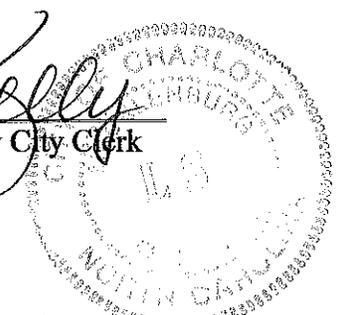
Approved as to Form:

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 822.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4049-X

O-26

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET
ORDINANCE, APPROPRIATING STATE HOMELAND SECURITY GRANTS

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

Section 1. That the sum of \$675,714 is hereby available from the North Carolina Division of Emergency Management for Homeland Security Grants.

Section 2. That the sum of \$675,714 is hereby appropriated to the Public Safety Grant Fund (0413) in the following projects:

<u>Center</u>	<u>Title</u>	<u>Amount</u>
0053335	SHSGP-RRT	\$205,714
0053336	SHSGP-USAR	350,000
0053337	SHSGP-NC HART	60,000
0053338	SHSGP-Spring USAR Exercise	60,000
		<u>\$675,714</u>

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

Section 4. This ordinance shall be effective immediately.

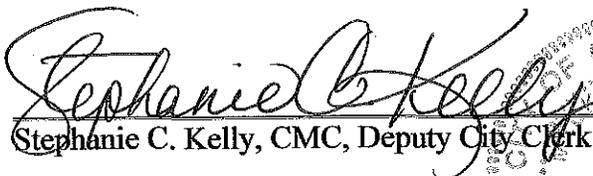
Approved as to Form:


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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 823.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO. 4050-X

O-27

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, ESTIMATING DEVELOPER REVENUES AND PROVIDING AN APPROPRIATION FOR ACQUISITION OF PROPERTY FOR CONSTRUCTION OF A TURN LANE.

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

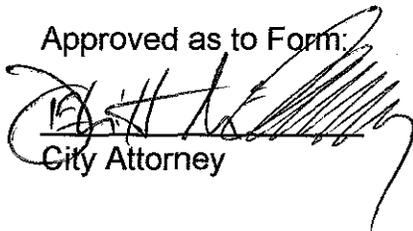
Section 1. That the sum of \$88,906 is hereby estimated to be available from Developer Contributions.

Section 2. That the sum of \$88,906 is hereby appropriated to General Capital Investment Fund 2010; 24611 - Property Transactions for Enclave.

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

Section 4. This ordinance shall be effective immediately.

Approved as to Form:

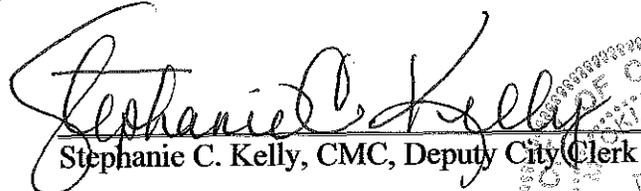


City Attorney

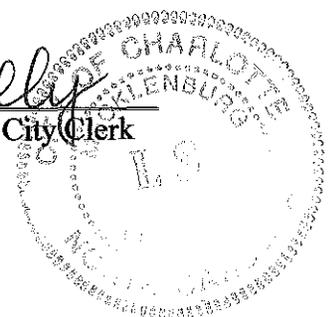
CERTIFICATION

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 27th day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Page 824.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.



Stephanie C. Kelly, CMC, Deputy City Clerk



ORDINANCE NO, 4051

AMENDING CHAPTER 17

AN ORDINANCE AMENDING CHAPTER 17 OF THE CHARLOTTE CITY CODE ENTITLED "SOIL EROSION AND SEDIMENTAION"

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

Section 1. Section 17-3 of the Charlotte City Code is amended by adding and/or amending the following definitions:

"Competent Person - means a person that has obtained and maintains in good standing an approved certification that is recognized by the city engineer."

"Land-disturbing Activity - means any use of the land by any person in residential, governmental, industrial, educational, institutional, or commercial development, highway and road construction and maintenance that results in a change in the natural ground cover or topography and that may cause or contribute to sedimentation."

"Person Responsible for the Violation means:

(3) The contractor with control over the tract or the contractor conducting the land-disturbing activity."

Section 2. Subsection (b)(1) of Section 17-4 of the Charlotte City Code is amended as follows:

b. Dairy animals and apiary-dairy products.

e. Bees and dairy-apiary products."

Section 3. Section 17-33 of the Charlotte City Code is amended as follows:

(1) Lake, Watercourse and Wetland Protection - Additional erosion control measures structures, or devices as specified in the policies and procedures statement issued by the city engineer shall be required to provide a higher level of protection to lakes, watercourses, and wetlands from sedimentation as specified in the policies and procedures statement issued by the city engineer.

Soil Erosion and Sedimentation Control Ordinances

Section 17-3 Definitions

- Definition for 'Competent Person' added
- Definition for 'Person Responsible for the Violation' modified to include contactor with control over the Tract

Section 17-4 Scope and Exclusions

- Changes consistent with State Model Ordinance

Section 17-33 Mandatory Standards for Land-Disturbing Activity

- Additional control measures required for Lakes and Watercourses as well as Wetlands
- Stabilization and Ground Cover required within 21 calendar days consistent with State Model Ordinance
- Text referring to standards for 'more than one acre' corrected to 'one acre or more'
- State or Federal requirements for monitoring must be met if more restrictive than stated standards
- Person performing monitoring shall have certification
- Corrective action to begin within 24 hours after rain event or inspection
- Minor text modifications for increased clarity

Section 17-34 Design and Performance Standards

- Borrow and waste change consistent with State Model Ordinance

Section 17-35 Erosion and Sedimentation Control Plans

- Owner consent required consistent with State Model Ordinance
- Erosion control plans must comply with local water quality regulations

Section 17-66 Inspections and Investigations

- Paragraph about Temporary Certificate of Occupancy deleted. Temporary Certificate of Occupancy is not allowed by North Carolina Building Code when local codes have not been met
- A repeated violation by the same person on different tracts would be subject to immediate penalty.

Section 17-67 Penalties

- Text on violations not resulting in off-site sedimentation modified to refer to standards in Section 8 instead of re-listing the standards
- Sentence limiting past record of consideration for a repeat violator to only two years deleted in accordance with a decision made by the Storm Water Advisory Committee in 2006.

- (2) *Graded Slopes and Fills* - The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control measures, structures, or devices. Permanent or temporary stabilization sufficient to restrain erosion is to be provided within 21 calendar days after ~~In any event, slopes left exposed will, within 15 working days or 30 calendar days, whichever period is shorter, after completion of any phase of grading, be planted or otherwise provided with permanent ground cover, devices, or structures sufficient to restrain erosion.~~
- (3) *Ground Cover* - The person conducting the land-disturbing activity shall plant or otherwise provide a permanent ground cover sufficient to restrain erosion after completion of construction or development provisions for a permanent ground cover sufficient to restrain erosion must be accomplished within 21 calendar days ~~15 working days or 90 calendar days following completion of construction or development, whichever period is shorter.~~ However when construction activity has ceased in a particular area of the tract, permanent ground cover must be accomplished within 30 working days or 90 calendar days from the date of the last land-disturbing activity, whichever period is shorter. For an area of a site that is inactive for a period of 21 calendar days or longer, temporary ground cover would be is required.
- (4) *Prior Plan Approval* - No person shall initiate any land-disturbing activity on a tract if one acre or more is to be disturbed unless if more than one acre is to be uncovered unless, 30 or more days prior to initiating the activity, a plan for such activity is filed with the city engineer a plan for that activity has been submitted and approved in accordance with section 17-35(b).
- (5) *Pre-construction Conference* - ~~If more than an acre~~ one acre or more is to be uncovered, the person conducting land-disturbing activity or an agent of that person shall contact the city engineer at least 48 hours before commencement of the land-disturbing activity. The purpose is to arrange an on-site meeting with the city engineer or duly authorized representative to review and discuss the approved plan and the proposed land-disturbing activity.
- (6) *Monitoring* - The person conducting land-disturbing activity or an agent of that person shall inspect all erosion and sedimentation control measures at least once a week and within 24 hours after any storm event of greater than 0.5 inches of rain per 24 hour period or more frequently if required by state or federal law. The person performing this monitoring shall have certification approved by the city engineer.
 - a. ~~If more than an acre~~ one acre or more is to be disturbed, a record of inspections shall be kept by the person conducting the land-

disturbing activity or an agent until six months after construction is completed and approved by the city engineer. The record shall include the date and time of inspection, weather conditions, any repairs or maintenance needed, and the ~~initials or signature~~ and certification number of the person who performed the inspection. Additional record keeping may be required by state or federal law and as stated on the approved plans. Corrective action on the repairs and maintenance indicated on the record should begin initiated within 24 hours after a rain event or within 24 hours of the last inspection if a rain event did not prompt the inspection, unless additional time is allowed by the city engineer. ~~immediately and be completed as soon as possible after these inspections and t~~ The date of the completion of such repairs shall be noted. The records of inspection shall be made available to the city engineer upon request.”

Section 4. Subsection (f) of Section 17-34 of the Charlotte City Code is amended as follows:

- “(f) *Borrow and Waste Areas* - When the person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, the following areas are considered as part of the land-disturbing activity.
- (1) Areas from which borrow is obtained that are not regulated by the provisions of the Mining Act of 1971, G.S. 74-46 et seq.; or
 - (2) Waste areas for surplus materials other than landfills regulated by the department's division of solid waste management.

When the person conducting the land-disturbing activity is not the person conducting the borrow or waste disposal activity, the activity shall be considered a separate land-disturbing activity.

The responsible person conducting the borrow or waste areas shall provide adequate erosion control measures, structures, or devices and comply with all provisions of this chapter.”

Section 5. Subsection (a) of Section 17-35 of the Charlotte City Code is amended as follows:

- “...
- (3) If the applicant is not the owner of the land to be disturbed, the draft erosion and sedimentation control plan must include the owner's written consent for the applicant to submit a draft erosion and sedimentation control plan and to conduct the anticipated land-disturbing activity.

~~(3)~~(4) The land-disturbing activity described in the plan shall comply with all federal, ~~and state,~~ and local water quality laws, rules and regulations, including, but not limited to, the Federal Clean Water Act. The city engineer may require supporting documentation.

~~(4)~~(5) The land-disturbing activity described in the plan shall not result in a violation of rules adopted by the environmental management commission to protect riparian buffers along surface waters.

~~(5)~~(6) The land-disturbing activity described in the plan shall not result in a violation of any local ordinance, law, rule or regulation, including but not limited to zoning; tree protection; stream, lake and watershed buffers; and flood plain regulations.

~~(6)~~(7) If the plan is submitted for land-disturbing activity for which an environmental document is required by the North Carolina Environmental Policy Act (G.S. 113A-1, et. seq.), such as required on tracts involving public money or public land, a complete environmental document must be presented for review. The city engineer's time for reviewing the plan will not commence until a complete environmental document is available for review.

~~(7)~~(8) Copies of the plan shall be filed with the city engineer. A copy of the approved plan shall be maintained on the job site.

~~(8)~~(9) Effort should be made not to uncover more than 20 acres at any one time. If more than 20 acres are to be uncovered at any one time, the plan shall contain the following:"

Section 6. Subsection ~~(f)~~(4) of Section 17-66 of the Charlotte City Code is amended as follows:

"(4) A repeated violation for which a notice was previously given on the same tract ~~and or~~ to the person responsible for the violation."

Section 7. Subsection (j) of Section 17-66 of the Charlotte City Code is deleted in its entirety as follows:

~~"(j) Notwithstanding subsection (i) of this section, the code enforcement department may issue a temporary certificate of occupancy where subsection (i)(3) or (4) or (5) of this Section applies and where the person conducting the land-disturbing activity is making substantial progress towards completing the requirements of the plan."~~

Section 8. Subsection (c)(3)~~b.~~ of Section 17-67 of the Charlotte City Code is amended as follows:

"b. Failure to properly install or maintain erosion control measures in accordance with the approved plan or the Charlotte Meeklenburg Land Development Standards Manual that results in off-site sedimentation."

Section 9. Subsection (c)(4) of Section 17-67 of the Charlotte City Code is amended as follows:

"

~~a.~~ Failure to provide an angle on graded slopes sufficient to retain vegetative cover or other adequate erosion control measures, structures or devices. In any event slopes left exposed will, within 15 working days or 30 calendar days of completion of any phase of grading, be planted or otherwise provided with permanent ground cover, devise or strueces suffieient to restrain erosion.

~~a.b.~~ Failure to provide a round cover sufficient to restrain erosion within 15 working days or 90 calendar days, following completion of construction or evelopment, whichever period is shorter comply with the mandatory standards for land-disturbing activity as specified in section 17-33 of this chapter, except 17-33(d) and 17-33(e).

~~b.~~ Failure to provide a ground cover sufficient to restrain erosion within 30 working days or 90 calendar days when construction activity has been delayed or curtailed.

~~b.d.~~ Failure to submit to the city engineer for approval an acceptable revised erosion and sedimentation control plan after being notified by the city engineer of the need to do so.

~~c.e.~~ Failure to maintain adequate erosion control measures, structures, or devices to confine sediment, ~~from entering a wetland buffer zone if provided.~~

~~d.f.~~ Failure to follow the provisions on the approved plan.

~~e.g.~~ Any other action or inaction that constitutes a violation of this chapter that did not result in off-site sedimentation."

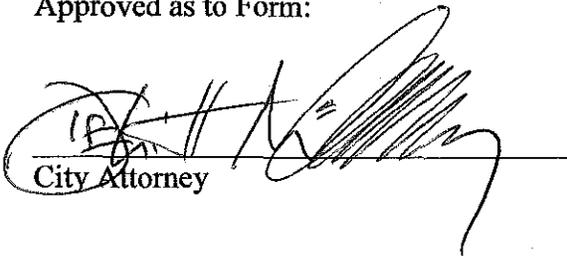
Section 10. Subsection (e) of Section 17-67 of the Charlotte City Code is amended as follows:

"(e) Repeat violators may be charged by a multiple of the base penalty determined in subsection (c) of this section. The penalty for a repeat violator may

be doubled for each previous time the person responsible for the violation was notified of a violation of this chapter or any other soil erosion and sediment control ordinance or the act. In no case may the penalty exceed the maximum allowed by subsection (b) of this section. ~~The record of the person responsible for the violation may be considered for only the two years prior to the current violation.~~"

Section 11. This ordinance shall become effective upon adoption.

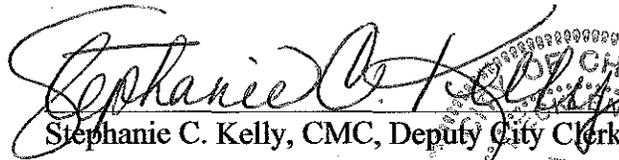
Approved as to Form:


City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk

