AGENDA

Meeting Type:	B
Date.	10-26-1981

City of Charlotte, City Clerk's Office

Charlotte

Meetings in October '81

Public Service and Information Department
City Hall, 600 E Trade Street
Charlotte, North Carolina 28202
704/374-2395

OCTOBER 1 – OCTOBER 3

1	Thursday, 4 00 p m	CITY COUNCIL TRANSPORTATION COMMITTEE – City Hall, Council Chamber
	Thursday, 7 30 p m	MAYOR'S TASK FORCE ON RESIDENTIAL BURGLARY – Law Enforcement Center, Third Floor Conference Room

THE WEEK OF OCTOBER 4 – OCTOBER 10

5	Monday	NO CITY COUNCIL MEETING
6	Tuesday, 4 00 p m	CITY COUNCIL PLANNING & PUBLIC WORKS COMMITTEE – City Hall, Second Floor
	Tuesday, 7 30 p m	CHARLOTTE TREE COMMISSION – Cameron-Brown Building, Fifth Floor Conference Room
	Tuesday, 7 30 p m	PLANNING COMMISSION – Cameron Brown Building, First Floor Conference Room
7	Wednesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY – Education Center, Room 239
	Wednesday, 4 00 p m	CITY COUNCIL ENVIRONMENTAL HEALTH & PROTECTION COMMITTEE – City Hall, Council Chamber
8	Thursday, 4 00 p m	CITIZEN PARTICIPATION TASK FORCE – Cameron Brown Building, First Floor Conference Room

THE WEEK OF OCTOBER 11 – OCTOBER 17

12	Monday, 12 Noon	PLANNING COMMISSION (Work Session) – Cameron Brown Building, First Floor Conference Room
	Monday, 7 00 p m	CITIZENS HEARING (District 7) – Huntingtowne Farms Elementary School, 2520 Starbrook Drive
	Monday, 7 30 p m	CITY COUNCIL MEETING – Huntingtowne Farms Elementary School, 2520 Starbrook Drive
13	Tuesday, 8 00 a m	AIRPORT ADVISORY COMMITTEE – Douglas Municipal Airport, Conference Room
	Tuesday, 9 00 a.m	HISTORIC DISTRICT COMMISSION – Edwin Towers, First Floor Conference Room
	Tuesday, 3 30 p m	MECHANICAL ADVISORY BOARD – City Hall Annex, Building Inspection Conference Room
14	Wednesday, 7 30 p m	HISTORIC PROPERTIES COMMISSION – City Hall, Second Floor Conference Room
15	Thursday, 8 00 a m	CHARLOTTE CLEAN CITY COMMITTEE – Cameron Brown Building, Fifth Floor Conference Room
	Thursday, 3 00 p m	ADVISORY ENERGY COMMISSION – City Hall, Second Floor Conference Room
	Thursday, 7 00 p m	PUBLIC HEARING ON FEDERAL TRANSPORTATION FUNDING REQUESTS – City Hall, Council Chamber

MORE

THE WEEK OF OCTOBER 18 – OCTOBER 24

19	Monday, 6 00 p m	CITY COUNCIL MEETING – Zoning Hearings Education Center Board Room
20	Tuesday, 2 00 p m	HOUSING AUTHORITY – 1301 South Boulevard
	Tuesday, 3 00 p m	COMMUNITY FACILITIES COMMITTEE – Utility Department, Conference Room, 5100 Brookshire Boulevard
	Wednesday, 8 30 a m	CIVIL SERVICE BOARD – City Hall, Third Floor Conference Room
	Wednesday, 11 00 a.m.	AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY – Civic Center Conference Room
	Wednesday, 2.00 p m	TECHNICAL COORDINATING COMMITTEE – City Hall Annex, Department of Transportation Conference Room
	Wednesday, 4.00 p m	EMPLOYMENT & TRAINING ADVISORY COUNCIL – Belmont Regional Center, 700 Parkwood Avenue
	Wednesday, 7 30 p m	MAYOR'S TASK FORCE ON RESIDENTIAL BURGLARY – Law Enforcement Center, Third Floor Conference Room
21	Wednesday, 10 00 a m	CIVIL SERVICE BOARD – City Hall, Third Floor Conference Room
22	Thursday, 4 00 p m	CITIZENS PARTICIPATION TASK FORCE – Cameron-Brown Building, First Floor Conference Room
	Thursday, 4 00 p m.	ELECTRICAL ADVISORY BOARD – City Hall Annex, Building Inspection Conference Room
	Thursday, 6 00 p m	SPECIAL USE HEARING – City Hall, Council Chamber

THE WEEK OF OCTOBER 25 – OCTOBER 31

26	Monday, 2 00 p m	CITIZENS HEARING – City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING – City Hall, Council Chamber
	Monday, 7 00 p m	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE – Belmont Regional Center, 700 Parkwood Avenue
27	Tuesday, 3 00 p m	ZONING BOARD OF ADJUSTMENT – City Hall Council Chamber
	Tuesday, 4 00 p m	MUNICIPAL INFORMATION ADVISORY BOARD – Cameron Brown Building, Third Floor Conference Room
28	Wednesday, 4 30 p m.	COMMUNITY RELATIONS COMMITTEE – Covenant Presbyterian Church, 1000 East Morehead Str
31	Saturday, 10 30 a m	PARADE – Discovery Place Grand Opening, Uptown
	Saturday, 12.15 p m	RIBBON-CUTTING – GRAND-OPENING – Discovery Place, 301 N Tryon Street

Charlotte

IN MEETING ON MONDAY, OCTOBER 26, 1981

12 00 Noon - City Council - Executive Session/
Luncheon
Training Center
City Hall Annex

2 00 P M - Citizens Hearing
2 30 P.M. - Council Discussion - City
Signage & Logo Program
3 00 P M - Council Meeting
Council Chamber

ITEM NO

1 Invocation

2 Consideration of minutes of the last meeting on Monday, October 19, 1981

PUBLIC HEARINGS

3 Hearing on Petition No 81-67 by Charlotte-Mecklenburg Planning Commission to consider amendments to the zoning ordinance relating to the Uptown Area concerning such requirements as parking, floor area ratios, street setbacks and density bonus provisions

Attachment No 1

Staff Resource Planning Director

COUNCIL AGENDA

Mayor Eddie Knox Mayor Pro Tem Betty Chafin

L David Berryhill, Jr
Don Carroll
Tom Cox, Jr
Charlie Dannelly
Laura Frech
Ron Leeper
Pat Locke
George K Selden, Jr
Herbert Spaugh, Jr
Minette Conrad Trosch

4 Joint hearing of the City Council and the Charlotte-Mecklenburg Historic Properties Commission on the question of designating the property known as the "John Jamison House" and the land associated therewith, at 802 Providence Road, as historic property

The Department Review Process revealed no city projects, existing or proposed, which would affect or be effected by this action.

Designation would allow owner to apply annually for an automatic deferral of 50 percent of the ad valorem taxes (Current tax appraisal equals $141,760.)

Consideration of an ordinance designating the John Jamison House and land as historic property

Attachment No. 2

Resource Executive Director of Historic Properties Commission

POLICY AGENDA

Community & Economic Development

5 Consideration of a report from the Environmental Health and Protection Committee of City Council on the proposed city-wide Women/Minority Business Enterprise Program

Attachment No 3.

6 Consideration of a recommendation regarding the preservation of the old Little Rock AME Zion Church

Preliminary findings by Mr Frank Inabinet, Consultant, indicates the church should be renovated to serve as new headquarters for the Afro-American Cultural Center

Since the report raises several questions regarding how the renovation would be financed and the building operated and preserved, and because staff is now working on the close-out of First Ward, which will be affected by plans for the church building, City Council may wish to refer the report to the Community Development and Housing Committee

Attachment No 4

Resource Executive Director of Historic Properties Commission

Transportation

7 Recommend approval of a five year non-exclusive lease with Thurston Aviation, Inc , to operate fixed base operation facilities at Douglas Municipal Airport

The Airport Department solicited proposals from all concerned candidates and interviewed ten operators with the Airport Advisory Committee Thurston Aviation was selected on its qualifications and the highest minimum guarantee of $1,180,000 annually

By approving this lease, City Council will begin implementation of the first phase of a fixed base operations policy that contemplates the existence of at least two facilities When other fixed base operations are approved, the City will establish a uniform set of fees and charges for all fixed base operators and revise the rentals required under the Thurston lease to be consistent with those fees and charges for the remainder of the five year term

Attachment No 5

8 Consideration of a report from the City Council Transportation Committee which recommends adoption of a resolution establishing service standards for the Charlotte Transit System

Adoption of the service standards will establish criteria against which the Charlotte Department of Transportation can measure loading levels, frequency of service, on-time performance and reliability of service, bus stop location, routing (directness of service), ridership levels, shelters and bench locations, safety, and fleet equipment maintenance of the transit system.

It is believed that these standards will assist the general public in understanding factors involved in service design and delivery, as well as the staff in monitoring the overall efficiency and effectiveness of transit operations

Attachment No 6

9 Consideration of a report from the City Council Transportation Committee which recommends adoption of a new Taxicab Ordinance, and a separate ordinance regulating Limousine operations

Key features of the revised Taxicab Ordinance include elimination of the certificates of convenience and necessity, competitive fares, enablement for associations, innovative service (including shared ride, improved airport service, service standards, increased company responsibilities for drivers and emphasis on provision of quality service)

Attachment No 7

Policy Formulation & Administration

10 Consideration of appointment to the Community Facilities Committee to fill an unexpired term The following nominations have been made

(a) Graham W Denton, Jr , nominated by Councilmember Berry'ill
(b) Karl Adkins, Attorney, nominated by Councilmember Leeper

Attachment No 8

11 Consideration of nominations to fill positions on various boards, committees and agencies

(a) Council on Aging - one unexpired term
1) Virginia Bowser (resigned) term expires March 30, 1982

(b) Clean City Committee - nine positions
1) Judy Ranson has completed two full terms and is not eligible for reappointment Appointment is to expire June 30, 1984
2) Richard Shields has completed one term and is eligible for reappointment to a term to expire June 30, 1984
3) Ike Jones has completed one term and is eligible for re-appointment to a term to expire June 30, 1984
4) David B Wavmer(resigned) Appointment is for a term to expire June 30, 1984
5) Shirley Farrar(resigned) . Appointment is for an unexpired term to expire June 30, 1982
6) Billy J Reid(resigned) Appointment is for an unexpired term to expire June 30, 1982
7) Darrell Holland (resigned) Appointment is for an unexpired term to expire June 30, 1982
8) Vacant position Appointment is for an unexpired term to expire June 30, 1982
9) Vacant Position Appointment is for an unexpired term to expire June 30, 1982

(c) Private Industry Council - one position
1) Kelly Alexander, Jr (resigned) Appointment is for an unexpired term to expire May 18, 1982

(d) Tree Advisory Committee - one position
1) Copley H Smoak, declined appointment as he has moved out of the state Appointment is for three years to expire December 13, 1983

(e) Charlotte Historic District Commission - two appointments
1) Nancy Betty (Resident-Owner) Moved out of town Appointment is for an unexpired term to expire June 30, 1983
2) Dean Charles C Hight(UNCC School of Architecture), has completed two full terms and is not eligible for reappointment Appointment is for three years to expire June 30, 1984

(f) Board of Electors of the Southern Piedmont Health Systems Agency, Inc , (SPHSA) - 26 appointments

Attachment No 9

BUSINESS AGENDA

12. Recommend approval of a request by Nathan H McLamb, member of the North Carolina Rotary Club, to serve beer at their family outing at Park Road Park, Shelter No 2, October 27, 1981, 4 00 p m to 8 00 p m

Attachment No 10

13 Recommend approval of contracts for the construction of the Albemarle Road and Sugaw Creek Recreation Center, in the total amount of $1,346,200

The total amount represents negotiation with the low bidders, and subsequent design changes in both buildings to bring the project within available funding In addition it was necessary to apply savings and funds advanced from the Sugaw Creek Center to the Albemarle Road Center

The following low bidders on a lump sum basis are recommended for contract

(a)	General - Kenneth Reed Construction Corp	$480,690 for Albemarle Road
		476,112 for Sugaw Creek
(b)	Mechanical - Mechanical Contractors	$ 76,850 for Albemarle Road
		78,890 for Sugaw Creek
(c)	Electrical - Spence Electric Co ,Inc	$ 61,366 for Albemarle Road
		61,566 for Sugaw Creek
(d)	Plumbing - Carolina Mechanical Systems,Inc	$ 55,363 for Albemarle Road
		55,363 for Sugaw Creek

Attachment No 11

14 Recommend adoption of ten resolutions authorizing condemnation proceedings for a total of 44 416 acres needed for the proposed landfill site on Reames Road and Vance Road, at a total cost of $98,200

The County Zoning Ordinance requires application for a Special Use Permit from the Board of County Commissioners to operate a landfill on Reames and Vance Roads The City, as applicant, must be the property owner or agent of the owners Since negotiations with these owners have failed to produce willing sellers, condemnation action is necessary to satisfy conditions of the Special Use Permit application process If these resolutions are adopted, a Special Use Permit application will be filed on November 3

The resolutions are as follows

(a) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Floriene F Burt and husband, Ralph L Burt, located at 9500 Vance Road, in Mecklenburg County

(continued)

14 (continued)

(b) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Dolphus Irvin Duckett and wife, Bonnie Duckett, located on the west side of Reames Road, in Mecklenburg County

(c) Resolution authorizing condemnation proceedings for the acquisition of property belonging to John B Young located on the west side of Reames Road, in Mecklenburg County

(d) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Lelia S Hoppes and husband, Paul A Hoppes, C D. Taliaferro, Trustee for C C Moore, Clerk of Superior Court, Mortgagee, located at 9337 Reames Road, in Mecklenburg County

(e) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Franklin W Blythe, located at 8910 Vance Road, in Mecklenburg County

(f) Resolution authorizing condemnation proceedings for the acquisition of property belonging to John B Young located on the west side of Reames Road, in Mecklenburg County

(g) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Frances Diane Hall Stuart, and Margaritta Frances Stuart, Kenneth R Downs, guardian and Sherry Anne Stuart, Kenneth R Downs, Guardian, located on the west side of Reames Road, in Mecklenburg County

(h) Resolution authorizing condemnation proceedings for the acquisition of property belonging to John Sloan Stuart and wife, Linda W. Stuart, Deed of Trust from R S Stewart to C D Taliaferro, Trustee for C C Moore, Clerk of Superior Court, Mortgagee, located off Reames Road, in Mecklenburg County

(i) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Dolphus Irvin Duckett and wife, Bonnie Duckett, located on the west side of Reames Road, in Mecklenburg County

(j) Resolution authorizing condemnation proceedings for the acquisition of property belonging to Dolphus Irvin Duckett, Jr , and wife, Rebecca Duckett. located on the west side of Reames Road, in Mecklenburg County

Attachment No 12

15 Recommend adoption of resolutions of condemnation for acquisition of property in the Grier Heights Community Development Target Area, as follows

(a) Resolution authorizing condemnation proceedings for the acquisition of 520 89 square feet of property from John E and Ella M Beckham, for Street Improvements in Grier Heights Community Development Target Area

(b) Resolution authorizing condemnation proceedings for the acquisition of 1,483 24 square feet of property from the Mamie Walker Heirs, 3605 Ellington Street, for Street Improvements in Grier Heights Community Development Target Area

Land is needed to construct street improvements according to approved Redevelopment plans Condemnation is recommended because of numerous title problems

* * * * * *

The City Attorney advises that Agenda Items No 16 through No 36 may be considered in one motion However, any member of Council may request an item be divided and voted on separately

* * * * * *

16 Recommend adoption of a resolution amending the pay plan to add the classifications of Wastewater Station Operator, Pay Range 11 ($12,134-15,487 annually), and Wastewater Station Supervisor, Pay Range 19 ($17,928-22,882 annually)

The Personnel Department has completed a review of four treatment plant operator positions, Pay Range 11, and one treatment plant supervisor position, Pay Range 19, in the Utility Department and has identified the need to establish the new classifications of Wastewater Station Operator, Pay Range 11, and Wastewater Station Supervisor, Pay Range 19 This action represents a title change only since the incumbents have been transferred from the Waste Water Treatment Division to the Wastewater Collection Division of the Utility Department

*17 Recommend adoption of an ordinance amending the 1981-82 Budget Ordinance, transferring funds in the amount of $73,550 from the unappropriated fund balance of the general fund for the construction of a spay-neuter clinic at the existing Animal Shelter Facility on Toomey Avenue

(continued)

17. (continued)

City Council has approved creation of the clinic scheduled to open in January, 1982 Funds will be used to adapt an existing structure for clinic use, purchase equipment, cover first year maintenance costs, and provide for a public information campaign An additional appropriation will be needed for employee salaries if it is determined the Operations Department would manage the clinic

18 Recommend adoption of an ordinance amending the 1981-82 budget ordinance reappropriating $167,993 71 in unexpended FY 1979-81 Urban Mass Transportation Administration Section 8/9 Funds to the FY 1982 budget

These funds are designed to finance completion of selected projects in the annual Unified Planning Work Program, and should be expended bv the end of FY 1983

The projects are

1	Reevaluation of the Transportation Plan	$ 4,800
2	Short Range Transit Plan	4,800
3	Specialized Transportation Planning	14,394
4	Transit Corridor Studies	144,000

(Transit Corridor Studies can encompass such projects as the Central Avenue Transportation Management System, busways, or even light rail Best utilization of these funds may be determined by the Transportation Action Program to be presented to Citv Council in November)

19 Recommend award of contracts as follows

(a) Award contract to the only bidder, Rosenthal Mfg. Company, in the amount of $17,758, for wrap-o-matic variable sheeter, for Transportation Department

(b) Award contract to the low bidder, Baker Equipment & Engineering Company, in the amount of $11,924,000 for retro-fitting vehicle with articulating aerial bucket for Transportation Department

(c) Award additional purchase on radio equipment contract with Com Center Corporation, for one console, in the amount of $17,587 for Police Department

(d) Award contract to the only bidder, Southern Pump & Tank Company, in the amount of $10,949, for portable re-fueling tank for General Services Department

(continued)

19 (continued)

(e) Award contract to the low bidder, F T Williams Company, Inc , in the amount of $88,005, on a unit price basis for Arnold Drive Sidewalk construction, Engineering Department

(f) Award contract to the low bidder, Lee Construction Company, in the amount of $175,842 35, on a unit price basis, for West Trade Street Bridge, at Stewart Creek, subject to approval by the N C Department of Transportation, Engineering Department

20 Recommend approval of contracts for the rental of seven units of copier equipment at the mid-volume level, as shown below

Vendor	Equipment	Number	Term	Amount
IBM	Series III,Model 10	3	1 year	$ 35,051 20
IBM	Series III,Model 20	3	1 year	50,313 20
Royal	Royal 130 R	1	1 year	6,703 00

These contracts represent the second phase of a complete copier survey and analysis and development of a copier utilization and acquisition policy by representatives of Purchasing, Budget & Evaluation and City Manager's Office Dollar amounts represent an annual cost estimate based upon projected volume, supplies and maintenance, but excluding paper

A copy of the informal bid cost comparison can be obtained from the City Manager's Office

21 Recommend City Council rescind the award of contract to low bidder, Aftec Inc., in the amount of $23,972, and award contract to Facet Enterprises, the only other bidder, in the amount of $55,100, to provide two hay packs as specified for the aviation fueling storage facility at Douglas Municipal Airport

After Council awarded the contract on June 22, 1981 to Aftec, Inc , the company discovered an error in their bid proposal and notified the Purchasing Department that the contract agreement could not be executed because it would create a financial hardship Facet Enterprises, the other bidder has agreed to provide the equipment as specified under the terms of their bid proposal The City Attorney concurs in this recommendation, and Aftec, Inc is required to forfeit their bid deposit in the amount of $1,198 60 for failure to execute the contract

22. Recommend approval of Change Order No 1 in contract with Atlanta Testing and Engineering Company, in the amount of $150,000 to provide Material and Quality Control Testing Services for the new terminal project at Douglas Municipal Airport

The change order is needed to maintain continuity in quality control liability made necessary by changes approved in the scope of the terminal project The amount represents the original fee schedule, with the exception of a 15% weekly rate increase for the senior engineering technician

*23 Recommend award of contract to Synterra, Ltd, in an amount up to $73,072 to continue landscape architectural design services for the new terminal facility at Douglas Municipal Airport

The preliminary design work authorized by City Council has been completed and reviewed by the Airport Department and the Airport Advisory Committee Approval of this contract will permit Synterra to prepare pre-construction details, drawings, costs estimates, specifications and bid drawings for flower, tree and shrub selections

24 Recommend approval of Change Order No 1 in contract with Moretti Construction, Inc , in the amount of $32,000, for additional brick sidewalk construction for Eighth Street Cul-de-sac Centers Project in the Fourth Ward Historic District

The change order covers the construction cost for sidewalk and curb replacement on Church Street at Eighth Street and Tenth Street at Poplar The old sidewalk was removed a year ago to allow for development of adjacent properties and utilities installation

25 Recommend approval of loans for permanent financing to purchase property in the Fourth Ward Redevelopment Project Area, as follows

(a) James W Apple, Jr / James W Apple, Sr , $56,250, Unit 100, Springfield Square
(b) Timothy B Chesson and Reginald E Chesson, Jr , $53,100, Unit 9, St Peter's Condominium
(c) Allan B Church, $74,800, Unit 5, Sixth and Pine
(d) Brian J Grace and Michael J Grace, $56,950, Unit 6, St Peter's Condominium
(e) Steven D Johnson, $76,200, Unit 3, Sixth and Pine
(f) Samuel L Jones and Shirley T Jones, $73,800, Unit 12, Graham Court

(continued)

25 (continued)

(g) Thomas J Patrick, $59,400, Unit 98, Springfield Square
(h) William Burt Phillips, $47,250, Unit 90, Springfield Square
(i) Richard T Roberts, $58,950, Unit 35, Springfield Square
(j) Anne DeBondeli Smith, $47,250, Unit 95, Springfield Square
(k) John M Case, $58,950, Unit 38, Springfield Square
(l) Garfield B Harris, $57,600, Unit 80, Springfield Square
(m) Carl T Lippard, Jr , $56,700, Unit 99, Springfield Square
(n) Maharaj Travin & Lawrence C Leafer, $59,400, Unit 10, St Peter's Condominium
(o) Neysa Kelley Golem, $56,700, Unit 31, St Peter's Condominium
(p) Charles M & Patricia Ann Hansen, $59,850, Unit 11, Barringer
(q) Jane Mason, Ernest E Mason & Mary Lou Mason, $49,950, Unit 5, Barringer
(r) Brian C & Sarah Jenest, $58,950, Unit 1, Barringer
(s) Elizabeth D Craddock, $59,850, Unit 17, Barringer
(t) Charlie and Martha J Keiger, $59,850, Unit 8, Barringer
(u) George B Hawkins, $51,750, Unit 6, Barringer
(v) Steven B Shackley, $59,850, Unit 7, Barringer
(w) James A Few, $61,650, Unit 9, Barringer
(x) Shirley H Batiste, $59,850, Unit 16, Barringer

26 Recommend approval of loan agreements between the City of Charlotte and the following applicants, for housing rehabilitation

(a) Mildred Hough, 304-06 N Irwin Avenue, $10,650, Third Ward
(b) Opal W Simmons, 2327 Pinckney Avenue, $11,050, North Charlotte.
(c) CBS Realty, Inc , 609 Waco Street, 17,100, Cherry

27 Recommend approval of a settlement with Henry C Rhyne, Executor under the will of Daniel P Rhyne, Sr , deceased, in the amount of $1,200, for acquisition of sanitary sewer easement.

28 Recommend approval of property transactions, as follows

(a) Acquisition of 1,136 square feet, at 1917 N Davidson Street, from Merle Edwin Dodge and wife, Eleanor H , plus temporary construction easement, at $100, for Davidson Street Culvert
(b) Acquisition of 425 linear feet of water line right of way , on west side of I-77, south 8700 block, from Toyoda Automatic Loom Works, Lt , at $1 00, for 12-inch water main to serve Oakhill Business Park
(c) Acquisition of 1,403 74 linear feet of easement, on north side of Clanton Road, 160 feet west of South Tryon Street, from Seventy-Seven Trade Park Associates, at $1 00, for sanitary sewer to serve 77 Trade Park
(d) Acquisition of 1,765.99 linear feet of easement, at 8241 Carmel Road Ext , from John Crosland Company, at $1 00, for sanitary sewer to serve Walnut Creek III-F-Ashbrook

*29 Recommend adoption of a resolution approving the sale of land, consisting of 15,666 square feet, 1434 Winnifred Street, to Beam Electric Company, at a total bid price of $23,029 02, located in the West Morehead Neighborhood Strategy Area.

The land will be used to expand an existing office and warehouse facility The only bid received was submitted by Beam Electric Company

Real Estate is proceeding to standardize the land sale process However, this parcel of land was already advertised prior to Council discussion on October 12

City Council may choose to set this bid aside and readvertise It should be noted the process used is legal under the North Carolina Redevelopment law

*30 Recommend that public hearings be set for Monday, November 23, 1981, 3 00 p m , Council Chamber, and Monday, December 14, 1981, 3 00 p m Council Chamber, so that citizens will have an opportunity to participate in the reprogramming of Community Development Block Grant Neighborhood Strategy Area unencumbered funds and program income which must be accomplished by December 31, 1981

The objectives of the hearings include the following

1) To provide information regarding the amount of funds to be reprogrammed
2) To provide information regarding the types of programs for which the reprogrammed funds will be used
3) To provide citizens at least two formal forums to make comments regarding the proposed changes

The Community Development Department is asking for dates for public hearings to consider the appropriation of Community Development Block Grant funds, which is required by HUD and must be completed prior to December 31, 1981

Prior to that time, the City Manager will present the proposed use of these funds for new housing development This material will be given to Mayor and Council and the Neighborhood Strategy Area residents by November 9 for review before the hearings

31 Recommend approval of contracts for the construction of water mains, all at no cost to the city

(a) Contract with Waters Construction and Realty Company for the construction of 960 feet of 6-inch and 255 feet of 2-inch water mains to serve Winding Brook Subdivision, Section III, inside the city, at an estimated cost of $14,100

Located south of Sharon Road, and west of Carmel Road

(b) Contract with John Crosland Company for the construction of 2,210 feet of 8-inch and 2-inch water mains to serve Branden Forest, Phase III, outside the city, at an estimated cost of $26,200

Located south of Sharon Road West and west of Park Road

(c) Contract with N.C N B as Trustee NCNB Real Estate Fund for the construction of 1,380 feet of 8-inch water mains to serve Westhall Industrial, Phase II, outside the city, at an estimated cost of $22,200

Located west of Steele Creek Road and south of Westinghouse Boulevard

32 Recommend approval of settlement of City of Charlotte vs Herbert L Reid and wife, Penelope C Reid, et al, in a condemnation action for a permanent sanitary sewer easement, in the amount of $2,800 for 1979 Annexation, Airport Area Project, Parcel #2-51

33 Recommend approval to change the name of Whitfield Drive, located off Carmel Road to the new name Quail Hunt Lane

This change is recommended in order to eliminate a duplication in names which has been discovered by the Engineering and Planning Departments Written notification was forward to affected property owners and there is no objection to the change

34 Recommend adoption of an ordinance amending Chapter 19, Article III, of the City Code of the City of Charlotte, entitled "Bicycles"

The ordinance rewrites Section 19-87 to require that all bicycles be licensed for operation, and the licenses be obtained from the dealer so as to specifically exempt mopeds The revision is needed since the present language can be interpreted to cover mopeds which is in direct conflict with state law

(continued)

34 (continued)

A moped is defined as any vehicle having two or three wheels and operable pedals and equipped with a motor which does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 20 mph on a level surface

* 35 Recommend adoption of a resolution calling a public hearing on Monday, November 16, 1981, 3 00 p m , Council Chamber, to consider a proposal by the Biddleville Housing Corporation for the purchase and development of vacant land located in the Five Points Neighborhood Strategy Area

36 Recommend approval of a special officer permit issued to Jerry Richard Petty, for use on the premises of Douglas Municipal Airport, for a period of one year.

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SCHEDULE OF MEETINGS
OCTOBER 26 THRU NOVEMBER 13

Monday, October 26	CITY COUNCIL Executive Session/Luncheon Training Center City Hall Annex	12 00 Noon
	Citizens Hearing	2 00 P M
	Council Discussion - City Signage & Logo Program	2 30 P M
	Council Meeting Council Chamber	3 00 P M
Wednesday, October 28	Planning & Public Works Committee Second Floor Conference Room City Hall	4 00 P M
Saturday, October 31	Parade - Discovery Place Grand Opening	10 30 A M
	Ribbon Cutting - Grand Opening Discovery Place 301 N Tryon Street	12 15 P M
Monday, November 2	No Council Meeting	
Tuesday, November 3	ELECTION DAY	
Sunday, November 8 thru Tuesday, November 10	North Carolina League Meeting Civic Center	
Wednesday, November 11	HOLIDAY - City Hall Closed Veterans Day	

#1a

October 9, 1981
Index to Uptown Zoning Ordinance Revisions

1.	page 1 -	(a) Intent. Minor wording change referencing The Square (rather than Tryon Street)
2	page 1 -	(c) Permitted Uses Clarification of permitted uses by adding h , i., j , k , l , m , n., p , q.,
3.	page 2 -	(d) Dimension Requirements Setback requirements dropped
4	page 3 -	(b) Measurement of Building Area Added the exemption regarding areas principally intended for the operation of technological equipment
5.	page 3 -	7. Permitted Floor Area Ratios New ratios as well as areas of applicability.
6	page 4 -	8 a. Bonuses based on location Added bonuses for Trade Street and area bounded by Fifth Street, Brevard Street, Second Street and College Street
7.	page 6 -	Same section. Added new bonuses in paragraphs (h), (i) and (j)
8.	page 6 -	(e) 1 No parking required. Dropped maximum parking requirements, no minimum parking required (same as existing B-3 Central Business District).
*		Dropped the following provisions. Off-street Loading Spaces, Prohibition and Off-street Passenger Loading.
*		Dropped minimum open space
*		Dropped Site Plan Required
9.	page 7 -	(g) Landscaping. New section
10.	page 7 -	(h) Signs Dropped sign regulations; new sign regulations same as those for B-3 Central Business District.
11	page 11 -	4. Screening. Screening now tied to existing screening ordinance (Sec 23-30 10)
12	page 11 -	5 a Number of spaces For attached and multi-family uses, minimum and maximum number of spaces have been raised.
*		Dropped Open Space Requirements
13.	page 17 -	(b) 2. Uses permitted under prescribed conditions. New section
14	page 17 -	Dropped provisions that required free-standing non-residential, institutional or a combination of non-residential and institutional uses to contain a minimum of 1.5 FAR.
*		Dropped Urban Business District provision in its entirety.
15	page 19 -	f Added automobile and truck service and repair as a permitted use
16	page 19 -	g Added off-street parking as a separate use as a permitted use
17	page 20 -	(e) Off-street parking Replaced standard with the existing ordinance standard for industrial uses.
*		Dropped requirements for loading spaces
18	page 20 -	(f) Screening Now tied to existing screening ordinance (Sec. 23-30 10)
19	page 20 -	(g) Signs Dropped sign regulations; now tied to existing sign regulations for industrial districts.
*		Dropped requirement for site plan review.

20	page 22 -	(c) Site Development Plan Review Required Clarified language - substituted Superintendent of Building Inspection for Planning Director, renovation on existing structures does not require a site development plan, where applicable Sec. 23-32 Planned Multi-family Development in Residential Districts shall govern the review and approval of uses.
*		Combined requirement for preliminary plan and final plan review into a single plan review process. Substituted Superintendent of Building Inspection for Planning Director throughout the text Clarified appeal process. Dropped requirements for preliminary site analysis.
21.	page 24 -	(f) Site Development Plan Review Guidelines Added the first sentence to clarify
22	page 25 -	(h) Design Guidelines Retained minor exception for yard requirements (dropped open space, parking and signs).

October 9, 1981

Ordinance No _____

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE

Section 1 Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows

1 Amend Article III, Division 5, Mixed Use and Urban Districts by deleting Section 23-38 through Section 23-40 in their entirety and replacing the same as follows

Sec 23-38 Mixed Use District (MX)

(a) Intent The adopted Central Area Plan calls for a mixed use development district, the intent of which is to strengthen certain areas, especially the area near The Square, as the high density urban core of the central area This district permits coordinated development of major office, retail, hotel, residential and other uses as well as providing for open space, pedestrian circulation elements and increased retail opportunities Bonuses in the form of significantly increased permitted development densities are granted for provision of specific amenities or features which would further the overall objectives of the Central Area Plan

(b) Applicability The MX District is intended for application only within the core of the central area, defined in the adopted Central Area Plan, as the area bounded by the Brookshire Freeway, I-77, and the proposed I-277 The official zoning map of the City of Charlotte shall designate specific MX District boundaries

(c) Permitted Uses

1 By Right A building or land shall be used only for the following purposes

a Office uses, professional or business
b Hotels as a separate use or in conjunction with other office or commercial uses
c Facilities for display and/or merchandising of products not at retail (not including storage)
d Facilities for conferences, meetings or similar activities
e General or specialized retail, personal services, business services or other similar services either as a separate use or in conjunction with other uses
f Museums, libraries, theatres or other similar public and/or private uses
g Churches and other religious or similar uses
h Coliseums, civic centers, and similar uses

i Schools
j Cemeteries, parks and playgrounds
k Police and fire stations
l YMCA, YWCA and similar uses
m Post offices
n Wholesale sales with related storage and warehousing, entirely within enclosed buildings, excluding truck terminals
o Residential uses in conjunction with retail and/or office uses
p Off-street parking as a separate use or in conjunction with or associated with permitted uses
q. Printing or publishing establishments

2 Uses Under Prescribed Conditions

a Heliport or helistop developed in accordance with all Federal Aviation Administration requirements
b Day care centers provided in conjunction with permitted uses
c Free standing residential with a minimum F A R of 3 0

3 Accessory Uses The following are permitted accessory uses

Storage of office supplies or merchandise normally carried in stock in connection with a permitted office or business use subject to applicable district regulations

(d) Dimensional Requirements

1 Minimum Lot Area None required

2 Minimum Lot Width None required

3 Minimum Setback None required

4 Minimum Side and Rear Yard None required, except that any building containing residential uses shall be required to provide a minimum side and rear yard of 20 feet This requirement shall not apply when the side and/or rear yard adjoins a public street or any public open space

5 Height Regulations The height regulations of the MX District shall be governed only by the bulk regulations as set forth below

6 Bulk Regulations In order to provide for maximum flexibility of design and to permit higher buildings in the MX District without increasing the total maximum bulk of any building, the following bulk regulation is defined

a Measurement of Bulk The maximum bulk of buildings in the MX District shall be measured by the total gross

floor area of any building divided by the total lot area occupied by such building, hereinafter referred to as the floor area ratio (F A R)

b Measurement of Building Area The gross floor area of any building shall be measured from the outside dimension of the walls enclosing each separate floor level of the building All separate floor levels shall be computed including floor levels of any roof structure, excluding mechanical or other equipment storage, which is enclosed by walls but not including floor levels of stories which are fifty percent (50%) or more below the finished grade adjoining the building and not including floor area within the building used for vehicular circulation or storage or areas which are principally intended for the operation of technological equipment, such as computers or tele communication equipment Mezzanine levels shall be measured from the outside dimension of walls or railings enclosing such mezzanine or balcony floor level Exterior balconies accessed from private residential uses are excluded from the gross building area computations

c Measurement of Lot Area The total lot area shall be measured from the boundary of the lot, designated by the owner at the time of obtaining a building permit as the lot to be occupied by any proposed building

7 Permitted Floor Area Ratios The following floor area ratios shall be applicable in the MX District

a The blocks bounded by Sixth Street, College Street, Second Street and Church Street, the blocks bounded by Fifth Street, the Southern Railroad, Fourth Street and College Street, and the blocks bounded by Church Street, Fourth Street, Poplar Street and Fifth Street the base FAR shall be 9 0 and the maximum FAR 19 0

b The blocks bounded by Fourth Street, Church Street, Second Street and Poplar Street, the blocks bounded by Mint Street, Second Street, the Southern Railroad and Stonewall Street, the blocks bounded by College Street, Fourth Street, Brevard Street and Second Street, the blocks bounded by the Southern Railroad, Fifth Street, Brevard Street and Fourth Street, and the block bounded by College Street, Sixth Street, the Southern Railroad and Fifth Street the base FAR shall be 8 0 and the maximum FAR 14 0

c The blocks bounded by Eighth Street, the Southern Railroad, Sixth Street and Church Street the base FAR shall be 8 0 and the maximum FAR 12 0

d The blocks bounded by Mint Street, Trade Street, Poplar Street and Second Street, the blocks bounded by Stonewall Street, Davidson Street, Vance Street and Tryon Street, the blocks bounded by Jasper Street, Church Street, Stonewall Street and Tryon Street, the blocks bounded by the Southern Railroad, Second Street, Davidson

Street, and Stonewall Street, the blocks bounded by Brevard Street, Seventh Street, Caldwell Street and Second Street, and the blocks bounded by Eighth Street, Brevard Street, Fifth Street and the Southern Railroad the base FAR shall be 5 0 and the maximum FAR 7 0

e The blocks bounded by Fifth Street, Alexander Street, Third Street and Caldwell Street, the blocks bounded by Fourth Street, the Southern Railroad, Trade Street and Mint Street, and the blocks bounded by Trade Street, the Southern Railroad, Fifth Street and Poplar Street The base FAR shall be 4 0 and the maximum FAR 8 0

f The blocks bounded by Sixth Street, Graham Street, Fifth Street and the Southern Railroad, the block bounded by Fourth Street, Cedar Street, Fifth Street and the Southern Railroad, the block bounded by Fifth Street, Sixth Street and the Southern Railroad, the block bounded by Third Street, Davidson Street, Second Street and Brevard Street, the blocks bounded by Alexander Street, Fifth Street, Independence Expressway and Third Street, the blocks bounded by Third Street, Independence Expressway and Davidson Street the base FAR shall be 3 0 and the maximum FAR 4 0

8 Floor Area Ratio Bonuses To promote provisions of light, air and open space and to insure the effective provision of public services within the MX District, the total gross floor area permitted in any building as set forth above may be increased under the conditions outlined below

a Bonuses based on location For any building within any block contiguous with a Transit Mall Corridor as established by the City of Charlotte, a floor area bonus of two (2) may be added to the base floor area limit For any building within a block contiguous to the intersection of Trade Street and Tryon Street, a floor area bonus of one (1) may be added to the base floor area limit For any building abutting or directly across a street from a public park or a public open space of 2 acres or greater in size a floor area ratio bonus of one (1) may be added to the base floor area For any building within any block contiguous to Trade Street between Alexander Street and the Southern Railroad (on West Trade Street) a floor area bonus of two (2) may be added to the base floor area ratio limit For any building within any block bounded by Fifth Street, Brevard Street, Second Street and College Street a floor area bonus of one (1) may be added to the base floor area ratio limit

b Bonus for residential uses in mixed-use buildings For the provision of residential units for sale or rental within buildings or groups of buildings primarily intended for commercial, office and/or hotel uses a floor area bonus of one (1) square foot of additional

building area per one (1) square foot of residential building area up to a limit of one (1) F A R may be added to the base floor area ratio permitted

c Bonuses for providing building setbacks at upper levels When any portion of a building occupies not more than fifty (50) percent of the total lot area and when such portion of the building begins at a level not higher than four (4) full floor levels above the highest street floor level, the maximum allowable floor area may be increased by one (1) provided, however, that any portion of the building above the fourth floor level shall set back from any adjoining street property line a distance equal to at least fifty (50) percent of the width of such adjoining street right of way

d Bonus for providing plazas and courtyards For providing plazas or courtyards as defined below, a floor area bonus of one (1) may be added to the base floor area ratio To qualify for this bonus a plaza or courtyard shall be open from the ground to the sky, be paved and/or partially landscaped, be open to the public for pedestrian movement, and have a frontage on a public street with a minimum frontage for access of fifty (50) feet and an area of three thousand seven hundred fifty (3,750) square feet or 10 percent of the lot area whichever is greater and shall provide retail sales or personal service areas directly opening from it for a minimum of 25 percent of its length and must provide direct access to building lobbies Weather protection admitting natural light shall not be considered as being in conflict with the requirement of being open to the sky

e Bonus for providing a pedestrian arcade through a block For providng an internal pedestrian arcade as defined below a floor area bonus of one (1) may be added to the base floor area ratio To qualify for this bonus such an arcade must be located in a block adjacent to a designated Transit Mall Corridor and must connect

two parallel public streets, or

a public street to a plaza or courtyard fronting another street, or

public street to a pedestrian bridge crossing a public street

Such an arcade must be a minimum of ten feet in width and must provide retail sales or personal service uses directly opening from it for a minimum of 25 percent of its length

f Bonus for providing off street freight loading For providing off street freight loading as stipulated below a floor area ratio bonus of one (1) may be added to the base floor area ratio To qualify for this

bonus, off-street freight loading must be provided for new uses as well as any adjacent existing buildings without such off-street freight loading services or future buildings to be served by such freight loading facilities in an area bounded by dedicated streets on all sides This loading facility shall have sufficient ingress and egress Each new building so served shall qualify for the bonus

g Bonus for the preservation of historic buildings For the preservation of a structure and/or land which has been designated as a historic property, pursuant to N C G S 160A-399 and for which a Certificate of Appropriateness has been secured or for the preservation of a property listed in the National Register of Historic Places preserved in accordance with the Secretary of the Interior's Standards for Historic Preservation Projects, a floor area bonus of two (2) may be added to the base floor area ratio For the preservation of only a building facade or a group or series of facades of a structure or structures which have been designated as a historic property as listed above a floor area bonus of one (1) may be added to the base floor area ratio

h Bonus for providing ground level retail uses For any building which provides a minimum of seventh-five (75) percent of the leaseable ground floor space for retail trade or personal service uses a floor area bonus of one (1) may be added to the base floor area ratio limit

i Bonus for small lots For the development of lots which are 40,000 square feet in size or less a floor area bonus of one (1) may be added to the base floor area limit

j Bonus for overhead walkways For the provision of overhead walkways which are provided in accordance with the adopted Central Area Plan a floor area bonus of one (1) may be added to the base floor area ratio limit

(e) Off Street Parking

1 No Parking Required Permitted uses within the MX district shall not be required to provide off-street parking or loading spaces

2 Off-site Parking Off-site parking located within 1,600 feet may be used in lieu of on-site parking to meet parking needs

3 Access to Transit Mall Building lots which are accessible to a designated Transit Mall Corridor may provide parking access to a Transit Mall Corridor when said access does not interfere with the design and objectives of the Transit Mall Corridor

4 Size of Parking Spaces Parking spaces intended for use by small or compact vehicles may comprise 25 percent of the total parking spaces provided Such parking spaces shall be no smaller in size than 7½' in width and 14' in length

(f) Screening The following shall be effectively screened from public view from a public street The specific method(s) and materials of any screening shall be left to the discretion of the developer as long as the intent and minimum standards of this section are met

a. Off-street loading facilities

b Dumpsters and/or waste handling areas

c Utility and service areas

(g) Landscaping The grade level of all structured parking facilities and at grade parking lots for more than 10 cars shall be landscaped with a 5 foot wide area Such area shall be provided adjacent to any street and shall include such materials as grass, planted ground cover, shrubs, vines, hedges, trees, or other similar materials

(h) Signs

1 Signs in the MX District shall be regulated as follows
(1) Types of signs permitted Identification and/or business
(2) Permitted number of signs No limit
(3) Maximum area of signs No limit
(4) Permitted illumination Luminous
(5) Permitted location Anywhere on the property, but projecting not more than six inches into the street right-of-way, unless the sign is ten feet above the street grade, in which case it may project eighteen inches into the street right-of-way

2 Other types of signs as defined in Article VI Sec 23-76 through Sec 23-79 and Sec 23-85 of this code shall be permitted in the MX District in accordance with said Article

Sec 23-39 Urban Residential Districts

(a) Intent Urban areas are recognized as unique areas with many assets and opportunities To successfully foster the urban characteristics of these areas, development here should promote an environment of diverse uses at higher than normal density which encourages pedestrian activities, needs, and movement, while at the same time recognizing the limited supply of urban land As such this requires special zoning classifications in order to implement the goals and objectives of these vital areas of the community Further it is necessary and desirable to promote the residential nature of these areas through zoning classifications which are intended to realize the growing oppor-

tunities for new infill development and redevelopment Such residential development, properly located and developed, can enhance and support the overall mix of uses characteristics of urban areas Therefore the purpose of this section is to establish the Urban Residential Districts

(b) Applicability Urban Residential Districts are intended for use in special areas of the community and thus may be considered for limited application The uptown area, defined as the area bounded by the centerlines of the Brookshire Freeway, the proposed I-277 and I-77, is hereby recognized for such applicability The official zoning map of the City of Charlotte shall designate specific Urban Residential district boundaries

(c) Objectives These districts are designed to provide standards and incentives which will promote the development or redevelopment of urban areas that contain a mix of land uses with a predominately residential character Emphasis is given to provisions which will provide opportunities for imaginative, new urban development compatible with the development objectives of these areas Accordingly, such development objectives are

1 To maximize residential development potentials in urban areas,

2 To establish a predominantely residential character within residential neighborhoods,

3 To provide for sufficient local retail and office uses to support residential areas,

4 To protect all residential areas from inappropriate and intrusive uses,

5 To maximize open space and other amenities within residential areas,

6 To protect and enhance existing single family residential areas from uses which by their scale and characteristics may be inappropriate

7 To provide for the efficient utilization of scarce urban land, and

8 To reward development projects, through a density bonus system, for including specific development features which significantly further the overall goals for these areas and which enhance the urban residential environment

(d) District Established In order to provide densities and other development standards which are compatible with urban characteristics, the following zoning classifications are herein established

Urban Residential-1 (UR-1)
Urban Residential-2 (UR-2)
Urban Residential-3 (UR-3)
Urban Residential-C (UR-C)

(e) Development Restrictions

1 Site Plan To insure appropriate arrangement, function, and harmony with adjacent uses, a site plan shall be submitted and reviewed in accordance with Sec 23-40 Site Plan Review and shall govern the review of the following in urban residential districts, except in cases where the provisions, other than dimensional requirements, of Sec 23-32 Planned Multi-Family Development in Residential Districts shall govern applicable uses

a. Single family attached dwellings
b Multi-family dwellings
c Any use in the UR-C district

2 Definitions For purposes of this section the following definitions shall be applicable

a single family detached - a structure which contains one (1) dwelling unit,
b single family attached - a dwelling unit which shares by attachment or other means of fixture a common roof, wall, or design element with another dwelling unit and which is not located above or below another dwelling unit and which contains its own exclusive entry,
c multi-family - a structure which contains two (2) or more dwelling units which either shares a common means of entry and/or is designed with one dwelling unit above or below another dwelling unit
d floor area ratio (FAR) - the total gross floor area of any building divided by the total lot area occupied by such building

3 Signs Signs within Urban Residential Districts shall be permitted in accordance with Article VI, Sign Regulations, Division 1, Section 23-76 through Section 23-79 and Section 23-85(b)

a Signs on the premises of single family, detached or attached dwellings

1 Types of signs permitted Identification
2 Permitted number of signs One per dwelling unit
3 Maximum area of signs One and one-half square feet
4 Permitted illumination Lighted, but not flashing
5 Signs shall be motionless
6 Permitted location Behind street right-of-way line and not more than eight (8) feet above floor

level at dwelling unit entry if attached to structure, or not more than five (5) feet above grade if not attached to structure

b <u>Signs on the premises of multi-family dwellings or planned multi-family developments</u>

1 Types of signs permitted Identification
2 Permitted number of signs One per street front
3 Maximum area of signs Six (6) square feet
4 Permitted illumination Lighted, but not flashing
5 Signs shall (be) motionless
6 Permitted location Behind street right-of-way line and not more than eight (8) feet above grade if attached to structure, or not more than five (5) feet above grade if not attached to structure Attached signs shall not project more than six (6) inches from structure

c <u>Signs on the premises of a freestanding non-residential use</u>

1 Types of signs permitted Business
2 Permitted number of signs One per use
3 Maximum area of signs Eight (8) square feet if projection from structure is less than six (6) inches, or six (6) square feet if detached or if projection from structure is six (6) inches or more
4 Permitted illumination Lighted, but not flashing
5 Signs shall be motionless
6 Permitted location Behind street right-of-way line and not more than ten (10) feet above grade if attached to structure, or more than five (5) feet above grade if not attached to structure

d <u>Signs on the premises of a group of three (3) or more non-residential uses within a dwelling structure</u>

1 Types of signs permitted Identification
2 Permitted number of signs One per street front
3 Maximum area of signs Eight (8) square feet
4 Permitted illumination Lighted, but not flashing
5 Signs shall be motionless
6 Permitted location Behind right-of-way line and not more than ten (10) feet above grade attached to structure, or more than five (5) feet above if not attached

e <u>Signs or bulletin boards providing historical information, information of non-commercial activities, or space for free use by the general public</u>

1 Types of signs permitted Bulletin Board
2 Permitted number of signs One per structure
3 Maximum area of signs Twelve (12) square feet except a kiosk A kiosk may be erected to a maximum height of ten (10) feet and a maximum diameter of four (4) feet excluding canopies, eaves and the like

4 Permitted illumination Lighted, but not flashing
5 Signs shall be motionless
6 Permitted location Behind street right-of-way line and not more than ten (10) feet above grade

4 Screening Screening shall be provided in accordance with the provisions of Sec 23-30 10

5 Off-Street Parking and Loading Requirements Requirements for off-street parking and loading requirements shall be as follows

a Number of spaces

Type of Structure	Minimum	Maximum
Detached	1	2
Attached	1	2
Multi-Family	1	2
Multi-Family (elderly)	25	50
Non-residential Use in UR-C	1/1000 gross sq ft	1/500 gross sq ft
Non-residential Use in UR-2, UR-3	0	1/500 gross sq ft

b Size of Parking Spaces Parking spaces intended for use by small or compact vehicles may comprise 25 percent of the total parking spaces required Such parking spaces shall be no smaller in size than 7½' in width and 14' in length

c Off-Street Service/Delivery Spaces Buildings and structures within UR-C districts shall be provided with a minimum number of off-street service/delivery parking spaces as specified below

Requirements

	Off-Street Service/Delivery Parking Spaces
Multi-family dwellings 0-24 units	0
Multi-family dwellings 25-74 units	2
Multi-family dwellings 75 units	3
Non-residential uses	3

d Grade Level Parking Grade level parking is allowed in the setback of multi-family and single family attached housing

e Underground Parking Structures Underground parking structures shall be permitted within any required setback, side yard, or any lot, provided no portion of the underground structures extends above grade more than five (5) feet at any point nor more than four (4) feet for seventy-five (75)

percent of its length along any lot line A balustrade, parapet or railing may extend above the permitted structure height provided it is not greater than thirty-two (32) inches in height, is set back from the propterty line at least three (3) feet and has openings equal to at least thirty (30) percent of its surface along each side Along any lot line abutting a street, "grade" shall mean ground elevation at the property line Such structures shall conform to any corner site distance requirements which may be in effect at the time the underground structure is built and the portion of the structure within the setback area shall be covered with a pedestrian deck All such decks may be classified as open space

(f) Density Bonus Provisions

1 Objectives Density bonus provisions contained herein are designed to achieve the following specific objectives

a To enhance and extend public amenities such as parks and public pedestrian ways,
b To create additional open space for public or semi-public use,
c To improve the overall quality of life within the large residential area, and
d To further the land use policies of the city including more effective utilization of urban land, increased uptown residential population, and encouragement of evening activities in the uptown area

2 Bonus Limits Because the sensitivity to increased densities of UR districts will vary with the base FAR, the following upper limits on bonus accumulation are herein established

a For UR-1 and UR-2 districts a maximum bonus accumulation of 10% of base FAR,
b For UR-3 and UR-C districts a maximum bonus accumulation of 50% of base FAR,
c For non-residential uses in UR-C districts a maximum bonus accumulation of 25% of base FAR, and
d For development projects located in more than one UR district, the total percent of increase in base FAR permitted shall be the sum of the maximum allowed increase in each zoning district, but there shall be no prohibition as to where on the parcel the increase may locate

3 Bonus Permitted The following density bonuses are herein granted for the provision of the following features Any bonus which may be granted shall, when applicable, modify the base density in each urban residential district The granting of a bonus shall be determined through the site plan review process

a For projects adjacent to a public park or cemetary a density bonus of 10% of base FAR, but not less than 8 dwelling units may be granted

b For the creation of permanent public open space* devoted to passive or active recreational use a density bonus equal to the percentage of the site devoted to such use is granted, but not less than 4 dwelling units Open space required in the base zoning regulation is not to be included as public open space

*Public open space shall mean open space at grade which is accessible to, and serves a public purpose for a group of persons beyond the residents of the building with which it is associated Such space may be designed for active or passive use It shall not include any motorized vehicular circulation or parking facilities but may include structures related to the purpose of the open space provided that the dominant character of the area is open

c For the creation of areas and paths (other than those already required) devoted to pedestrians and bicyclists which functionally extend adjacent area-wide pedestrian ways or which create convenient access to public open space for residents or visitors a density bonus of 10% of base FAR, but not less than 8 dwelling units may be granted

d For the use of fountains, reflecting pools and similar features in design a density bonus of 5% of base FAR, but not less than 4 dwelling units may be granted

e For the preservation of a structure and/or land which has been designated as a historic property, pursuant to N C G S 160A-399 and for which a Certificate of Appropriateness has been secured or for the preservation of a property listed in the National Register of Historic Places preserved in accordance with the Secretary of the Interior's Standards for Historic Preservation Projects, a floor area bonus of 5% of base FAR, but not less than 4 dwelling units may be granted For the preservation of only a building facade or a group or series of facades of a structure or structures which have been designated as a historic property as listed above a floor area bous of 2% of the base FAR but not less than 2 dwelling units may be granted

f For the provision of permitted retail uses in UR-C districts a density bonus equal to the amount of square footage devoted to such uses up to a maximum of a 15% increase in residential density, but not less than 12 dwelling units

g For the provision of roof areas designed as open and/or recreation space a density bonus equal to the amount of square footage devoted to such open and/or recreation space is granted

h For the development of residential or mixed used structures which contain more than five (5) stories a density bonus of 10% of base FAR, but not less than 4 dwelling units may be granted

i For projects which combine three (3) or more parcels into a single lot for development a density bonus of 5% of base FAR, but not less than 4 dwelling units may be granted

4 Bonus Parking Any density bonus that may be grated for a particular development project shall not require any increase to the minimum parking requirements as set forth in 23-39(e)(3)5 Additional parking however, may optionally be provided, such additional parking to be established in accordance with 23-39(e)(3)5 a

(g) Accessory Structures Accessory structures are allowed in all urban residential districts in accordance with Sec 23-27 However accessory structures shall be exempted from Sec 23-27 when a joint application is made by adjoining property owners

(h) Customary Home Occupations Customary home occupations as set forth in Section-23-32 1 are allowed in all Urban Residential Districts

Sec 23 39 1 Urban Residential-1 District (UR-1)

(a) Intent The intent of this district is to protect and enhance designated single-family areas and to encourage appropriate infill development within these areas and shall be developed in accordance with Sec 23-39 and the provisions listed herein

(b) Permitted Uses

1 Uses by right Uses permitted by right with the UR-1 District are single family detached dwelling units

2 Uses requiring site plan review Uses which require site plan review are single family attached dwelling units

3 Dimensional requirements Dimensional requirements for the UR-1 District shall be as follows

District	Min Lot Area (sq ft)	Min Side Yd (ft)	Minimum Setback (ft)	Min Rear Yd (ft)	Max F A R	Max ** Height (ft)
UR-1	5,000	5	5	10	0 25*	40

*The maximum F A R does not apply to either a one-family, two-family or three-family structure located on a single lot Also, parking facilities are exempt from maximum FAR limitations

**Maximum height may be increased above 40' provided all required yards are increased 1' for every 10' of building height

Sec 23-39 2 Urban Residential-2 District (UR-2)

(a) Intent The intent of this district is to promote maximum opportunities for moderate density residential development This district functions as both a transition between lower and higher density and as the predominate residential district throughout much of the fringe of the uptown area and shall be developed in accordance with Sec 23-39 and the provisions listed herein

(b) Permitted Uses

1 Uses requiring site plan review Uses requiring site plan review within the UR-2 District are single family attached and multi-family dwelling units The following non-residential uses are also permitted provided that the gross floor area of these uses does not exceed fifty (50) percent of the ground floor area of the dwelling unit in which they are located, but there shall be no prohibition as to where within the structures these may be located

a handcraft shops,
b bookshop,
c antique shop,
d tea rooms,
e studios,
f museums, and
g offices

2 Dimensional Requirements Dimensional requirements for the UR-2 District shall be as follows

District	Min Lot** Area (sq ft)	Min Side Yd (ft)	Minimum Setback (ft)	Min Rear Yd (ft)	Max F A R	Max * Height (ft)
UR-2	5,000	5	5	10	1 0	40

*Maximum height may be increased above 40' provided all yards are increased 1' for every 10' of building height

**Where the sale of individual dwelling units within a single family attached structure is to include a certain amount of land directly associated with the unit, a sublot having less than five thousand (5,000) square feet may be created In such cases all land associated with the overall development must be either divided into the individual sublots, or held in common ownership by an association of homeowners For purposes of this section a "sublot" is a platted parcel of land which is a divided unit of a lot for which zoning approval has been granted for the development of a single-family attached structure with the intention of sale of individual units and associated land Sublots shall include a minimum of four hundred (400) square feet of private open space

Sec 23-39 3 Urban Residential-3 District (UR-3)

(a) Intent The intent of this district is to provide for high density residential development This district is located nearer

the employment core and in areas identified for their special adaptability and appropriateness for this type of housing and shall be developed in accordance with Sec 23-39 and the provisions listed herein

(b) Permitted Uses

1 Uses requiring site plan review Uses requiring site plan review within the UR-3 District are single family attached and multi-family dwelling units Business or office uses limited to those permitted in B-1 Neighborhood Business Districts as listed in Sec 23-31 are also allowed, except that no drive-in windows or service in connection with such uses or vehicular sales, service or repair shall be permitted and shall be limited to two times the size of the building footprint, but there shall be no prohibition as to where within the structure the uses may locate

2 Dimensional Requirements Dimensional requirements for the UR-3 District shall be as follows

District	Min Lot** Area (sq ft)	Min Side Yd (ft)	Minimum Setback (ft)	Min Rear Yd (ft)	Max F A R	Max Height (ft)
UR-3	5,000	5	5	20	2 0	60*

*Maximum height may be increased above 60' provided all yards are increased 1' for every 10' of building height

**Where the sale of individual dwelling units within a single family attached structure is to include a certain amount of land directly associated with the unit, a sublot having less than five thousand (5,000) square feet may be created In such cases all land associated with the overall development must be either divided into the individual sublots, or held in common ownership by an association of homeowners For purposes of this section a "sublot" is a platted parcel of land which is a divided unit of a lot for which zoning approval has been granted for the development of a single family attached structure with the intention of sale of individual units and associated land Sublots shall include a minimum of four hundred (400) square feet of private open space

Sec 23-39 4 Urban Residential-Commercial District (UR-C)

(a) Intent The intent of the UR-C District is to promote a diversity of residential, retail, office, recreational and cultural uses in a mixed use, heigher density pattern This district is restricted in location to the periphery of the employment core or to areas designated as community or neighborhood centers where a high level of commercial or other services are desired and shall be developed in accordance with Sec 23-39 and the provisions listed herein

(b) Permitted Uses

1 Uses requiring site plan review Uses requiring site plan review within the UR-C District are multi-family dwelling units and free standing non-residential structures Free standing non-residential structures and multi-family structures may contain commercial and office uses, such uses to be limited to those permitted in B-1 Neighborhood Business Districts as listed in Section 23-31, except that no drive-in windows or vehicular sales, service, or repair shall be permitted In addition the following institutional uses are also permitted subject to site plan review churches, synagogues, convents, monasteries, dormitories, community recreation centers, elementary, junior high and senior high schools, colleges, orphanages, museums, art galleries, libraries, fire stations, police stations, day care centers and pre schools, nursing homes, rest homes, homes for the aged, hospitals, sanitoriums, YMCA's and comparable organizations, fraternal organizations and group homes

2 Uses permitted under prescribed conditions Off-street parking as a separate use Such parking shall be provided with a 5 foot wide landscaped area along all property lines Such landscaped areas shall include such materials as grass, planted ground cover, shrubs, vines, hedges, trees or other similar materials

2 Dimenstional Requirements Dimensional requirements for the UR-C District shall be as follows

District	Min Lot Area (sq ft.)	Min Side Yd (ft)	Minimum Setback (ft)	Min Rear Yd (ft)	Max F A R	Max Height (ft)
UR-C	5,000	5	5	20	3 0**	60*

*Maximum height may be increased above 60' provided all yards are increased 1' for every 10' of building height

**No more than 1 5 FAR may be devoted to non-residential and/or institutional purposes in mixed use structures

Sec 23-39 6 Urban Industrial District UI

(a) Intent The Central Area of Charlotte contains a substantial number and wide variety of industrial land uses These uses provide a substantial non-office employment base as well as meeting certain needs in the community for industrial type goods and services There are, however, some industrial facilities which have either lost their utility or impact negatively on near by residential areas which must be addressed Therefore, in accordance with the adopted Central Area Plan, this new district is intended to replace the provisions which exist under the B-3

and I-3 zoning classification, to encourage and permit the continuation of a significant non-office employment base, to enable the development of new industrial uses compatible with the objectives of the Central Area Plan, and to restrict those industrial uses which do or would not foster those objectives

(b) Applicability The UI district is intended for use in special areas of the community and thus may be considered for limited application the Uptown area as defined in the adopted Central Area Plan, bounded by the Brookshire Freeway, I-77, and the proposed I-277, is hereby declared to be such a special area when this district may be utilized The official zoning map of the City of Charlotte shall designate specific boundaries for the Urban Industrial Districts

(c) Permitted Uses

A building or land shall be used only for the following purposes

1 By Right

a Light manufacturing or assembly uses which do not create any more danger to health and safety in surrounding areas and which do not create any more offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types specifically permitted below

Component parts of aircraft
Medical and dental equipment
Drafting, optical, and musical instruments
Watches
Clocks
Toys
Mechanical devices
Machines and parts
Meters
Wire products
Pumps
Vending machines and office machines
Electrical devices
Appliances
Electronic equipment, but not including heavy equipment such as used on electrical power generation
Firearms
Photographic and metering equipment
Tools, dies, macinery, and hardware products
Bakery products
Candy manufacture
Dairy products
Fruit and vegetable processing and canning
Meat and poultry products, but not slaughtering of poultry or animals

Printing and finishing of textiles and fibers into fabric goods
Furniture, cabinets, baskets, and other light wood products
Cosmetics, drugs, and pharmaceutical products

b Business and professional offices, laboratories, photo-processing, blueprinting or printing establishments

c Personal services such as banks, restaurants, or day care centers operated by an employer on the site for the convenience and use of his employees only

d Wholesale and retail sales, but not including warehousing or freight forwarding

e Facilities and structures necessary for rendering utility service, including poles, wires, transformers, telephone booths and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer or water service

f Automobile and truck service and repair

g Off-street parking as separate use or in conjunction with permitted uses in order to meet parking needs subject to the limitations of paragraph (e) below

2 Uses Permitted Under Prescribed Conditions

a Heliport or Helistop which complies with all applicable Federal Aviation Administration regulations and guidelines

b Buildings with height in excess of 40 feet, only if located at least two hundred (200) feet from any residential district

3 Permitted Accessory Uses

Storage of goods used in or produced by permitted industrial uses or related activities, subject to applicable district regulations.

4 Limitations on Permitted Uses

The uses permitted in this district shall be subject to the following special conditions

a All uses shall be conducted within a completely enclosed building with no open storage of raw, in process, or waste material Finished products manufactured on the premises may be stored in the open if screened from the street and adjoining properties by landscaping, fences or walls

b Service drives or other areas shall be provided for off-street loading in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation

c No parking or storage of material or products shall be permitted in the required front yard

(d) Dimensional Requirements

Min Lot Area (sq ft)	Min Lot Width (ft)	Min Setback (ft)	Min Side Yd (ft)*	Min Rear Yd *	Max FAR	Max Height (feet)
5,000	50	5	0, except 20' when adjoining any residential or office district	0, except 50' when adjoining any residential or office district	2 0	40', except higher as specified under (c) 2 b

*Subject to all applicable building or fire code standards for separation

(e) Off-Street Parking

1 Off-street parking for any use permitted in this district shall be provided in accordance with the following

1 space for each 2 expected employees on the shift of greatest employment

2 Reduced size of parking spaces Parking spaces intended for use by small or compact vehicles may comprise 25 percent of the total parking spaces required Such parking spaces shall be no smaller in size than 7½' in width and 14' in length

(f) Screening Required

Screening in accordance with the provisions of Section 23-30 10 shall be provided

(g) Signs

Signs on premises of permitted uses shall be regulated as follows

1 Signs on premises of permitted uses conducted in buildings or with buildings associated shall be regulated as follows

a Types of signs permitted Business and/or identification
b Permitted number of signs No limit, except as specified below for detached signs
c Maximum area of signs Signs attached to buildings No limit

d Permitted illumination Signs detached from buildings 100 square feet

e Permitted location. One sign per establishment may be detached from the building except on through lots or lots having frontage on three or more streets, in which case two detached signs per establishment shall be permitted Detached signs shall be located behind the property line and at least ten feet above ground level if located within fifteen feet of a street right-of-way line Other signs shall be mounted on the building and shall not extend more than twenty feet above the parapet of the building nor more than eighteen inches from any building wall or marquee face, provided that any such sign shall not project more than six inches into the street right-of-way unless it is at least ten feet above street grade in which case it shall not extend more than eighteen inches into the street right-of-way

2 Signs on premises of permitted uses not conducted in or associated with buildings shall be regulated as follows

a Type of sign permitted Business and/or identificaion

b Permitted number of signs One per establishment except on through lots or lots having frontage on three or more streets, in which case two signs per establishment shall be permitted

c Maximum area of signs 100 square feet

d Permitted illumination Luminous

e Permitted location Behind street right-of-way line, except as permitted in paragraph (b), section 23-85

3 Advertising signs shall be permitted on premises where no other business or permitted uses are established In addition, advertising signs shall be permitted on premises where other businesses or permitted uses are established provided such signs are located at least 75 feet from any part of the property occupied by any portion of the established use including off-street parking areas Such signs shall be subject to the following regulations

a No advertising sign shall exceed 750 square feet in area

b Advertising signs shall observe the same setback and side yard requirements imposed on other structures by other sections of this chapter, except that on corner lots no part of any advertising structure shall be located closer than 20 feet to the point of intersection of the rights-of-way of the two streets forming the corner If such signs are located within 15 feet of a street right-of-way they shall be at least 10 feet above ground level

c Advertising signs exceeding 72 square feet shall not be closer to a residential structure than ten (10) feet

d Each structure may support one advertising sign not exceeding an aggregate of 750 square feet on either side of said structure

4 Other signs as defined in Article VI, Sec 23-76 through Sec 23-79 and Sec 23-85(b) of this code shall be permitted in the UI District in accordance with said Article

Sec 23-40 Site Plan Review

(a) Intent By virtue of the special nature of the central area of Charlotte and its role as a regional center and by virtue of the unique development potential which exists in the area and recognized in the adopted Central Area Plan it is of special and substantial public interest that a process to review development proposals be created In order to facilitate the implementation of the adopted Central Area Plan and in order to promote functional, safe, innovative and attractive development compatible with the natural and man-made environment and the goals and objectives of the Central Area Plan a site plan review process is hereby established The scale, density, intensity and types of uses existing and envisioned in this area and the inherent flexibility of design and execution of those uses makes the establishment of rigid standards an inefficient and inappropriate mechanism to guide development It is therefore the purpose of this process to insure that minimum standards established for each zoning district are achieved, that the conditions for any bonuses that may be approved are met, and that the administrative approval of any site development plan is accomplished in an efficient and timely manner

(b) Elements of Site Plan Review

The elements of the Site Plan Review are The layout and design of all existing and proposed improvements, including but not limited to, building structures, parking and circulation areas, landscape areas, service and delivery areas, outdoor recreation areas, signs and graphics, accessways, pedestrian walkways, and screening measures

(c) Site Development Plan Review Required

The proposed construction of new uses subject to this section shall not be approved for development permits by the Building Inspection Department until the Superintendent of Building Inspection or his designated agent has reviewed a site development plan pursuant to this section and has determined that the site development plan is in compliance with all applicable zoning ordinance provisions It is not intended for existing structures, which in the course of the remodeling or refurbishing of said structures, to comply with the provisions of this section In addition, residential uses subject to the provisions of Sec 23-32 Planned Multi-Family Development in Residential Districts shall not be required to submit a site development plan pursuant to this

section, but shall be reviewed and approved in accordance with the provisions, except dimensional requirements, of said section

(d) Applicability

The provisions of Section 23-40 shall be applicable in the following districts

1 Urban Residential - 1 (UR-1) District
2 Urban Residential - 2 (UR-2) District
3 Urban Residential - 3 (UR-3) District
4 Urban Residential Commercial - (UR-C) District

(e) Site Plan Review

1 Application All site development plans shall be filed with the Superintendent of Building Inspection or his designated agent and shall be accompanied by such drawings, sketches and descriptions drawn to scale as is necessary to describe the proposed development

2 Site Development Plan A site development plan shall indicate the following as appropriate to the nature of the use

a Access to site from adjacent rights of way, streets and arterials,
b Parking and circulation areas,
c Location of buildings and signs,
d Entrances and exists, in relation to vehicular circulation,
e Private and shared outdoor recreation spaces,
f Pedestrian circulation,
g Service areas for uses such as mail delivery, trash disposal, above ground utilities, loading and delivery,
h Areas to be landscaped or screened,
i Exterior lighting,
j Any information regarding sublots or subdivisions,
k Other site elements, spaces and information which at the discretion of the applicant will assist in the evaluation of site development

3 Action on Site Development Plan Within ten business days following filing of the site development plan, the Superintendent of Building Inspection or his designated agent shall meet with the applicant to discuss the plan and indicate the general conclusions regarding the relationship between the plan and the criteria and standards listed in the applicable zoning district The Superintendent of Building Inspection may consult with other city departments or agencies in reaching a decision regarding the general conclusions If after ten (10) business days no action is taken by the Superintendent of Building Inspection or his designated agent, approval of the site development plan is assumed to be granted Following receipt by the applicant of the con-

clusions pursuant to (e)4 above, the applicant when necessary shall submit a revised site development plan with the Superintendent of Building Inspection

5 Decision on Site Development Plan The Superintendent of Building Inspection shall determine that a site development plan is approved, is disapproved, or approved with such modifications and conditions as may be consistent with the criteria and standards listed in the applicable zoning district Any appeal regarding the determination of the Superintendent of Building Inspection shall be taken to the Zoning Board of Adjustment

6 Conclusions Within five business days following the determination regarding the site development plan, the Superintendent of Building Inspection or his designated agent shall inform the applicant and other persons who request the same A recommendation on a site development plan shall include conditions, if any, and specific conclusions The conclusions shall specifically address the relationships between the plan and the criteria and standards listed in the applicable zoning district

(f) Site Development Plan Review Guidelines

To assist the applicant in the design of a particular development project and to assist the Superintendent of Building Inspection or his designated agent in the review of such a project the following guidelines are provided Such guidelines are created to insure that minimum standards established for each zoning district are achieved, that the conditions for any bonuses that may be approved are met, and that the general goals and objectives of the adopted Central Area Plan are accomplished

1 Relation of Site Development Plan Elements to Environment

a The elements of the site development plan shall relate harmoniously with respect to building height, width, scale, and mass to the natural environment and existing buildings and structures having a visual relationship with the site

b Ground level uses and their design shall promote pedestrian scale activity and interaction by avoiding blank walls or dead end, non circulating open spaces which discourage pedestrian movement and activity

c Any relationship between the ground level and over or under ground retail malls shall promote public access and pedestrian scale and activity

2 Bonuses Where appropriate the elements of the site development plan shall demonstrate that the conditions for the granting of any bonuses that may be available in any zoning district have been met

3 Pedestrian and Vehicular Circulation and Parking The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to enhance safety and convenience

4 Screening and Landscaping The screening and landscaping requirements imposed by the various zoning districts shall serve to insure that areas, structures and facilities for storage, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed to minimize visual adverse impacts on the site and neighboring properties

5 Utilities All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties

6 Signs and Graphics The location, lighting and movement of all exterior signs, graphics or other informational or directional features shall comply with all applicable ordinance requirements

(g) Design Guidelines

Guidelines designed to assist applicants in developing site development plans intended to achieve desired goals may be adopted by the Planning Commission

(h) Minor Exception Yard Requirements

In conjunction with this section, a minor exception to the minimum yard standards for the districts listed in Section 23-40(d) may be approved as a Special Use Permit in accordance with Section 23-36 9

(i) Amendments to Approved Plan

Amendments to an approved site development plan shall be processed in a manner consistent with requirements for approval of a final site development plan However, changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density or intensity of development may be authorized by the Director of Planning

(j) Compliance With Approved Plan

Development of any site or project for which a site development plan has been approved shall comply with the provisions, conditions, and restrictions of the approved plan Failure to comply with any such provisions, conditions or restrictions shall be considered a violation of the zoning ordinance

(k) Relationship to Other Ordinances This section shall not only govern the site plan provisions contained herein, but shall also serve to coordinate the review and approval of other required permits

2 Amend Article VII Division 1 Superintendent of Building Inspection Sec 23-86 by deleting the following language at the end of the first sentence

"except that the Superintendent of Building Inspection shall refer any required site development plan as defined in Section 23-40 to the Planning Director to determine whether or not the site plan meets the standards of said section before issuing any required permit "

3 Amend Article II Division 1 Purpose of Zoning Districts Sec 23-6 Business Districts by deleting paragraph (c) UB Urban Business District

Section 2 That this ordinance shall become effective upon its adoption

APPROVED AS TO FORM

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19 ____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at page _____

Ruth Armstrong,
City Clerk

Ordinance No _____

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE

Section 1 Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows

1 Amend Article III Division 3 Conditional Zoning Districts and Special Use Permits by adding the following new Section 23-36 9

"Section 23-36 9 Minor Exceptions Yard Requirements

(a) Special Use Requirements In conjunction with Section 23-40 and other appropriate provisions of this chapter certain minor exceptions as herein defined may be permitted as a Special Use Permit For purposes of this section a minor exception shall be limited to the specific items contained herein and is intended to be used to facilitate development or site arrangement in accordance with Section 23-40 It is not intended to be confused with or used as a variance as described in Section 23-95 No minor exception shall be greater than twenty-five percent of the requirement from which the exception is granted The following standard or requirement may be considered for a minor exception.

(1) Dimensional standards for yards as required in the primary district

(b) Application An application for a minor exception as a special use shall be submitted and reviewed in accordance with Section 23-36

(c) Findings As a prerequisite to approval of an application for this special use, the City Council shall find that the facts submitted with the application and presented at the hearing establish the following

1 In the case of a minor yard exception, the City Concil shall find that approval will result in at least one of the following

a more efficient use of the site,
b preservation of natural features, or
c improved provision of light, air and privacy to adjoining properties

(d) City Council Approval Following City Council approval of a Special Use Permit application the Special Use Permit shall be issued

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

APPROVED AS TO FORM

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the _____ day of _____, 19 _____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page _____

Ruth Armstrong,
City Clerk

16

October 15, 1981

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

Ordinance No._____

An Ordinance Amending the City Code
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1 Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-38 Mixed Use District by deleting said section in its entirety.

2. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.5 Urban Business District by deleting said section in its entirety.

3. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)3. by deleting the following language. "and the following shall be reviewed in conjunction with (e)1. above "

4. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)4. by deleting said paragraph in its entirety and replacing the same as follows:
"(e) 4. Screening Screening shall be provided in accordance with the provisions of Sec. 23-30.10 "

5. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)5. by changing from .75 to 1.0 under the column headed "Minimum" and from 1.5 to 2.0 under the column headed "Maximum".

6. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)5.c. by deleting said paragraph in its entirety and by re-labeling subsequent paragraphs in proper alphabetical order.

7. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)5.d. to read as follows:
"d. Grade Level Parking. Grade level parking is allowed in the setback of multi-family and single family attached housing."

8. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39 Urban Residential Districts paragraph (e)6. by deleting said section in its entirety.

9 Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.4 Urban Residential-Commercial District paragraph (b) by adding the following

new language, labeled number 2 and number 3 respectively, and by renumbering the existing number 2. as number 4.
"2. Uses permitted under prescribed conditions Off-street parking as a separate use. Such parking shall be provided with a 5 foot wide landscaped area along all property lines Such landscaped areas shall include such materials as grass, planted ground cover, shrubs, vines, hedges, trees or other similar materials

3 Uses normally permitted in residential districts. Other non-residential, accessory or complimentary uses normally permitted in other residential districts as listed in Sec 23-31 shall be permitted."

10. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39.4 Urban Residential-Commercial District paragraph (b)3. by deleting the following language in the paragraph identified as "**":
"Free standing non-residential, institutional or a combination of non-residential and institutional uses shall contain a minimum of 1.5 FAR."

11 Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.6 Urban Industrial District paragraph (c)1. by adding the new uses labeled f. and g. respectively as follows
"f. automobile and truck service and repair.
g. Off-street parking as a separate use or in conjunction with permitted uses in order to meet parking needs subject to the limitations of paragraph (e) below "

12. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39.6 paragraph (e)4. by deleting sub-paragraphs b., e., and f. in their entirety and re-labeling the subsequent sub-paragraphs in the proper alphabetical order

13. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39.6 paragraph (e)4 b by deleting the first sentence as follows:
"Loading operations shall be conducted at the side or rear of buildings."

14. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.6 paragraph (d) by changing the language under the column headed "Max. Height" to read as follows
"40', except higher as specified under (c)2 b "

15 Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.6 paragraph (e) to read as follows·

(e) <u>Off-Street Parking</u>

1 Off-street parking for any use permitted in this district shall be provided in accordance with the following:

1 space for each 2 expected employees on the shift of greatest employment.

2. Reduced size of parking spaces. Parking spaces intended for use by small or compact vehicles may comprise 25 percent of the total parking spaces required Such parking spaces shall be no smaller in size than 7½' in width and 14' in length.

16. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.6 paragraph (f) to read as follows
"(f) Screening Required
Screening in accordance with the provisions of Sec. 23-30.10 shall be provided "

17. Amend Article III Division 5. Mixed Use and Urban Districts Sec. 23-39.6 paragraph (g) by deleting said paragraph in its entirety and replacing the same to read as follows·

"(g) Signs

Signs on premises of permitted uses shall be regulated as follows:

1. Signs on premises of permitted uses conducted in buildings or with buildings associated shall be regulated as follows:

   a. Types of signs permitted. Business and/or identification.
   b. Permitted number of signs: No limit, except as specified below for detached signs.
   c. Maximum area of signs: Signs attached to buildings: No limit.
   d. Permitted illumination: Signs detached from buildings: 100 square feet.
   e. Permitted location: One sign per establishment may be detached from the building except on through lots or lots having frontage on three or more streets, in which case two detached signs per establishment shall be permitted. Detached signs shall be located behind the property line and at least ten feet above ground level if located within fifteen feet of a street right-of-way line. Other signs shall be mounted on the building and shall not extend more than twenty feet above the parapet of the building nor more than eighteen inches from any building wall or marquee face, provided that any such sign shall not project more than six inches into the street right-of-way unless it is at least ten feet above street grade in which case it shall not extend more than eighteen inches into the street right-of-way.

2. Signs on premises of permitted uses not conducted in or associated with buildings shall be regulated as follows:

   a. Type of sign permitted: Business and/or identificaion.
   b. Permitted number of signs. One per establishment except on through lots or lots having frontage on three or more streets, in which case two signs per establishment shall be permitted.
   c. Maximum area of signs: 100 square feet.
   d Permitted illumination: Luminous.
   e. Permitted location: Behind street right-of-way line, except as permitted in paragraph (b), section 23-85.

3 Advertising signs shall be permitted on premises where no other business or permitted uses are established. In addition, advertising signs shall be permitted on premises where

other businesses or permitted uses are established provided such signs are located at least 75 feet from any part of the property occupied by any portion of the established use including off-street parking areas Such signs shall be subject to the following regulations

a. No advertising sign shall exceed 750 square feet in area
b. Advertising signs shall observe the same setback and side yard requirements imposed on other structures by other sections of this chapter, except that on corner lots no part of any advertising structure shall be located closer than 20 feet to the point of intersection of the rights-of-way of the two streets forming the corner If such signs are located within 15 feet of a street right-of-way they shall be at least 10 feet above ground level
c. Advertising signs exceeding 72 square feet shall not be closer to a residential structure than ten (10) feet.
d. Each structure may support one advertising sign not exceeding an aggregate of 750 square feet on either side of said structure.

4. Other signs as defined in Article VI, Sec. 23-76 through Sec. 23-79 and Sec 23-85(b) of this code shall be permitted in the UI District in accordance with said Article.

18. Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-39 6 paragraph (h) by deleting said paragraph in its entirety.

19 Amend Article III Division 5 Mixed Use and Urban Districts Sec. 23-40 Site Plan Review by deleting said section in its entirety and replacing the same as follows.

Sec 23-40 Site Plan Review

(a) Intent By virtue of the special nature of the central area of Charlotte and its role as a regional center and by virtue of the unique development potential which exists in the area and recognized in the adopted Central Area Plan it is of special and substantial public interest that a process to review development proposals be created. In order to facilitate the implementation of the adopted Central Area Plan and in order to promote functional, safe, innovative and attractive development compatible with the natural and man-made environment and the goals and objectives of the Central Area Plan a site plan review process is hereby established. The scale, density, intensity and types of uses existing and envisioned in this area and the inherent flexibility of design and execution of those uses makes the establishment of rigid standards an inefficient and inappropriate mechanism to guide development It is therefore the purpose of this process to insure that minimum standards established for each zoning district are achieved, that the conditions for any bonuses that may be approved are met, and that the administrative approval of any site development plan is accomplished in an efficient and timely manner.

(b) Elements of Site Plan Review

The elements of the Site Plan Review are: The layout and design of all existing and proposed improvements, including but not limited to, building structures, parking and circulation areas, landscape areas, service and delivery areas, outdoor recreation areas, signs and graphics, accessways, pedestrian walkways, and screening measures.

(c) Site Development Plan Review Required.

The proposed construction of new uses subject to this section shall not be approved for development permits by the Building Inspection Department until the Superintendent of Building Inspection or his designated agent has reviewed a site development plan pursuant to this section and has determined that the site development plan is in compliance with all applicable zoning ordinance provisions. It is not intended for existing structures, which in the course of the remodeling or refurbishing of said structures, to comply with the provisions of this section. In addition, residential uses subject to the provisions of Sec. 23-32 Planned Multi-Family Development in Residential Districts shall not be required to submit a site development plan pursuant to this section, but shall be reviewed and approved in accordance with the provisions, except dimensional requirements, of said section.

(d) Applicability

The provisions of Section 23-40 shall be applicable in the following districts

1. Urban Residential - 1 (UR-1) District
2 Urban Residential - 2 (UR-2) District
3. Urban Residential - 3 (UR-3) District
4 Urban Residential Commercial - (UR-C) District

(e) Site Plan Review.

1. Application All site development plans shall be filed with the Superintendent of Building Inspection or his designated agent and shall be accompanied by such drawings, sketches and descriptions drawn to scale as is necessary to describe the proposed development.

2. Site Development Plan A site development plan shall indicate the following as appropriate to the nature of the use:

   a. Access to site from adjacent rights of way, streets and arterials;
   b. Parking and circulation areas;
   c Location of buildings and signs;
   d Entrances and exists; in relation to vehicular circulation,

e. Private and shared outdoor recreation spaces;
f. Pedestrian circulation,
g. Service areas for uses such as mail delivery, trash disposal, above ground utilities, loading and delivery;
h. Areas to be landscaped or screened;
i. Exterior lighting;
j. Any information regarding sublots or subdivisions;
k. Other site elements, spaces and information which at the discretion of the applicant will assist in the evaluation of site development.

3. Action on Site Development Plan Within ten business days following filing of the site development plan, the Superintendent of Building Inspection or his designated agent shall meet with the applicant to discuss the plan and indicate the general conclusions regarding the relationship between the plan and the criteria and standards listed in the applicable zoning district. The Superintendent of Building Inspection may consult with other city departments or agencies in reaching a decision regarding the general conclusions. If after ten (10) business days no action is taken by the Superintendent of Building Inspection or his designated agent, approval of the site development plan is assumed to be granted. Following receipt by the applicant of the conclusions pursuant to (e)4. above, the applicant when necessary shall submit a revised site development plan with the Superintendent of Building Inspection.

5 Decision on Site Development Plan The Superintendent of Building Inspection shall determine that a site development plan is approved, is disapproved, or approved with such modifications as may be consistent with the standards listed in the applicable zoning district. Any appeal regarding the determination of the Superintendent of Building Inspection shall be taken to the Zoning Board of Adjustment and shall be filed within 30 calendar days of the determination of the Superintendent

6. Conclusions. Within five business days following the determination regarding the site development plan, the Superintendent of Building Inspection or his designated agent shall inform the applicant and other persons who request the same. A recommendation on a site development plan shall include conditions, if any, and specific conclusions. The conclusions shall specifically address the relationships between the plan and the standards listed in the applicable zoning district

(f) Site Development Plan Review Guidelines.

To assist the applicant in the design of a particular development project and to assist the Superintendent of Building Inspection or his designated agent in the review of such a project the following guidelines are provided. Such guidelines are created

to insure that minimum standards established for each zoning district are achieved, that the conditions for any bonuses that may be approved are met, and that the general goals and objectives of the adopted Central Area Plan are accomplished.

1. Relation of Site Development Plan Elements to Environment.

   a The elements of the site development plan shall relate harmoniously with respect to building height, width, scale, and mass to the natural environment and existing buildings and structures having a visual relationship with the site.

   b Ground level uses and their design shall promote pedestrian scale activity and interaction by avoiding blank walls or dead end, non circulating open spaces which discourage pedestrian movement and activity

   c Any relationship between the ground level and over or under ground retail malls shall promote public access and pedestrian scale and activity.

2. Bonuses Where appropriate the elements of the site development plan shall demonstrate that the conditions for the granting of any bonuses that may be available in any zoning district have been met.

3. Pedestrian and Vehicular Circulation and Parking. The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to enhance safety and convenience.

4 Screening and Landscaping The screening and landscaping requirements imposed by the various zoning districts shall serve to insure that areas, structures and facilities for storage, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed to minimize visual adverse impacts on the site and neighboring properties.

5. Utilities All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

6. Signs and Graphics The location, lighting and movement of all exterior signs, graphics or other informational or directional features shall comply with all applicable ordinance requirements

(g) Design Guidelines

Guidelines designed to assist applicants in developing site development plans intended to achieve desired goals may be adopted by the Planning Commission

(h) Minor Exception Yard Requirements.

In conjunction with this section, a minor exception to the minimum yard standards for the districts listed in Section 23-40(d) may be approved as a Special Use Permit in accordance with Section 23-36.9

(i) Amendments to Approved Plan.

Amendments to an approved site development plan shall be processed in a manner consistent with requirements for approval of a final site development plan

(j) Compliance With Approved Plan

Development of any site or project for which a site development plan has been approved shall comply with the provisions, conditions, and restrictions of the approved plan. Failure to comply with any such provisions, conditions or restrictions shall be considered a violation of the zoning ordinance.

(k) Relationship to Other Ordinances. This section shall not only govern the site plan provisions contained herein, but shall also serve to coordinate the review and approval of other required permits.

20. Amend Article III Division 3 Conditional Zoning Districts and Special Use Permits Sec 23-36 9 by deleting said section in its entirety and replacing the same to read as follows

"Section 23-36 9 Minor Exceptions· Yard Requirements:

(a) Special Use Requirements In conjunction with Section 23-40 and other appropriate provisions of this chapter certain minor exceptions as herein defined may be permitted as a Special Use Permit. For purposes of this section a minor exception shall be limited to the specific items contained herein and is intended to be used to facilitate development or site arrangement in accordance with Section 23-40. It is not intended to be confused with or used as a variance as described in Section 23-95 No minor exception shall be greater than twenty-five percent of the requirement from which the exception is granted. The following standard or requirement may be considered for a minor exception

(1) Dimensional standards for yards as required in the primary district.

(b) Application An application for a minor exception as a special use shall be submitted and reviewed in accordance with Section 23-36.

(c) Findings As a prerequisite to approval of an application for this special use, the City Council shall find that the facts submitted with the application and presented at the hearing establish the following.

1. In the case of a minor yard exception, the City Council shall find that approval will result in at least one of the following.

   a. more efficient use of the site;
   b. preservation of natural features; or
   c. improved provision of light, air and privacy to adjoining properties.

(d) City Council Approval Following City Council approval of a Special Use Permit application the Special Use Permit shall be issued.

21 Amend Article III Division 5 Mixed Use and Urban Districts by retitling said Division to Urban Districts.

22 Amend Article VII Division 1 Superintendent of Building Inspection. Sec 23-86 by deleting the following language at the end of the first sentence.

"except that the Superintendent of Building Inspection shall refer any required site development plan as defined in Section 23-40 to the Planning Director to determine whether or not the site plan meets the standards of said section before issuing any required permit."

23. Amend Article II Division 1. Purpose of Zoning Districts Sec. 23-5.1. Mixed Use District by deleting said section in its entirety.

24 Amend Article II Division 1 Purpose of Zoning Districts Sec. 23-6. Business Districts by deleting paragraph (c) UB Urban Business District.

25 Amend Article III Division 3 Conditional Zoning Districts and Special Use Permits Sec 23-38 Urban Residential Districts by deleting said section in its entirety

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

APPROVED AS TO FORM·

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19 ____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at page _____.

Ruth Armstrong,
City Clerk

#2a

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "JOHN JAMISON HOUSE" AND THE LAND ASSOCIATED THEREWITH AS HISTORIC PROPERTY, AT 802 PROVIDENCE ROAD, IN THE CITY OF CHARLOTTE, NORTH CAROLINA, AND RECORDED ON PARCEL NUMBER 155-051-06 IN THE MECKLENBURG COUNTY TAX OFFICE

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met, and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at the joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the _____ day of _____, 19____, on the question of designating the property known as the "John Jamison House' as historic property, and

WHEREAS, the house is the oldest house which survives in Myers Park, the elegant streetcar suburb designed by John Nolen, and

WHEREAS, the "John Jamison House' is the only dwelling of rusticated granite construction in the original section of Myers Park, and

WHEREAS, John M Jamison, the original owner, was a hotelier of regional importance, and

WHEREAS, the grounds of the "John Jamison House" retain their original ambience, and

WHEREAS, the property known as the "John Jamison House" is vested in fee simple to Mutual Savings and Loan Association

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

1 That the property known as the "John Jamison House" and the land associated therewith, is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 802 Providence Road, in Charlotte, North Carolina, as recorded on Parcel Number 155-051-06 in the Tax Office of Mecklenburg County, North Carolina

2 That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An Application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted

3 That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

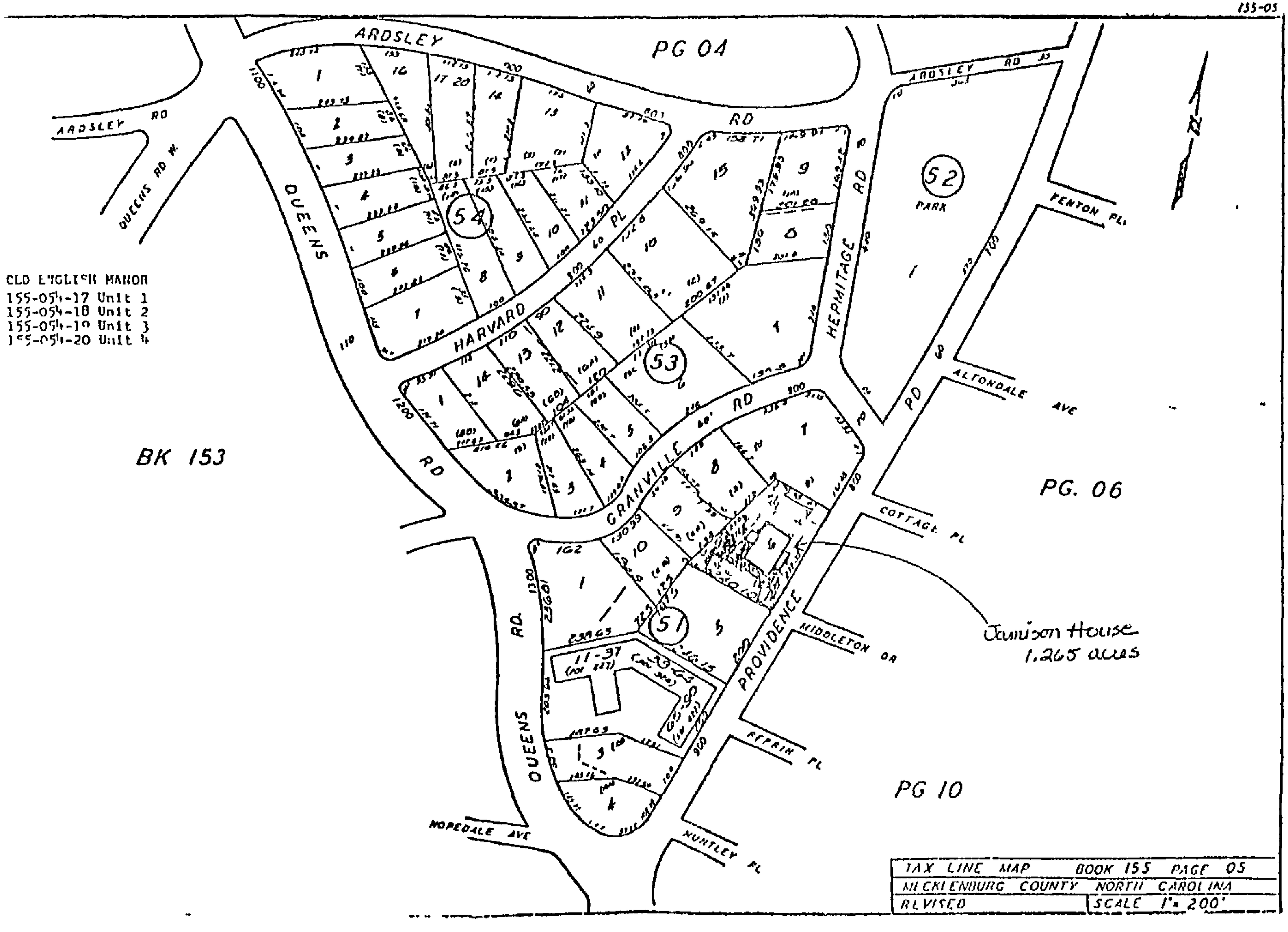
4 That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information If the owner consents, the sign shall be placed on said property If the owner objects, the sign shall be placed on a nearby public right-of-way

5 That the owners and occupants of the property known as the "John Jamison House" be given the notice of this ordinance as required by applicable law, and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law

5 That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form

City Attorney


ARDSLEY
PG 04
ARDSLEY RD
QUEENS RD W
QUEENS
HARVARD
PL
HEPMITAGE
RD
ARDSLEY RD
52
PARK
FENTON PL
ALTONDALE
AVE
PD
GRANVILLE
RD
BK 153
PG. 06
COTTAGE PL
PROVIDENCE
MIDDLETON DR
Jamison House
1.265 acres
FERRIN PL
PG 10
HOPEDALE AVE
HUNTLEY PL
54
53
51
OLD ENGLISH MANOR
155-054-17 Unit 1
155-054-18 Unit 2
155-054-19 Unit 3
155-054-20 Unit 4
TAX LINE MAP BOOK 155 PAGE 05
MECKLENBURG COUNTY NORTH CAROLINA
REVISED
SCALE 1" = 200'

24

#3

Request for Council Action

Charlotte

October 20, 1981
Date

To the City Manager

From Don Carroll, Chairman, Environmental Health & Protection Committee

Action Requested Recommend approval of the proposed Equal Employment Opportunity Affirmative Action (EEO/AA) and Minority/Women's Business Enterprise (M/WBE) Plan for Construction and Procurements dated September 15, 1981, with amendments outlined below

The Environmental Health and Protection Committee recommends to City Council

1. That the "Proposed Equal Employment Opportunity/Affirmative Action (EEO/AA) and Minority/Women's Business Enterprise (M/WBE) Plan for Construction and Procurements" dated September 15, 1981, be approved with pages 1, 4, 7, 9, and 19 amended as shown in attachments, and

2. That the following goals be approved for FY 82

Construction	
Minority Business Enterprise	-15%
Women's Business Enterprise	- 2%
Procurements	
Minority Business Enterprise	- 5%
Women's Business Enterprise	- 2%

And that City staff be encouraged to exceed these goals to the extent possible without incurring unreasonable additional costs

A RESOLUTION REQUESTING THAT THE CITY COUNCIL ENDORSE THE PROPOSED EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION (EEO/AA) AND MINORITY/WOMEN'S BUSINESS ENTERPRISE (M/WBE) PLAN FOR CONSTRUCTION AND PROCUREMENT

WHEREAS, it is the policy of the City of Charlotte to provide minorities and women equal opportunity for participation in all aspects of the City's contracting and procurement program, including but not limited to employment, construction development projects, materials/services contracts and/or lease agreements, consistent with the laws of the State of North Carolina, and

WHEREAS, it is further the policy of the City of Charlotte to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap or veteran's status, and

WHEREAS, it is also the policy of the City of Charlotte to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve any and all claims of such discrimination, and

WHEREAS, the City of Charlotte reaffirms its commitment to these policies by aggressively seeking to assure that minority and women's business enterprises have access to the City's contracting and procurement programs,

NOW, THEREFORE, BE IT RESOLVED, THAT City Council of the City of Charlotte endorses and approves the Environmental Health and Protection Committee's proposed Equal Employment Opportunity/Affirmative Action (EEO/AA) and Minority/Women's Business Enterprise (M/WBE) Plan for Construction and Procurements" dated September 15, 1981, and approves the amendments to pages 1, 4, 7, 9 and 19 as stated and further approves the following goals for Fiscal Year 1982

CONSTRUCTION	
Minority Business Enterprise	-15%
Women's Business Enterprise	- 2%
PROCUREMENTS	
Minority Business Enterprise	- 5%
Women's Business Enterprise	- 2%

And that City staff be encouraged to exceed those goals to the extent possible without incurring unreasonable additional costs

RESOLVED, this_____day of_____, 1981.

Approved as to form

Henry W. Underhill Jr.

By Henry W. Underhill, Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the forgoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____day of_____, 1981, the reference having been made in the minutes of the meeting in Minute Book_____, and recorded in full in Resolutions Book _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the_____day of_____, 1981.

_____
Ruth Armstrong, City Clerk

A. POLICY STATEMENT

It is the policy of the City of Charlotte to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to employment, construction development projects, materials/services contracts and/or lease agreements, consistent with the laws of the State of North Carolina. It is further the policy of the City of Charlotte to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap or veteran's status. It is further the policy of the City of Charlotte to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve any and all claims of such discrimination. This policy will be coordinated by the Assistant City Manager for Minority/Women's Business Enterprise (M/WBE) and implemented by the Director of Purchasing, City departments administering construction programs and those City departments providing staff services to the M/WBE effort. Circulation of this policy statement will include City of Charlotte department heads, local newspapers, M/WBE newspapers, M/WBE trade associations, technical assistance agencies and minority economic development groups.

Mayor, City of Charlotte

B. ADMINISTRATION OF THE M/WBE PLAN

The City manager is hereby authorized to take all usual and legal administrative actions necessary to implement this plan. Notwithstanding any specific assignment contained in the plan, the ultimate responsibility for its administration is assigned to the City Manager.

The City Manager will designate an Assistant City Manager for M/WBE to be responsible for coordinating and managing this program. Except for those staff services specifically assigned by this plan to other departments, the heads of those departments responsible for construction and the Director of Purchasing shall be fully responsible to the Assistant City Manager for M/WBE for implementing the EEO/Affirmative Action and Minority/Women's Business Enterprise Plan (M/WBE)

As described in this plan, the following departments shall provide staff services to the operating departments: City Attorney, Community Develoment, Community Relations and Personnel.

This plan shall apply to all construction and procurement programs administered by the City of Charlotte, except for the Airport Construction program managed by Day and Zimmerman, Inc. The provisions of this plan take precedence over any departmental plans or procedures in conflict herewith, except for specific requirments mandated by the terms or conditions of agreements in force between the City and the federal government or the State of North Carolina that require different procedures than those described in this plan. Such federal regulations are outlined in the appendices to this plan.

6. Use of Goals

Goals will be established for M/WBE participation in City Contracts.

Goals will be based upon the type of contract to be awarded and a projection of the number and types of M/WBEs likely to be available to compete for contracts. M/WBEs in the same georgraphic area in which contractors or subcontractors generally are to be solicited shall be considered in the setting of goals. Separate goal will be set for firms owned and controlled by minorities (MBEs) and for firms owned and controlled by women (WBEs).

For FY 82 the following goals are established:

Goal for MBE participation in City construction projects____
Goal for WBE participation in City construction projects____

Goal for MBE participation in City procurement programs___
Goal for WBE participation in City procurement programs___

Goals for each continuing construction program (such as sidewalk construction, street repair or pavement) will be set by City Council at the beginning of each fiscal year upon recommendation of the City Manager. Should circumstances require variance from this goal, the director of the contracting department will set differing project goals so that the overall program goal will be achieved to the extent possible by the end of the fiscal year.

Overall goals for distinct construction projects such as the proposed transit mall will be set by City Council upon recommendation of the City Manager. Goals for each bid package will be set by the director of the contracting department so that the total project goal set by City Council will be met to the extent possible.

The City will publish a notice announcing annual construction program goals and overall goals for distinct projects and announcing that a description of how they were determined will be available for inspection during normal business hours at the Office of the City Clerk for 30 days following the date of the notice, and informing the public that the City and appropriate federal agencies will accept comments on the goals for 45 days from the date of the notice. The notice will include addresses to which comments may be sent, and will be published in a newspaper of general circulation and in any available minority focus newspaper and in trade association publications, and will state that the comments are for informational purposes only. A copy of the form for a public notice is shown in the Appendix.

Each contractor will be required to use its best efforts to ensure that M/WBEs shall have an equal opportunity to participate in the performance of contracts and subcontracts associated with the City.

In advertising for procurement and construction bids, the City shall specify as a goal a percentage of the total dollar value of the contract to be subcontracted to M/WBEs.

- American Indian and Alaskan Native (a person having origins in any of the original peoples of North America).

A minority or women's business enterprise (M/WBE) is a business which is at least 51% owned and controlled by minority group members or women. A M/WBE is bona fide only if the minority group or female ownership interests are real and continuing and not created solely to meet the M/WBE requirement. In addition, the M/WBE must itself perform satisfactory work or services or provide supplies under the contract and not act as a mere conduit. In short, the contractual relationship must also be bona fide.

The phrase "owned and controlled" as used in this definition means a business which is (1) a sole proprietorship legitimately owned by an individual who is a minority or female, (2) a partnership or joint venture controlled by minorities and/or females, and in which at least 51% of the beneficial ownership interests legitimately are held by minorities and/or females, (3) a corporation or other entity controlled by minorities and/or females, and in which at least 51% of the voting interests and 51% of the beneficial ownership interests are legitimately held by minorities and/or females. In addition, these persons must control the management and operation of the businesses on a day-to-day basis.

To ensure that its M/WBE program benefits firms owned and controlled by minorities and/or women, the City shall certify the eligibility of M/WBEs and joint ventures involving M/WBEs. A copy of application forms for certification as an M/WBE contractor is shown in the Appendix. In order to receive certification as an M/WBE firm in this program, the completed Schedule A or B must be submitted prior to contract award.

The following standards will be used by the City in determining whether a firm is owned and controlled by one or more minorities and/or women and is therefore eligible to be certified as an M/WBE.

- Bona fide minority group membership shall be established on the basis of the individual's claim that he or she is a member of a minority group and is so regarded by that particular minority community. However, the City is not required to accept this claim if it determines the claim to be invalid.

- An eligible minority business enterprise under this part shall be an independent business. The ownership and control by minorities and/or women shall be real, substantial, and continuing, and shall go beyond the pro forma ownership of the firm as reflected in its ownership documents. The minority and/or women owners shall enjoy the customary incidents of ownership and shall share in the risks and profits commensurate with their ownership interests, as demonstrated by ~~an examination of~~ the substance rather than the form of arrangements. Recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for recognition as an M/WBE. In determining whether a potential M/WBE is an independent business, the City shall consider all relevant factors, including the date business was established, tax returns, the adequacy of its resources for the work of the contract, and the degree to which financial, equipment leasing and other relationships with non-minority firms vary from industry practice.

- The minority and/or women owners shall also possess the power to direct or cause the direction of the management and policies of the firm and to make

Once certified, an M/WBE shall update its submission annually by submitting a new Schedule A or certifying that the Schedule A on file is still accurate in ownership or control of the firm. If ownership or control of the firm has changed, the M/WBE shall submit a new Schedule A.

The denial of a certification by the City shall be final for that contract and other contracts being let by the City at the time of the denial of certification. M/WBEs and joint ventures denied certification may correct deficiencies in their ownership and control and apply for certification only for future contracts.

9. Other Requirements of Contractors*

a. The City encourages and, when specified by federal regulations, requires that contractors develop procedures that would permit M/WBE firms to participate without the necessity of obtaining separate surety bonds, if required. Proposed procedures to accomplish this will be resolved and agreed upon by the City and prospective contractors prior to awarding of the contract and such procedures shall be incorporated in the final contract documents if the prospective contractor is the successful bidder.

b. The City encourages and, when specified by federal regulations, requires that contractors make every reasonable effort to make technical assistance, such as engineering expertise, available to M/WBEs to assist in the upgrading of M/WBE capabilities.

c. The City encourages and, when specified by federal regulations, requires that contractors shall make bulk purchases whenever possible to reduce the capital requirements of its M/WBE subcontractors.

d. When a subcontractor is unable to perform successfully, the contractor must provide M/WBEs an equal opportunity to replace the non-performing subcontractor. The City will approve all substitutions prior to contract award and during contract performance.

e. The City will comply with and require all contractors to comply with all applicable federal and state laws, regulations and guidelines containing EEO/AA and M/WBE requirements. (See Appendix.).

f. The City will require contractors to report all suspected instances of companies fraudently claiming M/WBE status in order to unjustly benefit from the requirements of this Plan.

g. Contractors will be required to furnish regular reports and information sufficient to allow the City to determine that federal and state requirements are being met by the contractor. Contractors will, in good faith, cooperate with the City in attempts to resolve any complaints of discrimination made against the contractors.

10. Reasonable Efforts to Provide Equal Opportunity to M/WBEs

To demonstrate sufficient reasonable efforts to provide M/WBEs equal opportunity to participate in the contract, a contractor will document the steps it has taken to provide such opportunity, including but not limited to the following:

*When any of the following are required, they shall be included in the instructions for bids and contracts as will all other M/WBE and EEO/AA requirements.

3. The City will submit reports conforming in frequency and format to existing contract reporting requirements.

These reports will include as a minimum:

a. The number of contracts awarded to M/WBEs;

b. A description of the general categories of contracts awarded to M/WBEs;

c. The dollar value of contracts awarded to M/WBEs;

d. The percentage of the dollar value of all contracts awarded during this period which were awarded to MBEs; and

e. An indication of the extent to which the percentage met or exceeded the goal specified.

4. The records and reports will provide information relating to firms owned and controlled by minorities separately from information relating to firms owned and controlled by women. If the records and reports include any contractors that are not minorities or women, information concerning these contractors will also be recorded and reported separately.

L. ASSIGNMENT OF RESPONSIBILITIES

1. Assistant City Manager for M/WBE

The City Manager will designate an Assistant City Manager for M/WBE to be responsible for coordinating and managing this program, whose duties will include:

a. Compliance with Federal and State requirements.

The Assistant City Manager for M/WBE will take action to assure that all applicable federal and state regulations relating to AA/EEO and M/WBE requirements, including the setting of goals for M/WBE participation, are met by the City's procurement and construction programs These will include but not be limited to. Executive Order 11246, Department of Labor Goals and Timetable for Female and Minority Participation in the Construction Industry, Part IV, 1978 and Part 60-2; Affirmative Action Programs, Office of Federal Contract Compliance.

b. Achievement of Goals.

The Assistant City Manager for M/WBE will review with department heads respoonsible for construction contracts and with the Purchasing Director reports of achievement of goals and, if necessary, take action to assure that goals will be met to the extent possible. Problems which are likely to prevent goal achievement will be brought to the attention of the City Manager as expeditiously as possible.

#4

Charlotte Mecklenburg Historic Properties Commission

To: City Council

From: Dr. Dan L. Morrill, Director DLM

Date: October 16, 1981

Re: Recommendations Regarding Preservation of the Old Little Rock A.M.E. Zion Church.

Background. On December 15, 1980, City Council approved the allocation of $2235.50 for an adaptive re-use feasibility study of the Old Little Rock A.M.E. Zion Church at 7th and N. Myers Sts. in First Ward. The Historic Properties Commission contributed $500, and the National Trust for Historic Preservation contributed $2000 under a Consultant Services Grant. The consultant, Mr. Frank Inabinet, met on two occasions with a local steering committee and also talked with interested parties in the business community, the neighborhood, and the governmental sector. On the basis of the information derived therefrom and drawing upon his substantial experience in historic preservation, Mr. Inabinet has made a preliminary finding that the Old Little Rock A.M.E. Zion Church should serve as new headquarters for the Afro-American Cultural Center (see enclosed report). Dr. Herman E. Thomas, Chair-of the Board of the Afro-American Cultural Center, has expressed extreme interest in the prospect (see enclosed letter). Mr. Inabinet will present his findings to Council on October 26, 1981.

Recommendations. At its meeting on October 14, 1981, the Historic Properties Commission approved the following recommendations for presentation to City Council.

1) that Council undertake all measures necessary to provide maximum security for the building once the congregation vacates it later this year.

   Justification. Rev. William White, minister of Little Rock A.M.E. Zion Church, informs me that the congregation will move to the new building in late November or early December 1981. Once vacant, the structure will become extremely vulnerable to vandalism, thereby escalating the cost of renovation should it occur. Prudence dictates that maximum security be provided for the building while a preservation solution is being sought.

2) that Council vigorously pursue the preservation of the structure and that it refer Mr. Inabinet's preliminary findings to the Community Development Committee of Council.

   Justification. Obviously, there are many questions to be faced. Efforts are already underway to involve the private sector in active support of the preservation of the structure. Organizational efforts have begun in the black community. The possible implications for other cultural organizations must be care-

3500 SHAMROCK DRIVE CHARLOTTE N C 28215 (704) 332 2726

fully assessed. The potential fee-for-service income of the building must be estimated. Finally, the on-going financial implications for the City must be calculated.

The Community Development Committee of the Council has the primary responsibility for overseeing the future of First Ward. It was also the committee which sought a design for the widening of 7th Street which would not require the destruction of Old Little Rock A.M.E. Zion Church. Consequently, it would appear most appropriate to refer Mr. Inabinet's recommendations to the Community Development Committee.

Frequently asked questions.

1. How much would it cost to refurbish Old Little Rock A.M.E. Zion Church?

   There is no way to determine exactly what it would cost until work is actually begun. Mr. Inabinet believes that the cost would range from $160,000 to $250,000. The building contains, excluding the balcony, 6671 square feet. Consequently, the renovation cost per squre foot would range from $23.98 to $37.48 (excluding the balcony).

2. What are the utility costs for the building?

   The following figures were supplied by Old Little Rock A.M.E. Zion Church.

	1979	1980
Electricity	$1,065.84	$1,164.61
Water	194.81	278.91
Heat (Gas)	1,341.50	1,193.98
	$2,602.15	$2,637.50

3. Who owns the Old Little Rock A.M.E. Zion Church?

   The City of Charlotte purchased the building in August 1979 for $177,500.

4. How much money does the City contribute to the Afro-American Cultural Center?

   The City contributes $9000 of the Center's total budget of approximately $65,000.

5. How much rent does the Afro-American Cultural Center pay to Spirit Square?

   Approximately $7200.

6. What other cultural facilities does the City support or partially support?

   Thompson Orphanage Chapel -- approximately $6000 per year.
   Mint Museum of History & Art -- approximately $86,000 per year.
   Dowd House -- $40,000 for exterior restoration and $5000 per year for maintenance.
   Discovery Place -- initial outlay of $225,000.
   Spirit Square -- payment of debt service

FEASIBILITY STUDY

LITTLE ROCK A.M.E. ZION CHURCH

SUMMARY OF FINDINGS AND RECOMMENDATIONS

A feasibility study by Inabinet Associates, Inc. was prepared for the Charlotte Mecklenburg Historic Properties Commission to determine the most appropriate adaptive reuse of the Little Rock A.M E. Zion Church in Charlotte. This summary provides in outline of the preliminary recommendations of that study.

Background

The Little Rock A.M.E Zion Church was constructed in 1910 and 1911 based on plans prepared by noted Charlotte architect J.M McMichael. Some of McMichael's other accomplishments in the City of Charlotte include the Myers Park Presbyterian Church, St. John's Baptist Church, East Avenue A.R.P. Church and the First A.R P. Church. Since its construction the Little Rock Church has been an important part of the black community in Charlotte and First Ward in particular. The church building itself is significant because of its architectural history, its religious history and its historical value to the local black community.

In recent years the Little Rock congregation decided to construct a larger and more contemporary church building in the block adjacent to the old Little Rock Church. That building is now nearing completion. The City of Charlotte has acquired ownership of the old Little Rock Church building and the surrounding property. The City intends to widen 7th Street which is adjacent to the church and to develop a park across 7th Street as a part of its plan for the continued redevelopment of the First Ward area. The City and the Historic Properties Commission decided to commission this study to determine the most appropriate adaptive reuse of the church's structure to enable it to continue as an integral part of the community.

Existing Conditions

With plans for the development of the above mentioned park, the new Little Rock Church building, the nearby Earl Village community building and the surrounding Earl Village residential community it is obvious that the old Little Rock Church will continue as a highly visable focal point. With structural rehabilitation and appropriate use the church building could serve as a vital stimulating element in the growth and development of First Ward.

The existing structure has deteriorated somewhat over the years because of the toll taken by time and the natural elements. The beautifully designed structure now suffers water damage as a result of a leaky roof, deteriorated gutters and downspouts, damaged architectural cornices, and stained walls caused by the abuses of pigeons and the weather.

The building appears to be structurally sound with damage occuring primarily on the roof and the woodwork exposed to the elements such as the cornices, twin cupolas, front portico and columns. The roof and woodwork can be repaired and restored to its original elegance. The brick work and stone work on the exterior can also be cleaned to remove the stains. The water damage on the interior and the aging that has occured over the years can also be corrected and restored to resemble its original condition.

Opportunities

During the study a detailed analysis was performed to determine the opportunities available for the adaptive reuse of the structure. As a part of this analysis an assesment was made of the needs in the First Ward Community. Many needs became evident through in-depth discussions with local community leaders, city officials, community educators, church leaders, business leaders and others in the Charlotte area It was concluded that any new use of the Church's structure should be closely attuned to the needs of the local First Ward Community.

As for specific needs, it was determined that there is a need for meeting space for local residents to hold community meetings, police safety demonstrations, group discussions, classes and other related group gatherings. It was also determined that there is a crying need for facilities for the elderly as well as day care facilities for children in the community. There is also a need for space to conduct college programs and classes in the community for residents and students. The classes could include sewing, singing, music, remedial subjects and tutorial sessions. In addition, there is an obvious need for library facilities in the community. General library facilities are needed for the young as well as facilities related to local black history and history of religion in the area.

There is also a need for new facilities to house the Afro-American Cultural Center in Charlotte. This agency now occupies space in Spirit Square which is inadequate for its needs. The needs of the Afro-American Cultural Center include meeting and performing space in an auditorium with at least 100 seats in order to accomodate the performing arts, lectures, programs, classes and children's self expression work shops. The Center also needs classroom space for at least three (3) classes of 15 students with the flexibility to combine this space to one class for 45 students. In addition, there is a need for permanent exhibit space for display of artifacts and traveling exhibits, a work space and storage space for artifacts and exhibits, office space, conference rooms, and library facilities to serve as a resource center.

Ideally all of these needs for the community could be accomodated in the adaptive use of the Church. However, the physical space limitations of the building and other constraints will not allow the accomodation of all of these needs. Through the careful analysis of space requirements, access patterns, community growth patterns, and the opinions of local residents and community leaders it was determined that the most appropriate adaptive reuse of the structure would be to serve as the new home of the Afro-American Cultural Center. The needs of the Center can be accomodated almost perfectly in the renovated structure.

Concept Plan

As a first step in the renovation of the historic structure it will be necessary to repair the damage and deterioration which has occured over the years. This will involve repairing the slate roof and all of the damaged woodwork. In addition, new gutters, down spouts and new portions of the tin roof will be required. The brick work and stone work on the exterior of the building should then be cleaned and the woodwork repainted. All of these improvements can be accomplished through standard design and construction techniques. The structure should be carefully analyzed to determine that no significant structural deficiencies exist as a result of water damage.

As for interior spaces, it is recommended that the architectural integrity of the main auditorium area be preserved and that this exciting space not be altered with partitions or other large elements. It is suggested that the space essentially continue to serve as an auditorium area as well as exhibition space. In order to do this it is suggested that the platform and chancel near the choir be retained as a performance platform in the new space. It is also suggested that the small row of pews along the two exterior walls be removed and that exhibit alcoves be created to house the permanent exhibits of the Cultural Center. It is then recommended that the center row of pews be removed to provide an area with the flexibility to accomodate movable seating for performances, or with the removal of this seating, an area for temporary displays and exhibits. Thus, the entire auditorium area would be a flexible space to accomodate local community meetings, performances staged by the Cultural Center, classes, and permanent and temporary exhibits.

As for the basement floor it is suggested that this area be converted to accomodate administrative offices, meeting rooms, and classrooms for the Cultural Center. The basement area can easily accomodate offices for the executive director and assistant director, secretarial areas, a conference room, a work space and exhibit storage area, three classrooms with 15 seats each, library facilities and a supplies and storage area. Restrooms in the basement can also be renovated to serve the Center. It is also suggested that additional access to the auditorium floor be provided through a stair and dumbwaiter to move exhibits and artifacts between floors.

Essentially the renovation will include the restoration of the exterior and interior spaces. New floor coverings should be provided and new partitions provided as planned for the basement area. The existing heating system should be adequate for several years, but a new central air conditioning system will be required. Also, a complete new electrical system will be required for the structure. Of great assistance in the restoration will be the original drawings prepared by McMichael, which should serve as an excellent guide in the restoration.

A very preliminary cost estimate would indicate that the improvements recommended can be accomplished for approximately $160,000.00. It is emphasised that this cost estimate is preliminary and could vary significantly following the preparation of more detailed plans or the discovery

of any structural deficiencies or damage which is not now readily apparent.

Implementation

It would appear that the most appropriate agency to undertake the renovation would be the City of Charlotte. The City now owns the structure. There is also precedence since the City has funded the construction and renovation of a number of other public facilities. It is also strongly suggested that consideration be given to transferring existing HUD funds which are part of a close-out grant for First Ward earmarked for public improvements. The restoration of the church structure would be a significant public improvement which will be a vital element in the rehabilitation and the continued growth and development of First Ward. The building will serve as a focal point of the community and a stimulus for additional new development.

Following the renovation the facility could then be leased by the City to the Afro-American Cultural Center. It may be possible for the City of Charlotte then to fund the operating cost and maintenance of the structure just as the City does for a number of other public facilities.

Afro-American Cultural Center
110 E Seven h St • Spin Square
Charlotte North Carolina 28202
(704/374 1565)

October 13, 1981

Dr. Dan Morrill, Director
Charlotte Historical Properties Commission
3500 Shamrock Drive
Charlotte, North Carolina 28215

Dear Dr. Morrill:

Thank you for your letter of October 7th, informing me that Little Rock A.M.E. Zion Church Adaptive Reuse Feasibility Study will be presented to the City Council on October 26, 1981. This letter is written to let you know that the Afro-American Cultural Center is extremely interested in the building being retained, refurbished by the City, and used as headquarters for the Center. The Board of Directors of the Afro-American Cultural Center will take up the matter of the Little Rock A.M.E. Zion Church at its regularly scheduled meeting on October 21, 1981. The Long-Range Planning Committee of the Board is in the process of developing a long-range document which includes an expressed need for additional space in which to carry out the goals and objectives of the Center.

Recent conversations with leaders and interested parties in the Black community indicate a very strong desire to see the Little Rock Church used as the Cultural Center. I am planning to seek board support in making the Little Rock Church headquarters for the Center. I and other supporters will attend the October 26 meeting of the Council.

I will talk with you more as we move toward our goal. Thank you for your continued cooperation.

Sincerely yours,

Herman E. Thomas

Dr. Herman E. Thomas
Board Chairman

HET/d
CC: Mr. Harvey Gantt
Mr. Don Carroll
Mr. Charlie Dannelly
Mrs. Shirley Farrar
Mr. Ron Leeper

Charlotte Mecklenburg Historic Properties Commission

September 29, 1981

Mr. O. Wendell White
City Manager
City of Charlotte
600 E. Trade St.
Charlotte, N C 28202

Dear Mr. White

I wanted to bring you up to date on the Commission's efforts to develop a preservation strategy for the Old Little Rock A.M.E. Zion Church on E. Seventh St. Earlier this year the City Council joined with the National Trust for Historic Preservation in funding an adaptive re-use study of the building. The consultant, Mr. Frank Inabinet, has met with local business and civic leaders, has assessed developmental plans for First Ward, and has examined the building itself. He has determined that the principal tenant of the building should be the Afro-American Cultural Center.

I need to move forward with presenting Mr. Inabinet's findings to City Council. I would appreciate your advice as to the best format in which this presentation could occur.

Finally, I wanted to inform you of the absolute necessity of developing a mechanism by which the old church will be made secure once the congregation leaves the building. I do not know the exact date when this will happen, but it will probably occur in late November, certainly before Christmas. Mr. Inabinet has determined that the building can be refurbished for approximately $160,000. That figure, however, will soar if vandals get into the building. Maximum security will have to be provided. Again, I need your assistance and advice regarding this matter.

As always, I appreciate your support of the work of the Commission.

Sincerely,

Dan L Morrill

Dr. Dan L. Morrill
Director

cc: Ron Leeper

3500 SHAMROCK DRIVE CHARLOTTE N C 28215 (704) 332 2726

#5

Request for Council Action

Charlotte

To the City Manager

From K C Burningham Jr., Airport Manager

October 8, 1981
Date

Action Requested

Approval of Five Year Non-Exclusive Lease with Thurston Aviation Inc. to Operate Fixed Base Operation Facilities at the Charlotte Airport

On April 12, 1979 the City Council adopted a report entitled Fixed Base Operations Report prepared by Arnold Thompson calling for the upgrading of general aviation service facilities. Council authorized the Finance Director and Airport Manager to prepare a Financial Feasibility Analysis.

The Financial Feasibility Analysis was presented to and adopted by the City Council on December 8, 1980. Council authorized the Airport Manager to implement the program by selecting and recommending a qualified fixed base operator to City Council for its approval.

The Airport Department solicited proposals from all concerned candidates and interviewed ten operators with the Airport Advisory Committee. Thurston Aviation was selected based on its qualifications and the highest minimum guarantee of $1,180,000 annually.

Important provisions of the lease require the City to construct the facility, including taxiways, ramps and buildings, ready for occupancy, estimated at $5,000,000 and requires Thurston Aviation to operate the facilities offering the following services to the general aviation public:

1. Flight line service, including into plane delivery of aviation petroleum products.

2. Ramp assistance to all aircraft desiring to utilize facilities of the lessee.

3. Routine and special maintenance service for all types of aircraft.

4. Sale of aviation parts and accessories.

5. Executive terminal service, including telephones, offices, conference room, lounge, catering, on-premises snack facilities and flight planning assistance.

6. Vehicular transportation service.

7. Charter service.

For these rights and privileges Thurston Aviation will provide the above-named services at reasonable and competitive rates and will guarantee the City of Charlotte $1,180,000 annually. When other fixed base operations are approved, the City will establish a uniform set of fees and charges for all fixed base operators and revise the rentals required under the Thurston lease to be consistent with those uniform fees and charges for the remainder of the 5-year term.

Correspondence on the terms and conditions of this lease indicate that the Federal Aviation Administration is concerned that the City not enter into a lease with one fixed base operator to the exclusion of others (as prohibited by ADAP Grant Agreements). We have discussed this with the FAA officials and informed them that the City does not have any intentions of violating agreements with the Federal government and further that the proposed lease is not intended to constitute a commitment to allow Thurston to remain on the Airport for longer than the 5-year term, or to prevent other operators from competing with Thurston. To the contrary, by approving this lease, Council is being asked to implement only the first phase of a fixed base operations policy that from the outset has contemplated the existence of at least two facilities, and it may be that Council will be asked to approve the second facility even before construction of this facility has been completed. I propose that we again assure the Federal Aviation Administration (see my letter to FAA dated 9/4/81) that the City of Charlotte will negotiate with any potential qualified operators on a fair and reasonable basis to provide additional fixed base service on the Airport.

Since Thurston Aviation Inc. is owned by the Tyler Corporation of Dallas, Texas, we have required Tyler to guarantee the lease provisions as additional security to the City.

It is the recommendation of the Airport Department, concurred in by the Airport Advisory Committee, that the City Council approve the attached lease with Thurston Aviation Inc. for a five (5) year period and authorize the Finance Director to proceed with funding the project.

#6

Request for Council Action

Charlotte

October 12, 1981
Date

To the City Manager

From Tom Cox, Chairman, City Council Transportation Committee

Action Requested The City Council Transportation Committee Recommends Adoption of Service Standards for the Charlotte Transit System.

SUMMARY: Through adoption of the Service Standards for the Charlotte Transit System, Council will be establishing criteria against which the Department of Transportation can measure loading levels, frequency of service, on-time performance and reliability of service, bus stop locations, routing (directness of service), ridership levels, shelter and bench location, safety, and fleet equipment maintenance of the transit system.

BACKGROUND: In the past two decades, public transit has changed from a private utility to a municipal service for the urban population. More recently, public transit has been proposed as part of the solution for many-faceted social problems, environmental/pollution problems, and uptown revitalization.

The fact that a portion of the burden of rising costs of operation is transferred from transit passengers to the population at large, dictates that the Charlotte Transit System be operated with the highest efficiency. More importantly, to be effective in fulfilling its purpose as an instrument of civic betterment, the amount and quality of service offered must be sufficient to keep existing passengers and attract new ones.

In these times of extraordinary pressures on public resources, the Service Standards offer two real advantages. First, they lay out for the public who pays for the service, what they can expect in terms of route design, frequency, on-time performance, etc. from the system. The second major benefit is that the Service Standards establish criteria for making the difficult decisions on cutting back or eliminating unproductive service. While the standards themselves do not directly mandate elimination of service, they do constantly focus attention on those routes which are unproductive.

Recognizing the need for balance between the objectives of expanding the amount and quality of service and maintaining the highest efficiency of service within the limits of passenger revenue and public investment, the attached standards are proposed.

RESOLUTION ADOPTING SERVICE STANDARDS FOR THE CHARLOTTE TRANSIT SYSTEM

WHEREAS, the transportation of people and goods in the City of Charlotte is of utmost importance; and

WHEREAS, mass transit is one of the elements available to staff for planning a balanced transportation system for Charlotte; and

WHEREAS, in the early 1970's, there was a privately owned transit system operated in Charlotte which was decreasing service in an effort to continue operation without losing money; and

WHEREAS, the Charlotte City Council, upon concluding that the transit system was an element of transportation that should not be eliminated, sought and got approval from the citizens to purchase the system; and

WHEREAS, the City of Charlotte purchased the Charlotte Transit System in 1975; and

WHEREAS, it is the goal of the Charlotte City Council to have an efficient transit operation that provides maximum production at a minimum cost; and

WHEREAS, the use of the Charlotte Transit System continues to improve.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte in regular session duly assembled, adopts the attached document entitled "Service Standards for Charlotte Transit System" for use by the Charlotte Department of Transportation in improving, operating and maintaining the Charlotte Transit System.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

SERVICE STANDARDS
FOR
CHARLOTTE TRANSIT SYSTEM
(Current Status)

I. Loading

It shall be the goal of the Charlotte Transit System (CTS) to provide a seat for every rider except for during some peak demand times when some standees will be accepted, specifically:

A. Peak Hour Express Routes - 10 percent (5 Persons) standees during high demand periods will be acceptable.

B. Peak Hour Regular Routes - 25 percent (13 persons) standees during high demand periods will be acceptable.

C. Non-Peak Hour Regular Routes - 0 percent standees except for unusual circumstances.

CTS Status

All trips meet loading standards with the exception of one express route wh ch has recently begun to exceed the express route loading standard. This trip will be monitored for overloads and larger equipment and/or an additional bus used on the trip should the overload condition continue.

II. Headways - Frequency of Service

While frequency of service is to a major extent dictated by demand (ridership), certain minimal levels have proven to be attractive to riders, therefore, CTS will maintain the following headways:

A. Peak Hour Express Routes - Not Applicable

B. Peak Hour Regular Routes - 30 Minute Headway Will Be the Norm

C. Non-Peak Hour Regular Routes - 60 Minute Headways Will Be the Norm

CTS Status

All routes with the exception of one have headways that meet the peak hour frequency requirement of thirty minute service for base routes. The limited demand does not justify the additional service which would be required to meet the headway standard.

III. Reliability of Service/On Time Performance

Although shortages of manpower or equipment, breakdowns, or accidents may keep trips from operating, it is the goal of the Charlotte Transit System that 99.8 percent of all trips should operate. Further, that of those trips operating, 95 percent shall be on time during non-peak hours. For the purpose of this standard, on time is defined as any arrival time at a designated stop falling between the scheduled time and five minutes after the scheduled time. Arrivals before the scheduled time and five minutes after the scheduled time will not be accepted.

CTS Status

During the past FY-81, CTS met or exceeded the 99.8 percent goal in every month. On time performance averaged 96 percent for the twelve months ending June 30, 1981.

IV. Bus Stops

Bus stops will be located to optimize convenience and safety for patrons along the routes. On regular routes, the norm will be 700 feet or further apart (depending upon development) except in high density/high activity areas.

CTS Status

Except for express routes operating in low density areas, CTS meets this standard.

V. Routing

Routes will be designed to be as direct as possible so as to minimize travel time. A maximum coefficient of directness of 1.33 will be the accepted minimum. Exceptions for low productivity routes after thorough evaluation may be considered.

CTS Status

All routes except two meet the system's service standards for directness.

One route has high ridership levels and we have not received any complaints in regard to lack of directness. Riders are receiving 15 minute frequencies during the peak hour and these frequencies would be lost if the route were split apart to form more direct routes.

Route 39X just barely misses the system directness standard. The route was designed to link the Square and major apartment complexes along Central Avenue and Eastway Drive with UNCC. Directness was not considered to be a major goal of this route. To make this route more direct would require elimination of service to the very areas it was designed to serve.

VI. Route Evaluation - Ridership

Routes will be evaluated in the following five categories:

A. Express

B. Crosstown

C. Regular Weekday Base Service

D. Regular Saturday Service

E. Regular Weekday Peak Service

F. Regular Sunday/Evening Service

RIDERSHIP FOR SERVICE TYPE	RECOMMENDED ACTION
100 Percent of Average	None
80 - 100 percent of Average	Reviewed Annually for Unproductive Segments
Below - 80 percent of Average	Detailed Route Report Will Be Prepared Semi-annually With Recommendations of Changes or Discontinuance With Reports on the Removal of Any Route or Route Segment Being Forwarded to the Manager's Office for concurrence

CTS Status

Based on these criteria, the following percentage of routes meet or exceed the 80 percent of average system ridership:

SERVICE TYPE	PERCENT MEETING 80 PERCENT CRITERIA
A. Express	70 Percent
B. Crosstown	100 Percent
C. Regular Weekday Base Service	68 Percent
D. Regular Saturday Service	*
E. Regular Weekday Peak Service	70 Percent
F. Regular Sunday/Evening Service	47 Percent

* Insufficient Data Available

VII. Shelter and Bench Locations

When funds are programmed for the installation of shelters and benches, the following criteria will apply:

A. Shelters will be placed at stops with high passenger boarding counts the minimum being 50 passengers per day.

B. Benches will be considered for those stops with a minimum of 30 passengers per day.

CTS Status

We have placed 12 shelters and 12 benches around the City. According to our latest passenger boarding data, another 24 sites would warrant shelters, however, three of these would be served by the new transit mall. Another 20 sites would qualify for bench placements.

VIII. Safety

It shall be the goal for traffic and passenger accident rates to be below the national average at any given time.

CTS Status

The latest national statistics show CTS's collision accidents per million miles, 45, to be well below the national average of 58-67 accidents per million miles.

IX. Fleet Equipment Maintenance

Buses used in revenue service shall be cleaned daily inside and outside. Inspection will be carried out every 3,000 (minor) and 9,000 (major) miles. During summer months, 90 percent of the air conditioners shall be operational. Road calls shall be less than one for every 4,000 miles of operation.

CTS Status

During FY-81, 405 major inspections (9,000 miles) were scheduled and 405 were completed. Road calls averaged one every 6,400 miles of operation. During May, 1981, our A/C availability fell below 90 percent, but by the end of June we were back up to 90 percent.

X. Special Needs

When special characteristics are identified that warrant service by transit, the above service standards will be waived to provide transportation in compliance with other City policies.

CTS Status

None at this time.

OMK #2

Request for Council Action

Charlotte

To the City Manager

October 12, 1981
Date

From Tom Cox, Chairman, Council Transportation Committee

Action Requested Request Council Adopt Proposed Taxicab Ordinance, a Revision to the Taxicab Section of the City Code.

SUMMARY

After extensive public discussion with fleet owners, individual owners and the drivers, and in consideration of the interest of the general public, a proposed revision to the taxicab section of the City Code has been developed which carefully balances the interests of each group. The approval of the ordinance should bring needed improvements to service for Charlotte, as we become a major metropolitan area.

BACKGROUND

After the transit drivers strike of 1978, it became increasingly apparent that the taxicab industry was an important facet of our transportation system. Unfortunately, a thorough evaluation of the industry had not been made since 1946, and many practices were unsuited for today's needs. In coordination with taxicab fleet owners and drivers, staff has developed the new ordinance, including these key features:

- Elimination of Certificate of Convenience and Necessity
- Competitive fares
- Enablement for associations
- Innovative service, including shared ride
- Improved airport service
- Service Standards
- Increased company responsibility for drivers
- Emphasis on provision of good service

Attached is a brief description of the issues considered by the committee.

TC/cp
Attachment

M E M O R A N D U M

DATE: October 12, 1981

TO: City Council

FROM: Tom Cox, Chairman
Council Transportation Committee

SUBJECT: Key Issues of Taxicab Ordinance

At its September 10, 1981 and October 1, 1981 meetings, members of the Council Transportation Committee considered the proposed revision to the taxicab section of the City Code.

The Council Transportation Committee identified a number of key issues:

1. Driver Intimidation
2. Solicitation
3. Temporary Permits
4. Inspector Revocation of Permits
5. Taxicab Review Board
6. 24-Hour Service
7. Multi-class Permits

After in-depth discussion the Committee provides the following considerations on these issues:

1. Driver Intimidation

Drivers expressed a concern that those drivers who seek to obtain their own Operating Permit, or to establish an association, will be harassed and intimidated. Language prohibiting such intimidation could be included in the ordinance, but would be unenforceable and would be beyond the City's jurisdiction over such matters. Other avenues of redress for unfair labor practices exist through the state and federal courts. The Operating Permit is not intended to be a protective device for either company or driver, but a document of mutual agreement. The application for an Operating Permit will be a joint application between the vehicle owner and the provider of supporting services. A fleet company, in most cases the provider of supporting services, must have the agreement of independent vehicle owners before companies can receive permits using those vehicles. Similarly, a private vehicle owner must have agreement of the company providing service facilities before any permit is issued for the vehicle. It is meaningless who actually has the permit, because as soon as a vehicle changes colors or ownership, the permit expires and

a new permit must be obtained. This means, as long as the number of permits is not limited, that drivers will be able to move freely between fleets in search of the best working relationship.

2. Solicitation:

Although it was recognized that a problem exists in legally defining permissable solicitation, the Committee amended Section 19-36 (d) to recommend that drivers inside of or within ten feet of their vehicles be permitted to solicit passengers with "Taxi, Sir?" or "Taxi, Ma'am?"

3. Temporary Permits:

Drivers and owners asked that 3-5 day temporary Driver's Permits be issued to drivers until they can have an opportunity to meet with the Inspector to get a Permit. Staff recommended against this because of lack of authority to delegate this responsibility granted by the State. The Inspector has quick access to records, and can check the driver's record prior to his driving. To allow citizens of Charlotte to ride with drivers who may have adverse driving or criminal records would be abrogating our responsibility to the citizens. Effort will be made to ensure that the Inspector is reasonably available to driver's license applicants.

4. Revocation by Inspector:

The drivers recommended that the Inspector be <u>required</u> to revoke, suspend or not to renew a permit, rather than have some discretion The Committee feels that the Inspector should have some discretion when a person's livelihood is at stake.

5. Taxicab Review Board:

The proposed ordinance had the Manager appointing three of the five members of the board. The driver's recommended that Council make all appointments. The Committee has amended Section 19-38 to recommend that the Council appoint two members, the Mayor one member, and the Manager two members.

6. 24-Hour Service:

Extensive discussion developed over the need for requiring service providers to furnish 24-hour service. Drivers felt that this was a barrier to their obtaining their own Operating Permits. Staff felt that the City is sufficiently large to need such service, and if the need is present, then it should be specifically required in the ordinance. The present code does not have the 24-hour requirement, and yet the service is provided. The difference is that, at present, there is a defined rate structure; under the proposed competitive rate structure, fleets or individuals may attempt to cut back less profitable service, in order to be more competitive. The result may be the loss of late night or weekend service by all providers. Consequently, if the City needs 24-hour service, then it needs to be in the ordinance. Individuals seeking their own permit would not be restricted by this requirement. They can satisfy the service

standard by signing up with service providers, forming associations of other individual owner-drivers, or leasing their taxicabs to other drivers.

7. Multi-class Permits:

Considerable concern was expressed by drivers that the Operating Permit should be "tiered" or multi-class permit system. Staff did not recommend this approach. Such an approach could mean many individuals running around without supervision, working only when they want and serving only high volume areas. This could mean little or no late night and weekend service, restricted radio-dispatching, and long waits for arrivals. Such service exists in many major metropolitan areas such as New York and Atlanta, but not to the benefit of the consumer, and survives out of the sheer number of taxicabs in those areas. Whether such a system could work in a smaller urban area, such as Charlotte, is debatable.

Nonetheless, under the proposed system, individual owner-operators can obtain their own permits and form associations. Although it is not the intent of the ordinance a single driver could form his own association and meet the basic service standard through the use of a CB radio, an answering service, and renting his vehicle out in off-hours. But this is not really what most drivers want to do. They really just want their own permit to improve their negotiating position with the fleet operators. As explained earlier, it is not intended that permits be used in this manner.

Aside from the legal question of equity, implementation of a multi-class permit system would seriously jeopardize many of the innovative features of the ordinance, including the competitive fare structure, unlimited permits, and the goal of special paratransit services. The inclusion of these features would have to be closely re-evaluated.

Other Changes

In addition to these key issues, the Committeee adopted two amendments recommended by staff. The first in Sections 19-36 (d) and 19-65 would provide for the placement of placards anywhere on the dashboard. The second provides a new subsection 19-55 (E) to permit the Inspector to review proposed fare schedules before implementation.

TC/cp

ORDINANCE NO._____ AMENDING CHAPTER 19 ARTICLE I
AN ORDINANCE REGULATING TAXICAB OPERATIONS

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

Section 1. Article I of Chapter 19 of the Code of the City of Charlotte is hereby rewritten to read as follows:

Article I. Taxicabs

PART 1. IN GENERAL

Sec. 19-1. Definitions.

The following words and phrases shall, for the purpose of this Article, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

a. City Manager. The City Manager of the City of Charlotte.

b. Council. The City Council of the City of Charlotte.

c. Cruising. The movement of a vehicle for hire over public streets or public vehicular areas in search of passengers or for the purpose of attracting passengers.

d. Driver. Any person who drives a taxicab.

e. Driver's Permit. The license issued by the Inspector to any person to enable that person to drive a taxicab vehicle.

f. Individual Owner-Driver. Shall mean a person, self-employed, who engages in the business of operating a single taxicab, as its owner and driver. The term includes all Operating Permit holders who hold no more than one such Operating Permit.

g. Inspector. Inspector of taxicabs of the city.

h. Manifest. A daily record, prepared by the driver, of all trips made by the taxicabs which he operates, showing time and place of origin and destination of each trip and the amount of fare.

i. Medallion. A non-transferable numbered insignia to provide exterior identification that a particular taxicab has a valid Operating Permit associated with it.

j. Operating Permit. The license, issued by the City Manager or his designee, under which a person, firm, partnership, association or corporation may operate a taxicab vehicle, and which shows that the convenience and necessity of the public requires the operation of such taxicab.

k. Operating Permit Holder. The vehicle owner and supporting services provider to whom an Operating Permit for the operation of a taxicab has been issued.

l. Person. Any individual, partnership, association, corporation or other organization owning, operating or proposing to operate any taxicab or taxicabs, within this city.

m. Rate Card. The card issued by the Inspector for display within each taxicab for which an Operating Permit has been issued, describing the schedule of fares charged by such taxicab.

n. Special Services Permit. A license issued by the City Manager, or his designee, to a Operating Permit Holder for the purpose of allowing the Operating Permit Holder to provide taxicab service different from the service described in this Article, as provided in Section 19-54(a)(4).

o. Supporting Service Provider. The person who provides, or guarantees to provide, the requirements of Subsections 19-11(a)(6) and 19-13(3).

p. Street. Street shall mean and include any street, alley, avenue, highway, or any other public vehicular area within the corporate limits of the city as the same may exist or may be hereafter extended.

q. Taxicab. Any motor vehicle seating nine or fewer passengers and driver-operated for hire upon any street, on call or demand. This shall not include limousines, as defined in Chapter 4 of this code.

Sec. 19-2. Penalties.

It shall be unlawful for any person to violate any of the provisions of this Article. In the event the person violating any provision of this Article is a corporation, the officers, agents or employees thereof who shall violate or procure, aid or abet any violation of any provisions of this Article or permit the operation of any taxicab contrary to the requirements hereof, shall be subject to the same penalties as if they, themselves, were personally operating such taxicab at the time such violations were committed. Upon being convicted of a violation of any of the provisions of this Article, the City Manager or his designee may suspend or revoke any Operating Permit(s) held by such person, and the Inspector may suspend or revoke the Driver's Permit of any driver convicted of a violation of any of the provisions of this Article.

Sec. 19-3. Inspector of Taxicabs - Office created; appointment.

There is hereby created the office of Inspector of taxicabs, who shall be appointed by the City Manager, or his designee.

Sec. 19-4. Same -- Duties; generally.

The Inspector is charged with the duties required of him under this Article and in general shall be responsible for the inspection of taxicabs, the licensing of the drivers thereof and the safety of the public in connection with the operation of taxicabs.

Sec. 19-5. Same -- Reports and recommendations.

The Inspector shall advise the City Manager with respect to matters covered or incidentally involved in the operation or administration of this Article. He shall make such reports to the City Manager and the City Council as may be required. He shall make recommendations to the City Manager with respect to whether applicants for an Operating Permit meet the eligibility criteria set out in Section 19-13.

Sec. 19-6. Reserved.

Sec. 19-7. Reserved.

PART 2. OPERATING PERMIT

Sec. 19-8. Required.

No person shall operate any taxicab in the city without first having obtained an Operating Permit authorizing such operation.

Sec. 19-9. Issuance of Permit

a. The City Council, by resolution, may, in its discretion, limit by policy the total number of taxicab Operating Permits to be granted. The Charlotte Department of Transportation will review on a annual basis the limit on the total number of Operating Permits available and make recommendations for changes, if any. An Operating Permit, whether or not limited in number, shows that by its issuance the convenience and necessity of the public requires the operation of such taxicab.

b. The City Council authorizes the City Manager, or his designee, to issue Operating Permits to any applicant or applicants subject to such conditions as the City Council may deem advisable or necessary in the public interest and upon payment of a regulatory fee provided by Section 19-25. Such Operating Permits shall be issued for a period of one year and be renewable annually upon payment of a regulatory fee provided by Section 19-25.

c. No Operating Permit shall be issued or renewed to any person who shall not have fully complied with all of the prerequisite requirements of this Article before the commencement of the operation of the proposed service.

d. When the Operating Permit has been authorized, and upon determination by the Inspector that the color scheme is sufficiently distinctive as not to cause confusion with other taxicab vehicles already operating, and that the taxicab vehicle, after appropriate inspection, meets the requirements of this Article, the Inspector will issue for each taxicab vehicle a numbered medallion to be fixed to the outside left rear portion of the taxicab vehicle for which the Operating Permit is issued, in plain view from the rear of the taxicab vehicle. Loss or destruction or defacing of the medallion shall be reported to the Taxicab Inspector.

e. The privilege of engaging in the business of operating a taxicab vehicle in the City of Charlotte granted in the Operating Permit is personal to Operating Permit holders. The rights and the requirements and responsibilities which attach to the Operating Permit remain with the holder at all times the taxicab vehicle is operated in the City of Charlotte under the authority of the Operating Permit. These rights, requirements and responsibilities, which include but are not limited to the requirements of this Article, will remain unaffected by any agreement or contractual arrangement between the Operating Permit holders irrespective of the form or characterization of the agreement under which the Operating Permit holder and/or driver operates the taxicab vehicle.

f. The Operating Permit holder shall, in the case of any change in business address or telephone, notify the Inspector in writing of such change within 48 hours of the effective date of the change.

Sec. 19-10. Authorization to operate taxicabs under Operating Permit.

Nothing contained in this Article shall prohibit any person from owning or operating a taxicab under an Operating Permit provided, that such person shall operate under the color scheme of such Operating Permit and use said depot or terminal, dispatcher service, radio equipment and taximeter, and provided that such person shall have a valid taxicab Driver's Permit issued by the Inspector, as provided for in Part 3 of this Article; nor shall this Article prohibit any association of individual owner-drivers operating a taxicab under an Operating Permit issued to participates in the association.

Sec. 19-11. Application requirements.

a. All applications for an Operating Permit are to be submitted by the vehicle owner and the supporting service provider, hereafter called applicant, to the Inspector in triplicate, on forms provided by the Inspector stating as follows:

1. The name and address of the applicants and, in the event that an applicant is a corporation, a certified copy of the articles of incorporation or in the event that such person is an association, a certified copy of the by-laws of the association;

2. The number of vehicles presently operated by service provider on the date of such application, if any;

3. The color scheme for which the Operating Permit is desired;

4. The make, type, and passenger capacity of the taxicab for which application for an Operating Permit is made;

5. The court record of the applicant. If an applicant is a corporation, or association, the record of the officers, directors and supervising employees thereof, including general manager, if any;

6. The applicant's submittal of the following conditional information:

   a. Existence of a depot or terminal on private property;

   b. Ability to provide radio-dispatched taxi service 24 hours a day 7 days a week;

   c. Ability to provide adequate supervision of taxicabs and drivers operating under the Operating Permit(s); and

   d. Evidence that the telephone number(s) of the taxicab company will be listed in the Charlotte telephone directory to be issued.

   e. Color, style and markings of company uniform.

7. The applicant shall swear that the information submitted is neither false nor misleading. Submitting, or causing to submit, false or misleading information is unlawful and shall be grounds for denial of an Operating Permit.

Sec. 19-12. Hearing on application.

The City Manager, or his designee, may require a hearing with the Operating Permit applicant, if the Manager is not convinced, that the applicant meets all eligibility criteria and has provided all necessary data to the City Manager as outlined in Sections 19-11.

Sec. 19-13. Issuance; conditions.

On recommendation of the Inspector, the City Manager, or his designee, shall authorize issuance to every person who shall have filed application therefor, as herein provided, an Operating Permit for such taxicab, subject to the conditions this ordinance may require, provided:

1. The vehicle for which application for an Operating Permit or Permits is made shall have been found, after investigation by the Inspector, to be in strict compliance with this Article; and

2. The court record of the applicant is not such as would make it against the public interest for such application to be granted; and

3. The applicants thereof shall have complied with all the provisions of this Article, including, but not limited the provision of; and

   a. A depot or terminal on private property; and

   b. Radio-dispatched 24-hour service with centralized dispatching; and

   c. Adequate supervision of drivers; and

   d. Evidence that telephone numbers for the taxicab company will be listed in the next Charlotte telephone directory issued; and

   e. Color, style and markings of company uniform.

4. The issuance is not in conflict with such conditions as placed by City Council on the issuance of Operating Permits.

Upon authorization by the City Manager, or his designee, the Inspector shall issue the Operating Permit, and shall place it in the card frame of the vehicle. At that time, the Inspector shall affix the medallion, as required by Section 19-9(d).

Sec. 19-14. Expiration.

All Operating Permits shall expire on December 31st of the year during which such Operating Permit is granted. The Operating Permit shall automatically expire if the conditions under which the permit was issued, as provided in Section 19-13, change without prior approval of the Inspector.

Sec. 19-15. Renewal.

Upon application, prior to the end of each calendar year, the City Manager, or his designee, shall renew any Operating Permit, or cause a new Operating Permit to be issued for the ensuing year, in the absence of any contrary evidence and finding of the City Manager, or his designee, regarding the Operating Permit holder's fulfillment of the eligibility criteria in Sec. 19-13 and his abilty to comply with the provisions of this Article.

Sec. 19-16. Reserved.

Sec. 19-17. Transfer of permit.

a. Each permit issued pursuant to the provisions of this section is separate and distinct and shall not be transferable from the Operating Permit holder to another person or entity without prior approval of the City Manager, or his designee. Neither the City Manager nor his designee will approve any transfer in conflict with any restrictions placed by Council, as provided by Sec.19-9(b).

b. Where the permit holder is a corporation, partnership or other legal entity other than a natural person, transfer of the majority of the ownership interest shall result in the automatic revocation of any Operating Permit previously granted to the Operating Permit holder; unless, the prospective owners of the new entity obtain prior approval from the City Manager, or his designee, for the transfer of Operating Permits to the new entity.

c. Whenever an application for a transfer of permit is made, the City Manager, or his designee, shall require such information as required for the original issuance of the Operating Permit, as set forth in Section 19-11(a) of this Article.

d. Upon approval of a transfer of an Operating Permit by the City Manager, or his designee, the City Manager, or his designee within thirty (30) days of such transfer, shall issue a new Operating Permit, and provided said applicant has complied with all the provisions of this Section.

Sec. 19-18. Availability of permit.

The Inspector shall maintain a list of persons desiring to obtain Operating Permit(s) including number of permits desired by that person. In the event that Operating Permit(s) become available through revocation, retirement or other means, as long as the total number of Operating Permits issued does not exceed the limit, if any, placed by City Council on the total number of Operating Permits, then the Inspector shall inform the City Manager or his designee that Operating Permit(s) are available. Provided that an approved application for an Operating Permit is on file, the City Manager or his designee shall offer one (1) Operating Permit to this first person on the Inspector's list, and that person shall have seven (7) days to present the prospective taxicab to the Inspector for approval, in accordance with Section 19-13(1). If at the end of the seven (7) day period, approval is not received, then the City Manager, or his designee, shall offer the available Operating Permit to the second person on the list, and this person shall fulfill the same conditions of issuance. If not, the City Manager shall continue down the list in the same manner. If more than one permit is available, the City Manager shall continue to make offers moving down the list until all permits are issued. In the event that the end of the list is reached and additional Operating Permits are available, then offers shall be made starting at the beginning of the list, and so forth until all available Operating Permits are issued, or until no further persons desiring Operating Permits and who have approved applications, are available.

Sec. 19-19. Retirement and replacement of taxicabs; new permits.

Whenever an Operating Permit holder permanently retires a taxicab(s) for which an Operating Permit(s) has been granted, and within thirty (30) days after such retirement makes written application to the Taxicab Inspector for permanent replacement of the taxicab vehicle or vehicles, the City Manager, or his designee, shall issue a new Operating Permit(s) for no greater number of taxicabs than those so retired, provided the period of time between permanent retirement of the taxicab(s) and the replacement of said taxicab(s) does not exceed thirty (30) days.

Sec. 19-20. Suspension and revocation of permits; ground specified; hearing provided.

a. The City Manager, or his designee, may suspend or revoke an Operating Permit upon the occurrence of any one of the following:

   1. The Operating Permit holder fails to operate his taxicab or taxicabs in compliance with all the provisions of this Article;

   2. The Manager, or his designee, finds that the Operating Permit holder submitted, or caused to be submitted, false or misleading information on his application for an Operating Permit;

   3. The Operating Permit holder ceases to operate any taxicab, during a period of thirty (30) consecutive days, for a minimum of twenty (20) days at least eight (8) hours a day, without having obtained permission for such cessation from the Inspector;

   4. The Operating Permit holder commits any act with the intent to defraud his creditors;

   5. The City Manager, or his designee, determines that, in the interest of the public safety and welfare, a Operating Permit should be suspended or revoked.

b. The City Manager, or his designee, may also revoke an Operating Permit due to acts of drivers, pursuant to Section 19-35.

c. No Operating Permit may be suspended or revoked until the City Manager, or his designee, has conducted a hearing thereon. The holder of the Permit shall have the right to be present at the hearing and shall be given at least forty-eight (48) hours advance notice thereof.

d. Operating Permits may be suspended under this section for a period not to exceed six (6) months.

e. An Operating Permit holder who has had an Operating Permit revoked may not apply for an Operating Permit for a period of six months.

Sec. 19-21. Reserved.

Sec. 19-22. Surrender of Permit.

When an Operating Permit(s) shall have been suspended or revoked, the operation of any vehicle or vehicles authorized by such Operating Permit(s) shall cease, and their Operating Permit(s) and Medallion(s) surrendered immediately to the Inspector. When any Operating Permit holder permanently retires any vehicle or vehicles from service and does not replace them within thirty (30) days and/or does not apply for Operating Permit transfer as specified in Section 19-17 above, the Operating Permit for each such retired vehicle or vehicles shall be considered abandoned, and will be void; the Operating Permit holder shall immediately surrender each related Operating Permit and Medallion to the Inspector. Such abandoned Operating Permits may not be restored by any means other than through application as for new Operating Permits in the manner provided in this Article.

Sec. 19-23. Appeals

a. Upon a finding by the City Manager, or his designee, that an Operating Permit should be suspended or revoked pursuant to Section 19-20, the Operating Permit holder shall be so notified and informed of the manner in which the finding may be appealed.

b. The Operating Permit holder may appeal the suspension or revocation of an Operating Permit by filing with the City Manager, within ten (10) days after the Manager's decision is rendered, written notice of appeal. The notice of appeal shall set forth the reasons why the suspension or revocation is improper.

c. The suspension or revocation of an Operating Permit shall not become effective until ten (10) days after the decision is rendered. If an appeal is filed within this period, the suspension or revocation shall be stayed pending the final decision of the Taxicab Review Board.

Sec. 19-24. Procedure upon appeal.

Upon the filing of an appeal, the Inspector shall transmit the notice of appeal to the Chairman of the Taxicab Review Board, who shall schedule a hearing as provided in Section 19-40.

Sec. 19-25. Fees.

Fees for obtaining, renewing, duplicating, transferring and reinstating Operating Permits shall be collected. Fees shall be approved by the City Manager and on file with the Inspector. Other fees as permitted by State law may be collected.

PART 3. DRIVER'S PERMIT

Sec. 19-26. Permit required.

No person shall drive a taxicab within the City without first having obtained a Taxicab Driver's Permit from the Inspector.

Sec. 19-27. Application requirements.

a. Each applicant for a Driver's Permit shall make application on forms to be provided by the Inspector. The application shall contain the following information:

   1. The applicant's full name and address;

   2. The applicant's physical condition, with particular reference to hearing, eyesight and use of intoxicating liquors and drugs;

   3. The applicant's physical description, including age, race, height, weight and color of eyes and hair;

   4. The length of time the applicant has resided at his present address;

   5. The applicant's place(s) of residence and employment for the two (2) years immediately preceeding the date of application;

   6. The applicant's court record.

   The application shall be signed and sworn to by the applicant before a person authorized to take oaths in the state of North Carolina.

b. Each application shall have attached thereto three (3) recent photographs of the applicant conforming to the criteria for passport photographs.

c. The applicant's fingerprints shall be impressed on each application form, in the space provided by the Inspector, under the direction of an agent of the Inspector.

d. It shall be unlawful for any applicant to willfully include, or willfully cause to be included, a false statement in his or her application for a Driver's Permit.

Sec. 19-28. Qualifications of applicant.

Each applicant for a Driver's Permit must meet the following requirements:

a. Be at least eighteen (18) years of age;

b. Possess eyesight correctable to 20/20 and not suffer from epilepsy, vertigo, heart disease or any other physical or mental condition which renders him or her unfit for safe operation of a taxicab;

c. Be able to read, write and speak the English language;

d. Be clean in dress and person;

e. Be not addicted to the use of drugs or intoxicating liquors;

f. Produce, on forms provided by the Inspector, affidavits of his or her good character from two (2) reputable persons who have known him or her personally and observed his or her conduct during the year preceeding the date of his application;

g. Possess a valid driver's license issued to him or her by the State of North Carolina.

h. Have permission from an Operating Permit holder to operate a taxicab under the permit assigned to that Operating Permit holder.

Sec. 19-29. Examination of applicant.

Each applicant for a taxicab Driver's Permit shall be examined by the Inspector as to his knowledge of the provisions of this article, the traffic regulations of this state and city, and the geography of the city.

Sec. 19-30. Refusal of Driver's Permit; grounds specified.

The Inspector may refuse to grant or renew a Driver's Permit for any applicant:

a. Whose state motor vehicle operator's license is in a state of revocation or suspension; or

b. Who has been convicted within five (5) years immediately prior to the date of application:

1. A felony; or

2. Any crime involving the driving of a motor vehicle resulting in an incapacitating, Class A injury as determined on the North Carolina Traffic Accident Report, or death of a person; or

3. Operating a motor vehicle while under the influence of intoxicating liquor or any substance regulated by the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act; or

4. Operating a motor vehicle while the amount of alcohol in his or her blood is 0.10% or more by weight; or

5. A violation of any city, county, state or federal law relating to use, possession or sale of alcoholic beverages or substance regulated by the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act; or

6. A violation of any city, county, state or federal law relating to prostitution or gambling; or

c. Who, within a period of five (5) years immediately prior to the date of his or her application, has been an habitual violator of traffic laws, or an habitual user of intoxicating liquors or any substance regulated by the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act; or

d. Who does not fulfill the qualifications set forth in Section 19-28.

Sec. 19-31. Issuance of Driver's Permit; probationary period.

a. The Inspector, upon finding that an applicant has satisfactorily complied with the provisions of this Part, shall issue to such an applicant a Driver's Permit, which shall show the applicant's photograph, name, height, weight, age, the expiration date, and the Operating Permit holder for whom the driver will be employed. The Driver's Permit must be displayed at all times in the card frame attached to the right sunvisor or dash in the driver's taxicab. No driver shall operate a cab for any Operating Permit holder other than the Operating Permit holder shown on his Driver's Permit.

b. The Inspector, after interviewing an applicant and being satisfied that the applicant has complied with the requirements of this Part, and after checking local records and the applicant's previous employers, will issue a probationary Driver's Permit for a period not to exceed sixty (60) days, pending the receipt by the Inspector of the applicant's record, if any, from the Federal Bureau of Investigation. After the applicant has satisfactorily served his probationary period the Inspector shall issue to said applicant a Driver's Permit to expire on applicant's date of birth and valid for a period of one year.

Sec. 19-32. Renewal of Driver's Permit.

The Inspector may renew a Driver's Permit from year-to-year by appropriate endorsement thereon. A driver applying for a renewal of his Driver's Permit shall make application on a form furnished by the Inspector.

Sec. 19-33. Revocation of Driver's Permit.

The Inspector may revoke or refuse to renew a Driver's Permit if the person to whom the Driver's Permit was issued is at any time after issuance:

a. Convicted of any of the following:

1. A violation of any federal, state or local law relating to the use, possession, manufacture or sale of intoxicating liquors or any substance regulated by the North Carolina Controlled Substances Act; or the North Carolina Toxic Vapors Act; or

2. A violation of any federal, state or local law relating to prostitution or gambling; or

3. An accumulation, under N.C.G.S. 20-16, within a three-year period, of 12 or more points, or 8 or more points within the three-year period following the reinstatement of a state driver's license which has been suspended or revoked; or has been convicted of any other moving violation of traffic laws, for which the State driver's license is suspended or revoked.

4. Any felony; or

5. Any violation of a federal, state or local law designed for the protection of life; or

6. Any assault involving the operation of a taxicab.

b. Found by the Inspector to be an habitual user of intoxicating liquors or any substance regulated by the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act, or

c. Found by the Inspector to have made or caused to be made a false statement in his or her application for issuance or renewal of a Driver's Permit; or

d. Does not continue to meet the qualifications for a Driver's Permit set forth in Section 19-28, or

e. Found by the Inspector to have three suspensions, as provided in Section 19-34.

Sec. 19-34. Authority to suspend Driver's Permit; third suspension, revocation mandatory.

The Inspector shall have the authority to suspend any Driver's Permit issued under this Part for any of the grounds specified in Section 19-33, for violation of any section of this Article, or if the holder of the Driver's Permit is found by the Inspector to have violated any federal, state, or local laws pertaining to the public welfare or morals. Such suspension shall be for a period of thirty (30) days, unless reduced by the Inspector. Any reduction in length of suspension must be documented by the Inspector. A third suspension of a Driver's Permit shall result in the mandatory revocation of such Driver's Permit. No application for a Driver's Permit will be accepted from an applicant within six (6)months of the date of revocation.

Sec. 19-35. Operating Permit Holder Responsible For Acts of Drivers / Revocation of Permit.

a. Upon a determination by the Inspector that:

1. A driver has been convicted of any of the offenses specified in Section 19-33 and that such offense occurred while the driver was engaged in the operation of a taxicab, or

2. A driver has violated any provision of this Article pertaining to the operation of taxicabs, or

3. A driver has violated any federal, state or local law pertaining to the public health or morals and such offense occurred while the driver was engaged in the operation of a taxicab,

The Inspector shall give notice of such determination to the driver and to the Operating Permit holder under which the driver was operating.

b. Upon the occurrence of three determinations under subsection (a) against a driver in any twenty-four (24) month period, the driver and the Operating Permit holder under which the driver was operating shall be notified that one additional determination against the driver within twelve (12) months after the date of the notice may result in suspension or revocation of the Operating Permit.

c. Upon one additional determination by the Inspector against a driver within twelve (12) months after the date of the notice provided for in subsection (b), the City Manager or his designee, may suspend or revoke the Operating Permit under which the driver was operating, pursuant to the procedure provided in Section 19-20(c).

Sec. 19-35.1 Appeal of Inspector's Decisions.

a. A decision by the Inspector not to grant or renew, or to suspend or revoke a Driver's Permit, and a determination by the Inspector under Section 19-35, shall be subject to appeal to the Taxicab Review Board.

b. Any person aggrieved by a decision of the Inspector to which there is a right of appeal may appeal by giving written notice of appeal to the Inspector. The notice of appeal shall set forth the reasons why the Inspector's decision is improper and shall be filed with the Inspector within ten (10) days of the decision being appealed. Appeals may be taken only from the Inspector's findings of fact and application of law. The penalty assessed by the Inspector shall not be subject to appeal.

c. Upon the filing of an appeal, the Inspector shall transmit the notice of appeal to the Chairman of the Taxicab Review Board, which shall schedule a hearing as provided in Section 19-40.

d. A decision by the Inspector to suspend or revoke a Driver's Permit shall not become final until ten (10) days after the decision is rendered. If an appeal is within that period and except when the Inspector decides not to renew a Driver's Permit, the Inspector's decision shall be stayed pending the final decision of the Taxicab Review Board. The Inspector, upon taking any action from which there is a right to appeal, shall give the driver, applicant or Operating Permit holder, as appropriate, notice of the right to appeal.

Sec. 19-36. Conduct.

a. Deception of passengers. No driver shall deceive or attempt to deceive any passenger who may ride or desire to ride in his taxicab as to his destination or the rate of fare to be charged, or convey or cause to be conveyed any passenger to any place other than as directed by the passenger, and in no event shall any driver providing taxi service take a longer route to the requested destination than is necessary, unless he is so requested by the passenger or passengers, except for shared ride service provided for in Section 19-36(f).

b. Drivers shall comply with all reasonable and lawful requests of the passenger as to the speed of travel and the route to be taken.

c. No driver shall have in his possession a lighted cigarette, cigar, or pipe while any passenger is being carried in his taxicab.

d. No driver shall at any time solicit passengers by any word, sign or gesture, or for the purpose of soliciting patronage, in any manner annoy any person or obstruct the movement of any person or traffic or follow any person, except within a taxicab stand, as designated in Section 19-37 (c), a driver located inside his vehicle or outside, but within ten (10) feet of said taxicab, may solicit passengers using one of two phrases: "Taxi, Sir" or "Taxi, Ma'am". Except in a manner provided by this subsection, drivers may not solicit. Nothing in this subsection shall prohibit drivers from alighting to the street or sidewalk for the purpose of assisting passengers into or out of taxicabs.

e. No driver shall allow the seating capacity of his taxicab to be exceeded, with the exception that rear seat passengers may hold children in their arms.

f. If agreed to by the first passenger, a taxicab carrying passengers may answer other calls, or pick up additional passengers, prior to taking the first passenger to his destination, provided the first passenger agrees to the amount of additional time above the time normally required for the exclusive-ride trip as estimated in advance by the driver. Taxi drivers shall specify, as provided in section 19-55, any fare discounts to passengers participating in a ride-sharing. If a child under sixteen (16) years of age and unaccompanied by a person sixteen (16) years of age or older is the original passenger, no other passengers shall be permitted in the taxicab.

g. No driver shall refuse or neglect to convey any orderly person upon request unless previously engaged or unable or forbidden by provisions of this Article to do so, or has the "off-duty" placard showing prior to the request for service by a prospective passenger.

Sec. 19-37. Taxicab stands, procedure.

a. The Inspector and the City's Director of Transportation, or his designee, shall jointly establish and designate taxicab stands.

b. Taxicabs shall enter designated taxicab stands from the rear only and each taxicab therein must be heading in the direction of the exit. No taxicab shall stop at a taxicab stand unless there is a vacancy therein. Unless a passenger requests otherwise, taxicabs shall exit taxicab stands in the order in which they enter. Drivers shall remain in their taxicabs or within the taxicab stand so that normal operations of the taxicab stand are maintained. Taxicab drivers may leave the taxicab stand only in case of emergency, or to assist passengers.

c. A list of all taxicab stands in the City of Charlotte shall be kept on file in the office of the Inspector and shall be open to inspection by the public.

PART 4. TAXICAB REVIEW BOARD

Sec. 19-38. Taxicab Review Board-created.

There is hereby established a Taxicab Review Board, to be composed of five (5) members; two (2) appointed by the City Council, one (1) appointed by the Mayor, and two (2) appointed by the City Manager. Of the City Council's appointments, one shall be an Operating Permit holder, or his designee. The Mayor's appointee shall be an Individual Owner-Driver. All members shall serve without compensation. Terms of office shall be for three (3) years. The City Manager shall designate one of the members as chairman. When a vacancy occurs, the original appointing body shall appoint a person to serve for the unexpired term of the vacant position. Three members shall constitute a quorum in order to hold business or hearings. Any member who fails to attend at least seventy-five (75) per cent of the regular and special meetings held by the Board during any one year period shall be automatically removed from said Board. Vacancies resulting from a member's failure to attend the required number of meetings shall be filled as herein provided.

Sec. 19-39. Duties and responsibilities.

a. The Taxicab Review Board shall hear the following:

1. Appeals from suspensions or revocations of Operating Permits under Section 19-20;

2. Appeals from decisions of the Inspector not to grant or renew Driver's Permits under Section 19-30;

3. Appeals from decisions of the Inspector to revoke Driver's Permits under Section 19-33;

4. Appeals from decisions of the Inspector to suspend Driver's Permits under Section 19-34; and

5. Appeals from determinations of the Inspector under Section 19-35; and

6. Appeals from prohibitions by the Airport Manager or Inspector under Section 19-75 and 77.

b. The Taxicab Review Board shall promulgate rules and regulations to effect its exercise of authority under this Part, and shall keep said rules and regulations on file with the City Clerk.

c. The Taxicab Review Board may have any other responsibilities as assigned by the City Manager or City Council.

Sec. 19-40. Hearings.

a. The Inspector shall, within twenty-four (24) hours of its receipt, forward any appeal provided in Section 19-39 to the Chairman of the Taxicab Review Board. Appeals shall be on a form and in a manner

designated by the Taxicab Review Board. The Chairman may review the appeal to determine if the required information is submitted or if the appeal is from the Inspector's findings of fact or application of law. If information submitted is insufficient, the Chairman may return the appeal to the appellant for additional information, without regard to subsection (b) of this section. If the appeal cannot be determined to be made from the findings of fact or application of law, the Chairman may elect to dismiss the appeal, without prejudice to resubmittal at a later time with findings of fact or application of law.

b. If a hearing is determined to be warranted, the Chairman of the Taxicab Review Board shall fix a reasonable time for the hearing of an appeal and shall give advance notice to all parties of the time and place for a hearing. The Taxicab Review Board shall render a decision on an appeal within ten (10) working days after the date of the hearing.

c. Any appealing party may appear at the hearing in person and shall have the right to representation by a person of his or her choice. The hearing shall be recorded and the Taxicab Review Board's decision shall be in writing with copies provided to all parties.

d. Hearings before the Taxicab Review Board shall be de novo. Final decisions of the Taxicab Review Board shall be subject to judicial review by proceedings in the nature of certiorari instituted in the Superior Court of Mecklenburg County within thirty (30) days after the Taxicab Review Board renders its decision. Final decisions of the Taxicab Review Board shall not be stayed during the time allowed for the initiation of judicial review, nor shall the initiation of judicial review automatically stay the Taxicab Review Board's decisions.

e. A decision by the Taxicab Review Board not to renew a Driver's Permit or to suspend or revoke an Operating Permit or Driver's Permit shall become effective immediately upon the receipt of the Board's decision by the holder of the Operating Permit or Driver's Permit, who shall immediately, upon receipt of the Board's decision, surrender his or her Operating Permit and Medallion, or Driver's Permit to the Inspector. The period of suspension shall begin upon receipt of the surrendered Operating or Driver's Permit by the Inspector. It shall be unlawful for an Operating Permit holder or driver to fail or refuse to surrender his or her Operating Permit and Medallion, or Driver's Permit as required by this Subsection. It shall be unlawful for an Operating Permit holder to operate or permit operation of a taxicab under an Operating Permit that is in a state of suspension or revocation, and it shall be unlawful for a driver to operate a taxicab while his or her Driver's Permit is in a state of suspension or revocation.

PART 5. OPERATION

Sec. 19-41. Registration and all proper Permits necessary.

No person shall operate a motor vehicle as a taxicab until such vehicle has been registered in accordance with all the requirements of this state and all proper permits have been obtained therefor.

Sec. 19-42. Compliance with state law, ordinances, etc.

a. Every taxicab shall be operated in accordance with the laws of this state and the ordinances of this city and with due regard for the safety, comfort and convenience of passengers and for the safe and careful transportation of property and for the safety of the general public.

b. No taxicab shall be operated at a rate of speed inconsistent with existing traffic regulations, road conditions, and the hazard at intersections and any other conditions then existing, nor in such manner or condition to endanger or to be likely to endanger the safety of passengers, pedestrians, vehicles or the person and property of others.

Sec. 19-43. Financial responsibility.

a. No person shall operate or cause to be operated any taxicab over the streets of the city without first furnishing proof of financial responsibility as required by North Carolina General Statute 20-280, or any superseding statute. If the taxicab is owned by a person who operates under the Operating Permit of another owner, such other owner shall be named as an additional insured in the policy covering the taxicab.

b. Any Operating Permit holder or person owning or causing any taxicab to be operated shall upon the receipt of any notice of cancellation of the insurance required by this section. immediately notify the Inspector and the holder of the Operating Permit, if applicable, of said cancellation. Failure to notify the Inspector of a cancellation of insurance on a taxicab shall result in the immediate revocation of the Operating Permit of taxicab for a period of thirty (30) days.

Sec. 19-44. Policies of insurance to be filed with Inspector.

The Operating Permit holder shall file with the Inspector a copy of the vehicle insurance policy insuring the liability of the vehicle, as a condition precedent to the operation of any such taxicab on the streets of the city. The policy filed, shall, among other things, set forth a description of each and every taxicab operating under the terms of said policy or policies.

Sec. 19-45. Operation Standards.

Subsequent to the receipt of an Operating Permit to operate a taxicab or taxicabs, an Operating Permit holder shall continue to meet the requirements of Section 19-11(a)(7) and 19-13 as a condition to retaining such license.

Sec. 19-46. Reserved.

Sec. 19-47. Insurance, liable regardless of operator.

a. Any policy of insurance submitted under this Part shall be conditioned upon the payment of any final judgment recovered by any person as a result of the negligent operation of any vehicle or taxicab permitted to operate hereunder, no matter by whom operated or driven at the time of the injury or damage.

b. Such insurance shall contain a provision for the continuing liability thereunder to the full amount thereof not withstanding any recovery thereon.

Sec. 19-48. Terms between owner and driver regulated.

a. Any taxicab may be operated by the Operating Permit holder thereof, or by a duly authorized agent and employee of the Operating Permit holder.

b. An Operating Permit holder may enter into any contract, lease agreement, or understanding with any driver, as an independent contractor, by the terms of which such driver pays to the Operating Permit holder a fixed or determinable sum per day for the use of such taxicab and is entitled to all, or a portion of the proceeds of operation over and above the fixed or determinable sum; provided however, that the Operating Permit holder provides and maintains such insurance on any leased taxicab or cabs as required by the City and the State of North Carolina.

c. Nothing herein contained shall prevent an Operating Permit holder from paying a fixed fee or other compensation to another Operating Permit holder for furnishing insurance, required by this Article, for use of terminal facilities or for the privilege of operating under the name of such other Operating Permit holder.

Sec. 19-49. Duty of Operating Permit holder to keep records and file reports.

a. Every Operating Permit holder shall maintain on file with the Inspector his name, business address, garage address, all business telephone numbers listed in his name, and the names of all drivers, their license numbers and addresses, and shall, within forty-eight (48) hours after any change in connection therewith report such change or changes to the Inspector.

b. In case more than one Operating Permit holder operates under the same name, the Operating Permit holder of the name may keep the records and make the reports required by this Article in behalf of all Operating Permit holders operating under his name; but his failure to do so shall not relieve the other Operating Permit holder operating under the name of responsibility for said records and reports with respect to the taxicab(s) owned by them, it being the intent of this Article to impose said responsibilities upon each Operating Permit holder.

Sec. 19-50. Driver's daily manifest to be kept; right of inspection by police and City Manager.

a. Every driver shall maintain a daily manifest upon which shall be recorded all trips made each day, the time, place of origin and destination of each trip; the number of passengers and amount of fare for each trip; manifests shall be in a form approved by the Inspector and shall be furnished to the driver by the Operating Permit holder.

b. Every Operating Permit holder shall retain and preserve, filed by Operating Permit number, all driver's manifests in a safe place for at least ninety (90) days and the same shall be made available upon demand for inspection by the Inspector, the city police or the City Manager.

Sec. 19-51. Uniforms Required.

Each driver shall wear a uniform, registered with the Inspector, consisting as a minimum of a standardized shirt on which the name of the Operating Permit holder is inscribed. In the event that more than one Operating Permit holder operates under the same name, all drivers operating under that name must wear the same uniform with that name inscribed.

Sec. 19-52. Accidents to be reported.

All accidents from or in connection with the operation of taxicabs which result in death or Class A personal injury, shall be reported within seventy-two (72) hours from the time of occurrence to the Inspector, in duplicate on a form of report to be furnished by the Inspector.

Sec. 19-53. Reserved.

PART 6. TYPES OF SERVICE, RATES AND CHARGES

Sec. 19-54. Types of Service.

A taxicab is authorized to provide the following types of service:

1. Exclusive ride, involving the transport of a party from a single origin to a single destination;

2. Group ride, involving the transport of several passengers from a single origin to a single destination for a reduced fare;

3. Shared ride, involving the transport of several passengers from one or more origins to one or more destinations for a reduced fare; as described in Section 19-36(f);

4. Special Service - An unusual and unique service essentially different from typical taxicab services as described in Subsections (1) - (3) of this Section, for which a Special Services Permit, obtained from the City Manager, or his designee, is required. Services included under this Subsection, are, but not limited to, fixed route service, paratransit service, geographically or time-of-day/limited service, or any other innovative services. Such Special Services Permit shall be issued under the following conditions:

   a. Unless specifically exempted in the Special Service Permit, each service operating pursuant to a Special Service Permit shall be subject to each and every provision of this Article.

   b. Application for a Special Service Permit shall be addressed in writing to the City Manager and shall describe the proposed service in detail and reasons that a regular Operating Permit is inadequate.

   c. Approval and subsequent operating of a special service shall be contingent upon any conditions pursuant to this Article placed in the Special Service Permit by the City Manager, or his designee. Failure to carry out the conditions of the Special Service Permit shall be grounds for revocation of Special Services Permit.

   d. Fees for the application of a Special Services Permit shall be the same, if any, for an Operating Permit.

   e. A Special Services Permit holder must also obtain an Operating Permit for the service to be provided.

Sec. 19-55. Rates and Charges.

A. Rates to be Filed. Each applicant for an Operating Permit under the provisions of this chapter shall file all rates and charges with the Taxicab Inspector at the time of application or renewal. Rates shall be uniform for all taxicab vehicles of the same color combination with any taxi company.

B. Schedule of Taxicab Rates. No restriction is imposed on the actual amounts charged by any driver hereunder, provided the maximum charges assessed shall be determined as follows:

1. vehicle waiting time, to be computed on an hourly basis beginning four (4) minutes after the taxicab arrives at the requested origin and ending when the passenger enters the taxicab for the start of a trip, but shall not include any time required to discharge a passenger and baggage at final destination. Waiting time shall also include all times between the start of the trip and the discharge of a passenger when the taxicab is motionless due to the specific request of a passenger to stop for any reason;

2. initial drop charge on all trips including the first 1/10 mile of travel or fraction thereof, or such equivalent, not exceeding an equivalent of 1/4 mile;

3. additional distance charges based on uniform, 1/10 mile increments, or such equivalent not exceeding an increment of 1/4 mile;

4. a charge, if any, for each additional passenger; not including children under 12 years of age, nor including other passengers previously included under group or shared ride rates;

5. additional baggage charges on a per-piece basis provided, no charges shall be assessed for any baggage which is carried by each passenger in his or her hands or arms;

6. a separate schedule of rates may be charged for taxicab service during the hours of midnight to 6 a.m.;

7. a fixed rate only will be charged for taxicab service from the Municipal Airport to the Central Area of the City of Charlotte as defined by the Charlotte Department of Transportation, and shown on a map on file with the Inspector. This rate may not exceed the regular metered fare to the intersection of Trade and Tryon Streets, if a meter fare charge had been used for the most direct route to that destination.

8. nothing in the schedule of rates shall be construed to require a taxicab driver to collect fares for waiting time, and additional passengers or luggage, if the Operating Permit holder should so desire. The metered fare should be considered to be a maximum charge, and nothing shall be construed to prohibit the driver from charging less than the metered fare, if the Operating Permit holder should so desire.

C. Changing Rates. Rates may be changed by filing a new rate schedule with the Taxicab Inspector at least fifteen (15) days before the effective date; provided, that no change requiring a taximeter adjustment shall become effective for a taxicab until such taximeter adjustment has been inspected and approved by the Taxicab Inspector, the new rates have been posted as provided in Section 19-57, and all advertising of the previous rates has been withdrawn.

D. Contract Rates. Rates may be charged pursuant to a written contract which may establish a fare for specific transportation at a different rate than the filed rate.

E. Fare Review. The Inspector after consultation with the Chairman of the Taxicab Review Board, may defer the effective date of implementation of any rate change for a period of up to forty-five (45) days to allow consultation with the Manager, to determine if any council action might be desirable.

Sec. 19-56. Disputes.

All disputes as to fares shall be arbitrated by the Inspector within twenty-four (24) hours and both passenger and driver shall comply with such determination. Appeal of the decision of the Inspector is made to the Taxicab Review Board, as provided by Part 4 of this Article.

Sec. 19-57. Posting Rates.

Each taxicab shall have conspicuously displayed within the interior in the card frame as provided by Section 19-62 (b), and upon the exterior of the vehicle, the rates of fare according to the rate assessment requirements of this chapter. The rates of fare posted in the passenger compartment shall be in a typewritten notice, impressed upon a contrasting background, in at least 18 point type.

Sec. 19-58. No extra charge for hand baggage, reasonable charge for trunks.

No extra charge shall be made for the transportation of ordinary hand baggage carried by a passenger. Trunks and other bulky packages not ordinarily construed to be hand baggage may be charged for at the rates as filed with the Inspector, as provided in Section 19-55 and printed on the rate card, if accompanying a passenger or passengers. Trunks and packages not accompanying passengers are not governed by this Article. More than three bags or parcels per person shall not be construed to be ordinary hand baggage and a reasonable charge may be made for such excess baggage as filed with the Inspector, as provided in Section 19-55.

Sec. 19-59. Passenger to pay lawful fares; receipt furnished upon request.

a. It shall be unlawful for any person owning, operating, or controlling a taxicab in the city to charge any rate for the use of the taxicab exceeding the rates as filed with the Inspector, as provided in Section 19-55 of this chapter, and no person shall ride in any taxicab and willfully refuse to pay the fare prescribed therefor by law. Provided this section is not intended to prohibit a taxicab passenger from granting a gratuity to the taxicab driver.

b. When requested by a passenger, the driver in charge of a taxicab shall deliver to the passenger a legible receipt showing the taxicab Operating Permit number, the Driver's Permit number, the date and the amount of fare paid. Refusal on the part of the driver to deliver such receipt upon request shall constitute a defense on behalf of a passenger to a charge of violating subsection (a) of this section.

PART 7. SPECIFICATION AND EQUIPMENT

Sec. 19-60. All taxicabs must conform to the provisions of this article.

No vehicle shall be granted an Operating Permit unless it conforms with all the provisions of this article.

Sec. 19-61. General construction requirements.

a. All taxicabs shall be vans or passenger vehicles. Passenger vehicles shall have a minimum of four doors, two leading into the driver's compartment, and the remaining two or more doors leading into the passenger's compartment and so constructed that they may be opened from the inside and the outside. Each door shall be constructed with a double or safety lock.

b. All upholstery covering or interior lining in any taxicab shall be of non-absorbent and washable material.

c. Floor mats of rubber or other non-absorbent material shall be provided and shall at all times be removable. No taxicab shall have on the floor thereof any foot-rest bracket or other fixture extending above the top of the floor mat.

d. Seat belts for each passenger, to the extent required as original equipment by the federal government.

Sec. 19-62. Equipment required.

All taxicabs shall be equipped in accordance with state and federal regulations governing the equipment required for the operation of motor vehicles. In addition, the following equipment is required:

a. Speedometer. Every taxicab shall be equipped with a standard speedometer properly installed, maintained in good working order and exposed to view. No taxicab shall be operated in taxicab service while such speedometer is out of repair or disconnected.

b. Card frame. Every taxicab shall be equipped with a card frame for the proper display of the Operating Permit holder's Memorandum Permit, rate card, and taxicab Driver's Permit. The card frame shall be attached to the right sunvisor or dash of cab and shall face the passenger and be so located as to be, at all times, in plain view of such passenger.

c. Taximeter. See Section 19-67.

Sec. 19-63. General maintenance requirements.

a. All taxicab vehicle bodies shall conform to the general specifications of the manufacturer.

b. All exterior paintwork shall be maintained in good condition, free of substantial scratches, chips and abrasions.

c. The springs, or other material used to support the seating areas of the driver and passengers in the taxicab shall be maintained to assure an elastic coefficient of at least 90% of the manufacturers specifications.

d. All suspension components affecting the ride and safety of the vehicle shall be maintained such that they comply with the manufacturers specifications.

e. All windshield and window glass shall be maintained free from cracks, scratches, pitting, abrasions, or any other conditions that reduces clarity of vision below the level specified by the manufacturer.

f. All taxicab vehicles must be inspected at an authorized State Vehicle Inspection Station every 12 months.

Sec. 19-64. Color schemes for taxicabs.

a. Every taxicab company of name shall adopt a color scheme, distinct from that of any other taxicab company of name, for the painting of its taxicabs, and all taxicabs of a company using the same rates of fare schedule shall be of the same color scheme. An Operating Permit holder who operates from the terminal and under the name of another Operating Permit holder shall use the same color scheme as such other Operating Permit holder.

b. The name of the taxicab company, the taxicab number, which shall correspond with the number of the Memorandum Permit, and the telephone number(s) shall be affixed with permanent paint or decals on both sides and the rear of each taxicab, with letters at least four (4) inches high on the side and at least six (6) inches high on the rear.

c. Colors of paint used for lettering and numbering shall be of sharp contrast with the color of the surface paint to which they are applied, so as to be evenly visible at a reasonable distance, especially at night with street lights. Lettering or numbering shall not be acceptable where it has been painted upon a sheet of metal or other material which can be removed or detached from the taxicab.

Sec. 19-65. Placards.

The only placard permitted shall be the "vacant" and "off-duty" placards, which shall be placed only on the dashboard. The placard is to be made of Gravoply, three (3) inches by ten (10) inches, with two (2) inch high letters, black on white background. The "vacant" inscription shall be placed on one side, and "off-duty" on the reverse, if both placards are used. The "vacant" placard is to be used only when the taxicab driver has no passenger, but desires such; the "off-duty" placard is to be used only when the driver has no passenger, but desires no passenger.

Sec. 19-66. Radios prohibited; exception.

No driver shall operate an AM and/or FM radio in any taxicab while the same is being used to transport passengers for hire in the city; provided, however, that this section shall not prohibit the use in any taxicab operating under the provisions of this Article, of a radio device for the purpose of receiving instructions, from the office or headquarters of the person or company owning the taxicab for the carrying of passengers.

Sec. 19-67. Taximeter required; definition; specifications.

a. Every taxicab, shall be equipped with a taximeter of a size and design approved by the Inspector and which conforms substantially to the following specifications:

1. A taximeter is a mechanical or electronic instrument or device by which the charge for hire of a taxicab is calculated either for distance traveled or for waiting time, or for both, and upon which such charges shall be indicated by means of legible figures which are electrically lighted each time the taximeter flag is thrown from the non-earning position to the earning position.

2. Taximeters must register upon visual counters the following items:

A. Amount of Fare

B. Number of trips

3. Each taximeter must be furnished with a tamper-proof switch and system of electrical distribution so that when the taximeter flag is in the vacant or nonearning position, the vacant sign on the top of the taxicab will be lighted and when the meter flag is thrown to the earning position, the fare indicator on the taximeter will be lighted, and at the same time, a tell-tale light, located elsewhere on the taxicab, will be lighted.

4. Each taximeter must be driven either directly from the taxicab transmission or the speedometer driving shaft to the taximeter head itself, using a flexible shaft and a flexible housing so connected and sealed as to be nontamperable.

5. No person shall use or permit to be used upon any taxicab a taximeter which is in such a condition as to operate such that the meter charges higher than five (5) per cent or less than ten (10) per cent of the correct fare.

b. No person shall use or permit a taxicab to be used for the provision of taxi service while the taximeter installed in such taxicab is unsealed or its gear is not intact.

c. Any time a taxicab is occupied by a person other than the driver, the flag must be in a down position and the meter in an "on" and operating mode, regardless of the actual fare charged, or whether the passenger carried is a contract passenger as provided under Section 19-55(d). It shall be the duty of the driver to call to the attention of passengers the amount registered on the taximeter. In the event that the meter is electronic and does not have a flag, the meter must be "on" and operating, regardless.

d. No person shall operate or cause to be operated a taxicab unless the taxicab is equipped with a taximeter that has been duly inspected and approved by the Inspector. It shall be unlawful to reduce the size of the wheels or tires of a taxicab, or to change the gears operating a taximeter.

e. The taximeter shall be mounted in such a fashion that it does not present a sight restriction.

f. The taximeter shall be mounted in such a fashion that it does not present a hazard should a passenger riding in the right front seat be thrown against the vehicle dashboard. If the taximeter is not mounted such that this requirement is fulfilled, then the right front seat cannot be occupied by a passenger.

Sec. 19-68. Reserved.

PART 8. INSPECTION AND MAINTENANCE OF EQUIPMENT

Sec. 19-69. Inspection; right of entry; withdrawal of vehicle when not in good condition; right of reinspection.

a. Before an Operating Permit is issued or renewed for any Operating Permit holder, the taxicab or taxicabs for which such Operating Permit(s) are requested shall be delivered to a place designated by the Inspector, who shall ascertain whether such taxicab or taxicabs comply with the provisions of this Article.

b. The Inspector or his agents shall have the right, at any time, after displaying proper identification, to enter into or upon any licensed taxicab for the purpose of ascertaining whether or not any of the provisions of this Article are being violated.

c. Any taxicab which is found, after any such inspection, to be unsafe for taxicab service may be immediately ordered out of service by the Inspector, and before again being placed in service shall be delivered to the Inspector at a designated point for reinspection.

Sec. 19-70. Reserved.

Sec. 19-71. Taxicab found unsafe by Operating permit holder; to cease operation until repair(s) are made.

Any taxicab found by the Operating Permit holder to be unsafe for taxicab operation shall have such repairs and alterations made as may be required and the Operating Permit holder shall not operate, or cause or permit to be

operated, any such taxicab until all such repairs and alterations have been completed.

Sec. 19-72. Duty of owner to clean taxicab.

Every Operating Permit holder shall ensure that the interior and exterior of each of his/her taxicabs is maintained at all times in a reasonably clean condition.

Secs. 19-73. Reserved.

PART 9. AIRPORT SERVICE.

Sec. 19-74. Unauthorized Operation.

a. No person shall operate a taxicab at Douglas Municipal Airport for the purpose of picking up as attracting passengers from the airport terminal except as provided in this Article.

b. No person shall engage in cruising upon airport grounds, or shall solicit, except as provided in Section 19-36(d).

c. A fee of seventy-five cents ($0.75) shall be paid by the driver of each taxicab prior to exiting the holding area. Upon payment of said fee, a receipt will be issued by the exit control system. The payment receipt will be collected by an airport taxicab control person prior to the boarding of any passenger in the loading areas designated for such purpose by the Airport Manager.

   In the event that the exit control gate system is not functioning properly, the airport taxicab control person will collect the fee and issue a numbered receipt when a taxicab is summoned from the holding area.

Sec. 19-75. Operating of Taxicabs.

a. Prior to boarding any passengers, taxicabs shall first enter the holding area designated by the Airport Manager for those vehicles. Boarding of passengers shall be conducted only in the areas designated for such purpose by the Airport Manager.

b. No taxicab shall be moved from the holding area to the taxicab boarding areas until at least one of the taxicab boarding areas is clear of traffic. The taxicab shall move from the holding area to the taxicab boarding areas only in the order in which the taxicab arrived in the holding area.

c. The Airport Manager or the Inspector shall have authority to prohibit the Operating Permit holder of any taxicab from transporting passengers from the airport terminal if he finds after notice and a hearing that the Operating Permit holder or driver has violated any provision of this part or any rule or regulation adopted hereunder. Written notice of the alleged violations and the place, date and time of the hearing shall be given at least forty-eight (48) hours before the hearing.

Any Operating Permit holder prohibited from transporting passengers as provided herein shall not transport or cause to be transported any passengers from the airport terminal in any taxicab or taxicabs for a period of six (6) months from the date of the Airport Manager's decision. Nothing herein shall prohibit any person from transporting passengers to the airport or from the airport if the prohibited taxicab were specifically called and requested by a passenger.

d. Any driver or Operating Permit holder prohibited under Sections 19-75 or 19-77 of this part shall have a right of appeal as provided by Section 19-39.

Sec. 19-76. Unloading of vehicles.

Taxicabs may unload passengers at the front of the airport terminal upon arrival at the airport without the necessity of passing through the holding area. Unloading shall not be done in the boarding areas. Unloading shall be done expeditiously and in such a manner as to avoid impeding or blocking other vehicular traffic. Upon completion, the vehicle shall be driven away from the front of the terminal building immediately. No passenger may be boarded until and unless the vehicle has passed through the holding areas.

Sec. 19-77. Drivers.

a. The Airport Manager or Inspector shall have authority to prohibit any driver from transporting passengers from the airport terminal if he finds after notice and a hearing that the person has violated any provision of Chapter 19 or any rule or regulation adopted hereunder, while said driver is operating at the Muncipal Airport. Written notice of the alleged violations and the place, date and time of the hearing shall be given at least forty-eight (48) hours before the hearing.

b. Any driver prohibited from operating a taxicab as provided in Subsection (a) shall not transport any passengers in a taxicab from the airport terminal for a period not to exceed six (6) months from the date of the Airport Manager's or Inspector's decision. Nothing herein shall prohibit any person from transporting passengers to the airport.

Sec. 19-78. Reserved.

Sec. 19-79. Regulations.

The Airport Manager shall have the authority to adopt reasonable rules and regulations for the safe, courteous and orderly operation of taxicabs at Douglas Municipal Airport.

Section 2. This ordinance shall take effect January 1, 1982.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

ORDINANCE NO._____ AMENDING CHAPTER 4 ARTICLE V AN ORDINANCE REGULATING LIMOUSINES AT MUNICIPAL AIRPORT

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

Section 1: Article V of Chapter 4 of the Code of the City of Charlotte is rewritten as follows:

ARTICLE V. LIMOUSINES AT MUNICIPAL AIRPORT

Sec. 4-46. Definitions.

The following words and phrases, when used in this Article, shall for the purpose of this Article, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

a. Activity Center. Any hotel, motel, shopping center, business r commercial building, factory, stadium, coliseum, theater, or other building where large numbers of persons may gather.

b. Cruising. The movement of a vehicle for hire over public streets or public vehicular areas in search of passengers or for the purpose of attracting passengers.

c. Driver. Any person who drives a limousine.

d. Limousine. For-hire passenger vehicles on call or demand which do not accept passengers indiscriminately between points and along highways, and shall include specifically state-licenced luxurious chauffeur-driven automobiles, or vehicles officially designated by the Airport Manager to provide trarsportation to or from the airport. All other driver-operated vehicles for hire shall be defined as Taxicabs, and shall be subject to the provisions of Chapter 19 of this code.

e. Owner. Any individual, partnership, association, corporation in whose name title to a limousine is registered.

f. Person. Any individual, partnership, association, corporation or other organization owning, operating or proposing to operate a limousine on the grounds of Douglas Municipal Airport.

g. Permit. A license issued by the Airport Manager authorizing a limousine service to operate upon the grounds of Douglas Municipal Airport for the purpose of attracting or picking up passengers from the airport terminal. (Ord. No. 311, 3-31-80)

Sec. 4-47. Unauthorized operation, soliciting on airport grounds prohibited.

No person shall:

1. Operate any limousine upon the grounds of Douglas Municipal Airport for the purpose of picking up or attracting passengers from the airport

terminal except as provided in this Article;

2. Solicit any passenger for a limousine or engage in cruising.

Sec. 4-48. Permits.

a. Required; application; fee. A permit shall be required for each limousine service engaged in the transportation of passengers from the airport terminal building. Application for the permit shall be made by the owner of a vehicle or vehicles upon a form prepared and made available by the Airport Manager. The permit will be issued to the owner of the vehicle or vehicles upon payment to the city of three thousand dollars ($3,000.00) per year for a limousine service. A permit will not be issued to any person who, within six (6) prior to the date of application, has had a permit revoked as provided in subsection (e).

b. Airport vehicle stickers. An airport vehicle sticker shall be issued for each vehicle operating under a permit. The sticker shall be posted in the interior of the vehicle on the right sun visor so as to be visible through the windshield at all times when the vehicle is operating on the airport grounds.

c. No permit may be assigned or transferred. Change of ownership of or title to any limousine shall automatically revoke the right of operation for the vehicle under any permit previously granted. The purchaser of any such limousine may not operate under the previously issued permit, but must apply for and be granted a new permit. For the purposes of this section, a change of ownership is deemed to have taken place, in addition to other methods, if the owner of any limousine leases the same to any person under any lease or arrangement whereby the person shall have the right to acquire title to the vehicle at any future date upon payment of an amount of money or other consideration.

d. Replacement certificates. Whenever an owner removes or permanently retires from service a limousine for which a permit has been granted, and within ninety (90) days after such removal or retirement, replaces it with another limousine or courtesy car, the Airport Manager shall, upon the written application of the owner, issue a new permit for the operation of the limousine.

e. Permit revocation. The Airport Manager may revoke any permit issued to an owner after notice and a hearing if he finds that the owner or any driver of a permitted vehicle has violated any provision of this article or any rule or regulation adopted hereunder. A minimum of forty-eight (48) hours' written notice of the alleged violations and date, time and place of the hearing shall be given to the owner.

f. Termination of service pending new permit issuance. Once a permit has been revoked, the owner shall not transport or cause to be transported any passengers from the airport terminal in any limousine until and unless a new permit has been issued. (Ord. No. 311, 3-31-80)

Sec. 4-49. Operation of limousines.

a. Prior to boarding any passenger, limousines shall enter the holding area designated by the Airport Manager for those vehicles. Boarding of passengers shall be conducted only in the areas designated by the Airport Manager for such purpose.

b. No limousine shall be moved from the holding area to the limousine boarding area until the boarding area is clear of other traffic. A limousine shall move to the boarding area in the order in which it arrived in the holding area. (Ord. No. 311, 3-31-81)

c. Limousines operating from the municipal airport shall pick up passengers at the airport and take the passengers to their final destination, without arranging or offering to arrange any other transportation services, including the transfer of a passenger from the limousine to a taxicab. In the event that a limousine cannot take a passenger to a final destination requested, the limousine driver must refuse to transport the passenger; and may not arrange or offer to arrange any other transportation service, including call of a taxicab.

Sec. 4-50. Reserved.

Sec. 4-51. Unloading of Vehicles.

Limousines may unload passengers at the front of the airport terminal upon arrival at the airport without the necessity of passing through the holding area. Unloading shall not be done in the boarding areas. Unloading shall be done expeditiously and in such a manner as to avoid impeding or blocking other vehicular traffic. Upon completion, the vehicle shall be driven away from the front of the terminal building immediately. No passenger may be boarded until and unless the vehicle has passed through the holding areas. (Ord. No. 311, 3-31-80)

Sec. 4-52. Drivers.

a. Drivers of limousines shall obey all applicable provisions of this Article and all rules and regulations promulgated hereunder as well as provisions of Chapter 19.

b. The Airport Manager shall have authority to prohibit any driver from transporting passengers from the airport terminal if he finds after notice and a hearing that the person has violated any provision of this Article or any rule or regulation adopted hereunder. Written notice of the alleged violations and the place, date and time of the hearing shall be given at least forty-eight (48) hours before the hearing.

c. Any driver prohibited from operating a limousine as provided in subsection (b) shall not transport any passengers in a limousine from the airport terminal for a period not to exceed six (6) months from the date of the Airport Manager's decision. Nothing herein shall prohibit any person from transporting passengers to the airport. (Ord. No. 311, 3-31-80)

Sec. 4-53. Rates.

Limousines transporting passengers from Douglas Municipal Airport shall charge a rate of three dollars ($3.00) per passenger for transportation to an area bounded by Brookshire Freeway, Kings Drive, East Morehead Street and Graham Street, and a rate of three dollars and fifty cents ($3.50) per passenger for transportation to all areas within the city limits. Limousine rates shall be posted conspicuously in the interior of the vehicles so as to be at all times in plain view of the passengers. It shall be unlawful to charge in excess of or less than the rates prescribed in this section. Disputes as to limousine fares shall be determined by the Airport Manager or his designee, and both the passenger and driver shall comply with his determination.

Sec. 4-54. Regulations.

The Airport Manager shall have the authority to adopt reasonable rules and regulations for the safe, courteous and orderly operation of limousines at Douglas Municipal Airport. (Ord. No. 311, 3-31-80)

Sec. 4-55. Violations.

Any violation of the provisions of this Article shall be punishable by a fine not exceeding fifty dollars ($50.00) or imprisonment for thirty (30) days as provided in Section 14-4 of the General Statutes of North Carolina. (Ord. No. 311, 3-31-80)

Section 2: This ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

8a

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES FOR APPOINTMENT TO COMMITTEES, COMMISSIONS, BOARDS AND AUTHORITIES

COMMITTEE, COMMISSION, BOARD OR AUTHORITY Community Facilities Committee

NAME Graham W Denton, Jr SEX & RACE M/

ADDRESS 301 Wenth Tenth Street, Unit 304 - 28202 (home) DISTRICT NO 2

P O Box 120, TL-1 - 28255 (business)

TELEPHONE 333-5566 (home) 374-5477 (business)

EDUCATIONAL BACKGROUND

BA in History, Wake Forest University, and MBA in Finance, Georgia State University

EMPLOYMENT

Present Employment North Carolina National Bank

Job Title Senior Vice President and Commercial Banking Manager Duties Performed Banker

MEMBERSHIPS/BACKGROUND INFORMATION

Current and past memberships in organizations and offices held

Board of Directors, Neighborhood Housing Services of Charlotte, N C Inc. and

Board of Directors, Central Charlotte Association

Interests/skills, areas of experties Financal planning and related impact Charlotte native with interest in further development of the community at large.

COMMENTS Graham very much wants to serve on this Committee I believe his background, interest and expertise would serve this committee well

Date 10-12-81

Signature - L David Berrynill,Jr

Form DBP
Oct 1981
City Clerk

CITY OF CHARLOTTE, NORTH CAROLINA

BACKGROUND AND PERSONAL DATA OUTLINE ON CANDIDATES FOR APPOINTMENT TO COMMITTEES, COMMISSIONS AND BOARDS

COMMITTEE, COMMISSION OR BOARD Community Facilities Committee

NAME: Karl Adkins SEX & RACE. M-B

ADDRESS 1231 Belgrave Place DISTRICT NO TELE. 376-2340 Home
Charlotte, NC 28203 375-8461 Office

EDUCATIONAL BACKGROUND·

High School E E. Smith Senior High College UNC-Chapel Hill, Univ of Michigan Law School

Type of Course Political Science & Law

Presently Employed By Chambers, Ferguson, Watt, Wallas, Adkins & Fuller PA

Job Title *Attorney*

Duties Performed

Current membership in organizations and offices held

Charlotte, North Carolina Chapter of Black Lawyers - President

Youth Services Board - Mecklenburg County

Dilworth Community Board of Directors

WBTV Black Advisory Council

American Bar Association

Past membership in organizations and offices held

Mental Health Authority

Charlotte Rehabilitative Homes - Board of Directors

Additional information and comments: Because of the technical nature of the Community Facilities Committee and Attorney Adkins legal background as well as his demonstrated community interest, I highly recommend Attorney Karl Adkins for this committee

Date 10/19/81

Ron Leeper

Talent Bank Nominees for Council on Aging

Name	Address	Sex	Race	District
Hughes, Cathy C.	9120 W. Steelberry Dr.	Female	Black	-
Demeritt, Alice F.	Rt. 4, Steelberry Dr.	Female	White	-
White, Pat V.	8019 Cliffside Dr., Matthews	Female	White	-
Erb, Barbara R.	3100 Indian Rock Rd., Matthews	Male	White	-
Hardt, Erich F.	2928 Windrow Ln, Matthews	Male	White	-
Wiktorek, William A.	5812 Hornet Dr.	Male	White	-
Carter, Patrice J.	809 Lamar Ave.	Female	Black	1
Colston, Leslie V.	1805 E. Eighth St.	Female	Black	1
McLaughlin, Leandra	729 Baldwin Ave.	Female	Black	1
Scott, Sarah M.	1507 Haywood Ct.	Female	Black	1
Currie, Penelope A.	200 N. Laurel Ave.	Female	White	1
Martinex, Melissa L.	527 Clement Ave.	Female	White	1
Williams, Nancy R.	610 W. Craighead Rd.	Female	White	1
Turner, Emma J.	5511 Sonfield Dr.	Female	Black	4
Ledwell, Jerry V.	3401 Country Club Dr.	Male	White	4
Powell, Wilma E.	412 Montrose St.	Female	Black	5
Gallagher, Jane	1328 Ferncliff Rd.	Female	White	5
Kaiser, Helen W.	1535 Lansdale Dr.	Female	White	5
Lynn, Larry H.	1421 Painter Pl.	Male	White	5
Simpson, Angus M.	826 Mohigan St.	Male	White	5
Zinkann, Paul III	323 Frank Drive	Male	White	5

Talent Bank Nominees for Council on Aging

Name	Address	Sex	Race	District
Craver, Adelaide	1667 Scotland Avenue	Female	White	6
Corkey, Elizabeth C.	519 Hermitage Ct.	Female	White	6
Hambley, Hilda D.	1120 W. Queens Rd.	Female	White	6
Leonard, Judy M.	1318 Myrtle Ave.	Female	White	6
Mathay, Fran	2107 W. Queens Rd.	Female	White	6
Prowe, Jennifer H.	2133 Kenilworth Ave.	Female	White	6
Selden, Mary H.	2627 Hampton Ave.	Female	White	6
Stroupe, Barbara A.	1815 Queens Rd.	Female	White	6
Devivo, Ange Z.	5805 Sharon Rc.	Female	White	7
Droescher, Betty B.	4936 Hadrian Way	Female	White	7
Hoyle, Joyce H.	125 Greylyn Dr.	Female	White	7
Lester, Linda L.	3344 Landerwocd Dr.	Female	White	7

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TALENT BANK NOMINATIONS

Clean City & Tree Advisory Committees

Name	Address	Sex	Race	District
Campbell, Brenda B.	10123 Harrisburg Rd.	Female	White	-
Dennison, Sondra	11838 Carmel Lakes Dr. Pineville	Female	White	-
Fyfe, Chuck	3934 Barclay Downs Dr.	Male	White	-
Gendoes, Jr., Joseph	718 Charter Pl.	Male	White	-
Griswold, Roland E.	9524 Markus Dr.	Male	White	-
Harris, John L.	11009 Park Rd.	Male	White	-
Lemmon, Robert E.	9030 Sandburg Ave.	Male	White	-
Mullis, Carol B.	2500 Hargett Rd. Matthews, N.C.	Male	White	-
Powell, Jr., James M.	6400 Woodfield Dr.	Male	White	-
Roche, Thomas G.	300 Lancelot Dr. Matthews, N.C.	Male	White	-
Sulter, Roger N.	5410 Sharon Rd.	Male	White	-
Whitfield, Paul L.	6028 Bentway Dr.	Male	White	-
Ayers, Edward F.	2309 Vail Ave.	Male	White	-
Brasfield, CL	1520 Hawthorne Ln.	Male	White	1
Fennell, Michael J.	2014 Bay St.	Male	White	1
Sailers, Joseph	4323 Lake Rd.	Male	White	1
Thompson, Stan	1327 Woodland Dr.	Male	White	1
Jordan, Robert M.	2315 Belvedere Ave.	Male	White	1
Gram, Wanda	2425 Twinfield Dr.	Female	Black	2
Washington, Violet G.	P. O. Box 31402	Female		2
Thomas, Michael B.	2201 Ludlow Dr.	Male	Black	2
Sawyer, William T.	3606 Arvin Dr.	Male	White	2

TALENT BANK NOMINATIONS

Clean City & Tree Advisory Committees

Name	Address	Sex	Race	District
Helms, Anna M.	2115 Bromwich Rd.	Female	White	3
Innes, Rhonda N.	2711 Dunlavin Wy.	Female	White	4
Arrington, Theodore S.	3222 Denson Pl.	Male	White	4
Jenrette, Jon D.	6001 Eastbrook Rd.	Male	White	4
Lyman, Myron E.	214 Patio Ct.	Male	White	4
McLaurin, Francis	6540 Cove Creek Dr.	Male	White	4
Keesler, Jr., Lee	2220 Vernon Dr.	Male	White	5
Antshel, Deborah A.	4701 Calico Ct.	Female	White	5
Alexander, Ron	4314 Commonwealth Av.	Male	White	5
Antshel, Henry M	4701 Calico Ct.	Male	White	5
Aycock, Frank B.	4222 Town & Ctry Dr.	Male	White	5
Hill, Joseph C.	3351 Bonneville Dr.	Male	White	5
Prewitt, Nathaniel W.	6101 Idlewild Rd.	Male	White	5
Sanderson, Elliot B.	2123 Knickerbocker Dr.	Male	White	5
Torpey, James A.	4319 Walker Rd.	Male	White	5
Trotter, James M.	4000 Churchilll Rd.	Male	White	5
Anderson, Catherine M.	821 Harvard Place	Female	White	6
Bird, Janie W.	1620 Twiford Pl.	Female	White	6
Bridgeman, Dorothy J.	5814 Wintercrest Ln.	Female	White	6
Franklin, Linda B.	600 Sandridge Rd.	Female	White	6
Kratt, Laura A.	2503 Roswell Ave.	Female	White	6
Casey, Hugh G.	2118 Norton Rd.	Male	White	6

TALENT BANK NOMINATIONS

Clean City & Tree Advisory Committees

Name	Address	Sex	Race	District
Convey, William H.	1420 Lilac Rd.	Male	White	6
Curtis, Thomas A.	2036 Wensley Dr.	Male	White	6
Foushee, John G.	1225 Townes Rd.	Male	White	6
Freese, Howard L.	2729 Hampton Ave.	Male	White	6
Huffman, Richard L.	1709 Fountainview	Male	White	6
Johnson, Jr., James R.	254 Huntley Pl.	Male	White	6
Mauldin, Robert K.	2517 Wesley Dr.	Male	White	6
McCoy, Johnny W.	801 Hartford Ave.	Male	White	6
Miller, Barry G.	1050 Ardsley Rd..	Male	White	6
Norelli, Ronald A.	954 Granville Rd.	Male	White	6
Payne, Ronald L.	200 S. Tryon St.	Male	White	6
Horner, Kevin	4727 Gaynor Rd.	Male	White	7
Kim, Ester C.	4123 Kingswood Rd.	Female		7
Albert, Allan H.	4936 Charmapeg Ave.	Male	White	7
Brodt, Bruce A.	2427 Twilight Rd.	Male	White	7
Collins, Kenneth M.	3715 Rhodes Ave.	Male	White	7
Corcoran, James E.	1627 E. Barden Rd.	Male	White	7
Harmeling, John T.	1325 Old Farm Rd.	Male	White	7
Hartford, Winslow H.	1413 Redcoat Dr.	Male	White	7
Lee, William F.	2342 Richardson Dr.	Male	White	7
Marxen, Merle W.	1041 Circlewood Dr.	Male	White	7
McCormick, George E.	6215 Heritage Pl.	Male	White	7

TALENT BANK NOMINATIONS

Clean City & Tree Advisory Committees

Name	Address	Sex	Race	District
McCoy, Ben W.	3336 Tinkerbell Ln..	Male	White	7
Miano, John M.	3233 Landerwood Dr.	Male	White	7
Murray, Jr., Dozier E.	1600 Starbrook Dr.	Male	White	7
Smoak, Copley H.	5925 Colchester Pl.	Male	White	7
Tobias, Ray W.	2248 Colony Rd.	Male	White	7
Trotter, William H.	P.O. Box 4143	Male	White	7
Walters, Scott W.	57 Beacon Hill Ln.	Male	White	7

Talent Bank Nominees for Historic District Commission

Name	Address	Sex	Race	District
Morris, Eleanor R.	14142 Creekside Dr, Matthews	Female	White	-
Sacco, Sandra T.	640 Charter Pl.	Female	White	-
Erb, Barbara R.	3100 Indian Rock Rd, Matthews	Female	White	-
Harris, John L.	11009 Park Rd, Pineville	Male	White	-
Roche, Thomas G.	300 Lancelot Dr., Matthews	Male	White	-
Taylor, Vestal (Pat)	8101 Old Concord Rd., Newell	Male	White	-
Barnett, James E.	1335 Dean St.	Male	Black	1
Clark, Jeannine C.	504 N. Pine St.	Female	White	1
Currie, Penelope A.	200 N. Laurel Ave.	Female	White	1
Jordan, Robert M	2315 Belvedere Ave.	Male	White	1
Bogguss, Mary P.	P O. Box 26545	Female	White	2
Alexander, Judy L.	3337 Donovan Pl.	Female	White	4
Mortimer, Leo J.	1900 Terrybrook Ln.	Male	White	4
Shields, Jr, Richard E.	3239 Edsel Pl	Male	White	4
Alford, Helen A.	1515 Delane Ave.	Female	White	5
Antshel, Deborah A.	4701 Calico Ct.	Female	White	5
Dorsett, Alice H.	2005 Vernon Dr.	Female	White	5
Curlee, Ernest J.	2918 Dunaire Dr.	Male	White	5
Duffy, Leonard G.	2313 Knickerbocker Dr.	Male	White	5
Duncan, Elbert D.	5801 Ganymede Pl	Male	White	5
Willard, Leslie E.	1511 Collier Ct.	Male	White	5

Talent Bank Nominees for Historic District Commission

Name	Address	Sex	Race	District
Hambley, Hilda D.	1120 W. Queens Rd.	Female	White	6
Henderson, Deborah A	2240 Roswell Ave.	Female	White	6
Henderson, Nan C.	1515 Dilworth Rd.	Female	White	6
Mathay, Fran	2107 W. Queens Rd.	Female	White	6
Rogers, Beverly A.	100 Altondale Ave.	Female	White	6
Stroupe, Barbara A.	1815 Queens Rd.	Female	White	6
Alloway, Michael J.	1529 E. Worthington Ave.	Male	White	6
Beard, Hugh J.	1142 Queens Rd.	Male	White	6
Boggs, Lawrence K.	2208 Wellesley Ave.	Male	White	6
Cosgrove, Patrick A.	2400 Knollwood Rd	Male	White	6
Hemphill, James C.	1120 Queens Rd.	Male	White	6
Henderson, James H.	1533 W. Queens Rd.	Male	White	6
Richardson, John A.	1912 Wedgedale Dr.	Male	White	6
Dobkin, Bo-Peep	7005 Quail Hill Rd.	Female	White	7
Tobias, Dorothy B.	2248 Colony Rd.	Female	White	7
Bramlett, K. R.	6607 Summerlin Pl.	Male	White	7
King, Jr., Joe H.	2312 Blakeford Ln.	Male	White	7
Knie, Richard E.	3620 Carmel Rd.	Male	White	7
Lam, Elmer L.	3331 Champaign St.	Male	White	7
Marcus, Ronald A.	1851 Manor Mill Rd.	Male	White	7
Murray, Jr., Dozier E.	1600 Starbrook Dr.	Male	White	7
Nikles, Thomas A.	7345 Bedfordshire Dr.	Male	White	7

Talent Bank Nominees for Board of Electors of the Southern Piedmont Health Systems, Agency, Inc. (SPHSA)

Name	Address	Sex	Race	District
Hughes, Cathy C.	9120 W. Steelberry Dr.	Female	Black	-
Mason, Sarah R.	2145 B Ave	Female	Black	-
Harmon, Henry, Jr.	5500 Lawrence Orr Rd.	Male	Black	-
Demeritt, Alice F.	Rt. 4 Steeleberry Dr	Female	White	-
Mason, Sharon L.	11450 Turnstone Ct., Pineville	Female	White	-
Matthews, Judith S.	2041 Kimway Dr, Matthews	Female	White	-
Sacco, Sandra T.	640 Charter Pl.	Female	White	-
White, Pat V.	8019 Cliffside Dr., Matthews	Female	White	-
Campbell, John E.	5900 Farm Oak Dr	Male	White	-
Gendoes, Jr, Joseph	718 Charter Pl.	Male	White	-
Harris, John L.	1109 Park Rd., Pineville	Male	White	-
Harvill, Jr., John F.	Rt. 4, Box 422 Dixieriver Rd.	Male	White	-
Mullis, Carol B.	2500 Hargett Rd., Matthews	Male	White	-
Myers, Darrell C.	2528 Little Cove Rd	Male	White	-
Fincher, Carolyn	3825 Ironwood St.	Female	White	1
Reavis, Evelyn C.	1167 Leigh Cr.	Female	White	1
Williams, Nancy R.	610 W. Craighead Rd.	Female	White	1
Barber, Sidney S.	922 Herrin Ave.	Male	White	1
Brasfield, CL	1520 Hawthorne Ln.	Male	White	1
Hayes, John G.	1809 Browning Ave	Male	White	1

Talent Bank Nominees for Board of Electors of the Southern Piedmont Health Systems Agency, Inc, (SPHSA)

Name	Address	Sex	Race	District
Washington, Violet G.	P. O. Box 31402	Female		2
Gray, Wanda	2425 Twinfield Dr.	Female	Black	2
Gaither, Carole	1822 Russell Ave	Female	Black	2
Crawford, Larry	3311 Dawnshire Ave.	Male	Black	2
Butler, Margaret W.	2505 Pitts Dr.	Female	Black	2
Ginyard, Carolyn W.	3221 Burbank Dr.	Female	Black	2
Glasgow, Cynthia V.	3133 Burbank Dr.	Female	Black	2
Hayes, Doris Y.	2216 Booker Ave.	Female	Black	2
Johnson, Brenda A.	1100 Pryor St.	Female	Black	2
Rosen, Boris	7117 David Ave.	Male	White	2
Sawyer, William T.	3606 Arvin Dr.	Male	White	2
Robinson, Pamela Y.	3827 Blandwood Dr	Female	Black	3
Watson, Barbara J.	409 W Cama St.	Female	Black	3
Thompson, Emma J	5511 Sunfield Dr.	Female	Black	4
Bynum, Raleigh W.	6426 Heatherbrook Ave.	Male	Black	4
Hill, William K.	7101 Ludwig Dr.	Male	Black	4
Hines, Eric W.	6010 Coates Ct.	Male	Black	4
Holt, Ralph E.	3708 Country Club Dr.	Male	White	4
Stewart, Alan C.	4000 Craig Ave	Male	White	4
Young, Donald C.	1628 Cromwell Ct	Male	white	4

Talent Bank Nominees for Board of Electors of the Southern Piedmont Health Systems Agency, Inc. (SPHSA)

Name	Address	Sex	Race	District
Faulkner, Joe T.	114 Orange St.	Male	Black	5
Kaiser, Helen W.	1535 Lansdale Dr.	Female	White	5
Lloyd, Patricia A.	6800 Rambling Rose Dr.	Female	White	5
Maloy, Linda L.	5638 Via Romano Dr.	Female	White	5
Rice, Jody G.	6523 Monroe Road	Female	White	5
Austin, Donald T.	730 Pineborough Rd.	Male	White	5
Lynn, Larry H.	1421 Painter Pl.	Male	White	5
Newman, Raymond P.	4516 Randolph Rd	Male	White	5
Westmoreland, Milton J.	3600 Craig Aven.	Male	White	5
Corkey, Elizabeth C.	519 Hermitage Ct	Female	White	6
Anderson, Catherine	821 Harvard Place	Female	White	6
Leonard, Judy M.	1318 Myrtle Ave.	Female	White	6
Love, Penelope D.	223 Huntley Pl.	Female	White	6
Rice, Kristine	3433 Wakefield Dr.	Female	White	6
Shields, Mary J.	210 S Caswell Rd.	Female	White	6
Thomas, Elaine D.	1825 Lynnwood Dr.	Female	White	6
Alloway, Michael J.	1529 E. Worthington Ave.	Male	White	6
Boggs, Lawrence K	2208 Wellesley Ave.	Male	White	6
Buchanan, Gerald R.	2108 Wensley Dr.	Male	White	6
Campbell, Hugh B.	1428 Scotland Ave	Male	White	6
McCraw, Jr, Roy J.	2825 Hampton Ave.	Male	White	6

Talent Bank Nominees for Board of Electors of the Southern Piedmont Health Systems Agency, Inc. (SPHSA)

Name	Address	Sex	Race	District
Miller, Barry G.	1050 Ardsley Rd.	Male	White	6
Norelli, Ronald A.	954 Granville Rd	Male	White	6
Harrison, Sandra M.	6029 Doncaster Dr.	Female	Black	7
Brigel, Mary A.	5929 Quail Hollor Rd.	Female	White	7
Devivo, Ange Z.	5805 Sharon Road	Female	White	7
Dunbar, Miriam G.	16 Beacon Hill Ln.	Female	White	7
Englebardt, Sheila P.	8334 Knightsbridge Rd.	Female	White	7
Larkin, Beverly D.	7151 Thermal Rd.	Female	White	7
Miano, Margaret M.	3233 Landerwood Dr.	Female	White	7
Mond, Rita C.	3400 Gresham Pl.	Female	White	7
Albert, Allan H.	4936 Charmapeg Ave.	Male	White	7
Foley, Neil D.	2831 Goneaway Rd.	Male	White	7
Nikles, Thomas A.	7345 Bedfordshire Dr.	Male	White	7
Rose, William Jr. S	1300 Corkwater Pl.	Male	White	7

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Elder, Thereasea C.	6025 Rockwell Bv.	Female	Black	-
Dennison, Sondra	11838 Carmel Lakes Dr.	Female	White	-
Hughes, Cathy C.	9120 W. Steelberry Dr.	Female	Black	-
Mason, Sarah R.	2145 B Ave.	Female	Black	-
Caldwell, Samuel Jr.	9144 Joyce Kilmer Dr.	Male	Black	-
Lowery, Bobby G.	5930 Sierra Dr.	Male	Black	-
Morris, Eleanor R.	13142 Creekside Dr, Matthews	Female	White	-
White, Pat V.	8019 Cliffside Dr., Matthews	Female	White	-
Williams, Carolyn M.	708 Carolyn Ln.	Female	White	-
Erb, Alan E.	3100 Indian Rock Rd, Matthews	Male	White	-
Gendoes Jr., Joseph	718 Charter Pl.	Male	White	-
Griswold, Roland E.	9524 Markus Dr.	Male	White	-
Hardt, Erich F.	2928 Windrow Ln., Matthews	Male	White	-
Harvill, Jr, John F.	Rt. 4, Box 422 Dixieriver Rd.	Male	White	-
Powell, Jr., James M.	6400 Woodfield Dr.	Male	White	-
Williams, Katura D.	4438 Meridian Dr.	Female	Black	-
High, Edward J.	1709 Patton Ave.	Male	Black	1
Fincher, Carolyn	3825 Ironwood St.	Female	White	1
McMillan, Margaret M	1930 Mecklenburg Ave.	Female	White	1
Reavis, Evelyn C.	1167 Leigh Cr.	Female	White	1

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Williams, Nancy R.	610 W. Craighead Rd.	Female	White	1
Barber, Sidney S.	922 Herrin Ave.	Male	White	1
Iseley, Thomas R.	1404 Park Dr.	Male	White	1
Morgan, Patrick A.	1933 E. Eighth St.	Male	White	1
Washington, Violet G.	P. O. Box 31402	Female	-	2
Brown, Emma W.	8501 Deerwood Rd.	Female	Black	2
Smith, Willie A.	1822 Grier Ave.	Female	Black	2
Adams, Norman	3623 Bahama Dr.	Male	Black	2
Foxx, Sr, James F.	1937 Crestdale Dr.	Male	Black	2
Hunter, David L.	2337 English Dr.	Male	Black	2
Neal, Excell	1815 Newcastle St.	Male	Black	2
Jones, Glenda M.	1701 Weststone Dr.	Female	White	2
Graves, Carrie L.	2206 Farmer St.	Female	Black	3
McNeely, Winnie H.	3129 Ridge Ave.	Female	Black	3
Watson, Barbara J.	409 W. Cama St.	Female	Black	3
Dewalt, Freddie C.	3438 Sargeant Dr.	Male	Black	3
Johnson, Robert L.	2448 Greenland Ave.	Male	Black	3
Bailey, Grace M.	3600 Meredith Ave.	Female	White	3
Caldwell, Elizabeth A.	6534 Montieth Dr.	Female	Black	4
Davis, Joyce L.	1430 Echo Glen Rd	Female	Black	4
Kilgo, Carol	1334 Squirrel Hill Rd.	Female	Black	4

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Carter, Robert D.	4812 Snow White Lane	Male	Black	4
Davis Jr, Robert L.	3235 Shamrock Dr.	Male	Black	4
Hines, Eric W.	6010 Coates Ct.	Male	Black	4
Springs, Jerry	3510 Craig Ave.	Male	Black	4
Watson, Betty L.	P. O. Box 12213	Female	White	4
Bambach, John D.	1811 Mecklenburg Ave.	Male	White	4
Burson, Sherman L.	7515 Shady Ln.	Male	White	4
Holt, Ralph E.	3708 Country Club Dr.	Male	White	4
Ledwell, Jerry V.	3401 Country Club Dr.	Male	White	4
Stewart, Alan C.	4000 Craig Ave.	Male	White	4
Gaston, Theresa D.	6210 Farm Pond Ln	Female	Black	5
Gallagher, Jane	1328 Ferncliff Rd.	Female	White	5
Powell, Wilma E.	412 Montrose St.	Female	Black	5
Pendergrass, Preston	1027 Nancy Dr.	Male	Black	5
Thomas, Herbert R.	6623 Cedar Srpings Rd.	Male	Black	5
Brusso, Varie B.	154 N. Canterbury Rd.	Female	Indian	5
Alford, Helen A.	1515 Delane Ave.	Female	White	5
Dorsett, Alice H.	2005 Vernon Dr.	Female	White	5
Myers, Caroline L.	1119 Providence Rd.	Female	White	5
Rice, Judy G.	6523 Monroe Rc.	Female	White	5
Austin, Donald T.	730 Pineborough Rd.	Male	White	5

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Butler, Rickey G.	5311 Mock Robin Lane	Male	White	5
Gordon, Michael S.	1509 Eastcrest Dr.	Male	White	5
Lynn, Larry H.	1421 Painter Pl.	Male	White	5
Mitchell, Douglas A.	501 Meadowbrook Rd.	Male	White	5
Moon, Sam L.	4612 Easthaven Dr.	Male	White	5
Prewitt, Nathaniel W.	6101 Idlewild Rd.	Male	White	5
Torpey, James A.	4319 Walker Rd.	Male	White	5
Vasko, Peter F.	7834 Hummingbird Ln	Male	White	5
Nicholson, Maggie L.	1225 S. Caldwell St.	Female	Black	6
Anderson, Catherine	821 Harvard Pl.	Female	White	6
Bennett, Elizabeth M.	1844 Harris Rd.	Female	White	6
Bridgeman, Dorothy J.	5814 Wintercrest Ln.	Female	White	6
Collins, Amanda L.	536 K Enlough Dr.	Female	White	6
Corkey, Elizabeth C.	519 Hermitage Ct.	Female	White	6
Franklin, Linda B.	600 Sandridge Rd.	Female	White	6
Henderson, Nan C.	1515 Dilworth Rd.	Female	White	6
Keith, Patricia A.	2253 Crescent Ave.	Female	White	6
Love, Penelope D.	223 Huntley Pl.	Female	White	6
Rice, Kristine	3433 Wakefield Dr.	Female	White	6
Shields, Mary J.	210 S. Caswell Rd.	Female	White	6
Thomas, Elaine D.	1825 Lynnwood Dr.	Female	White	6

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Woolard, Virginia S.	638 Hempstead Pl.	Female	White	6
Bauchanan, Gerald R.	2108 Wensley Dr.	Male	White	6
Campbell, Hugh B.	1428 Scotland Ave.	Male	White	6
Cochrane, John F.	1619 Lyndhurst Ave.	Male	White	6
Convey, William H.	1420 Lilac Rd.	Male	White	6
Curtis, Thomas A.	2036 Wensley Dr.	Male	White	6
Mansfield, C. F.	735 E. Kingston Ave.	Male	White	6
McRae, Jon O.	217 Cottage Pl.	Male	White	6
Shields, Jr, William B.	210 Caswell Rd.	Male	White	6
Taylor, Randolph	121 Hermitage Rd.	Male	White	6
Harrison, Sandra M.	6029 Doncaster Dr.	Female	Black	7
Booker, Edward H.	6123 Patrick Pl.	Male	Black	7
Harrison, John T.	6029 Doncaster Dr.	Male	Black	7
Daniels, Johanna M.	8035 Regent Park Ln.	Female	White	7
Devivo, Ange Z	5805 Sharon Rd.	Female	White	7
Edge, Brenda M.	2601 Goneaway Rd.	Female	White	7
Englebardt, Sheila P.	8334 Knightsbridge Rd.	Female	White	7
Hoyle, Joyce H.	125 Greylyn Dr.	Female	White	7
Jardine, Nancy L.	3721 Severn Ave.	Female	White	7
Mond, Rita C.	3400 Gresham Pl.	Female	White	7
Tobias, Dorothy B.	2248 Colony Rd.	Female	White	7

Talent Bank Nominees for Human Resources

Name	Address	Sex	Race	District
Appleby, James	1826 Wandering Way Dr.	Male	White	7
Boyette, Staton E	1330 E Barden Rd.	Male	White	7
Brockman, Sidney J.	2233 Rexford Apt C	Male	White	7
McCoy, Ben W.	3336 Tinkerbell Ln.	Male	White	7
Nikles, Thomas A.	7345 Bedfordshire Dr.	Male	White	7
Tobias, Ray W.	2248 Colony Rd.	Male	White	7

#10

Request for Council Action

Charlotte

To the City Manager M. F. Billups Jr — October 6, 1981 Date

From Marvin F. Billups, Jr., Director, Parks and Recreation Dept.

Action Requested Recommend approval of the request presented by Mr. Nathan H McLamb, member of the North Carolina Rotary Club, to serve beer at their family outing at Park Road Park, Shelter #2, October 27, 1981, 4 00 p.m. to 8 00 p.m.

By letter, Mr. Nathan H. McLamb is requesting permission to serve beer at a family outing at Park Road Park.

Applied in writing 21 days in advance.

Approximately 7½ gallons of beer will be served

Dispensing will be supervised by Mr Nathan H. McLamb.

Dispensing will be from 4 00 p m. to 8 00 p.m.

Control measures will insure that all ABC regulations will be followed and no one under the age of 18 will be served. Supervision of enforcement will be by Mr. Nathan H. McLamb.

Parks and Recreation Department recommends approval.

RB

#11

Request for Council Action

Charlotte

To the City Manager

October 16, 1981
Date

From C. D. Readling, City Engineer

Action Requested That City Council award general, mechanical, electrical and plumbing contracts for the construction of Sugaw Creek Recreation Center and Albemarle Road Recreation Center in the amount of $1,346,200.

In February of 1981, the firm of Dellinger/Lee was hired to design two new recreation centers. In an effort to minimize costs, they were to design one building with site modifications for each location with both centers being bid as one project. The project was advertised in September and bids received on October 6, 1981. The low bids for the Sugaw Creek Center were $13,000 less than the available construction budget of $719,090.00 and the low bids for the Albemarle Road Center were $115,300 over the available budget of $627,110.00. Together, the base bids for both centers were $102,300 over the funds available for construction. Bids were also received for eleven additive alternates totaling $284,040.00 for both centers.

In view of this, the architect was instructed to negotiate with the low bidders to bring the project within the available money. We were able to negotiate the bids so that the two centers could be funded from the original total appropriation of $1,680,000 ($840,000 per center). However, it was not possible to negotiate the bids so that the construction funds allocated for the Albemarle Road Center offset the additional cost of land for that project. The alternatives that were considered included:

Redesign a smaller center at Albemarle Road. Inflation and new architect fees would increase the cost of the Albemarle Road project. Also, building a smaller Albemarle Road project would increase the cost of the Sugaw Creek project since there are significant savings in constructing two structurally identical buildings, which is the basis for the current bids.

Leave a balance in the Sugaw Creek project and re-prioritize the capital improvement budget in order to take funding from some other project to increase the funding for the Albemarle Road Center.

Utilize savings and fund balances in the Sugaw Creek project to fund the Albemarle Road project. In the Sugaw Creek Center we are proposing the addition of skylights in the lobby, additional equipment, better interior finishing and better quality of brick on the exterior.

The last alternative is recommended.

np

ALBEMARLE ROAD AND SUGAW CREEK
RECREATION CENTERS
****

ENGINEERING DEPARTMENT

The following bids have been received for "Albemarle Road and Sugaw Creek Recreation Centers, Project Numbers 516-81-050 and 512-81-122." This project will consist of the construction of two recreation centers to compliment the respective adjacent parks. The centers will be identical in size and shape and contain arts and crafts area, game room, club room and a complete gymnasium with supporting facilities. For aesthetic reasons, the buildings will utilize an earth berm type of construction. The completion date for this project will be 365 days after the Contractor receives his Notice to Proceed. Liquidated damages will be assessed at the rate of $150.00 per facility per day.

Advertisement was carried in The Charlotte News on September 8, 1981. Bids were received by the City on September 29, 1981.

BIDS:

(See Attached Bid Summary)

Recommendation: By the City Engineer that the negotiated low Base Bid plus Alternates be awarded to the following low bidders on a lump sum basis.

			Albemarle Road	Sugaw Creek
General:	Kenneth Reed Const. Corp. Huntersville, N.C.	*Base Bid	$ 480,690	$ 445,298
		(Alternates)		
		#1 Dance Equipment		10,000
		#3 Cabinets & Appliances		8,500
		#6 Skylight		7,200
		Add. Allowance-Face Brick		5,114
		SubTotal	$ 480,690	$ 476,112
		TOTAL CONTRACT AMOUNT.		$ 956,802
Mechanical:	Mechanical Contractors Charlotte, N.C.	*Base Bid	$ 76,850	$ 78,890
		TOTAL CONTRACT AMOUNT.		$ 155,740
Electrical:	Spence Electric Co.,Inc. Monroe, N.C.	*Base Bid	$ 61,366	$ 61,366
		(Alternates)		
		#3 Cabinets & Appliances		200
		SubTotal	$ 61,366	$ 61,566
		TOTAL CONTRACT AMOUNT.		$ 122,932
Plumbing:	Carolina Mechanical Systems, Inc. Charlotte, N.C.	*Base Bid	$ 55,363	$ 55,363
		TOTAL CONTRACT AMOUNT.		$ 110,726

TOTAL ALL CONTRACTS. . . . . $ 1,346,200

TOTAL SUMMARY

		Albemarle Road	Sugaw Creek
1. General:	Kenneth Reed Const. Corp.	$ 480,690	$ 476,112
2. Mechanical:	Mechanical Contractors	76,850	78,890
3. Electrical:	Spence Electric Co., Inc.	61,366	61,566
4. Plumbing:	Carolina Mechanical Systems, Inc.	55,363	55,363
SubTotals:		$ 674,269	$ 671,931

TOTAL CONTRACTS . . . . . $ 1,346,200

==========

Action: Motion to accept negotiated low Base Bid plus Alternates for award of contract on a lump sum basis.

Unencumbered balance prior to contract award -

*Negotiated Base Bid

12a

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FLORIENE F. BURT AND HUSBAND, RALPH L. BURT, LOCATED AT 9500 VANCE ROAD IN MECKLENBURG COUNTY, FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to FLORIENE F. BURT and husband, RALPH L. BURT, located at 9500 Vance Road in Mecklenburg County, to acquire land for a solid-waste collection and disposal facility in connection with the Proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of The City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of FLORIENE F. BURT and husband, RALPH L. BURT, located at 9500 Vance Road in Mecklenburg County under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $34,800.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____ _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page_____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

610

October 26 19 81

Tax Code - 25-141-13

Project Proposed Reames Road Landfill Site

Parcel 13 Charge to (Code)

Owner(s) Floriene F Burt and Ralph L. Burt

Address of Property 9500 Vance Road

Total Land Area 33 16 acres Lot Size see attached map

Portion to Be Acquired 20 48 acres

Residue 12 68 acres

Improvements no

Condemnation Price $ 34,800 00 Negotiated By E. C. Lasher

Appraised By D A Stout ($34,800.) and John McPherson ($30,700.)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter offer.

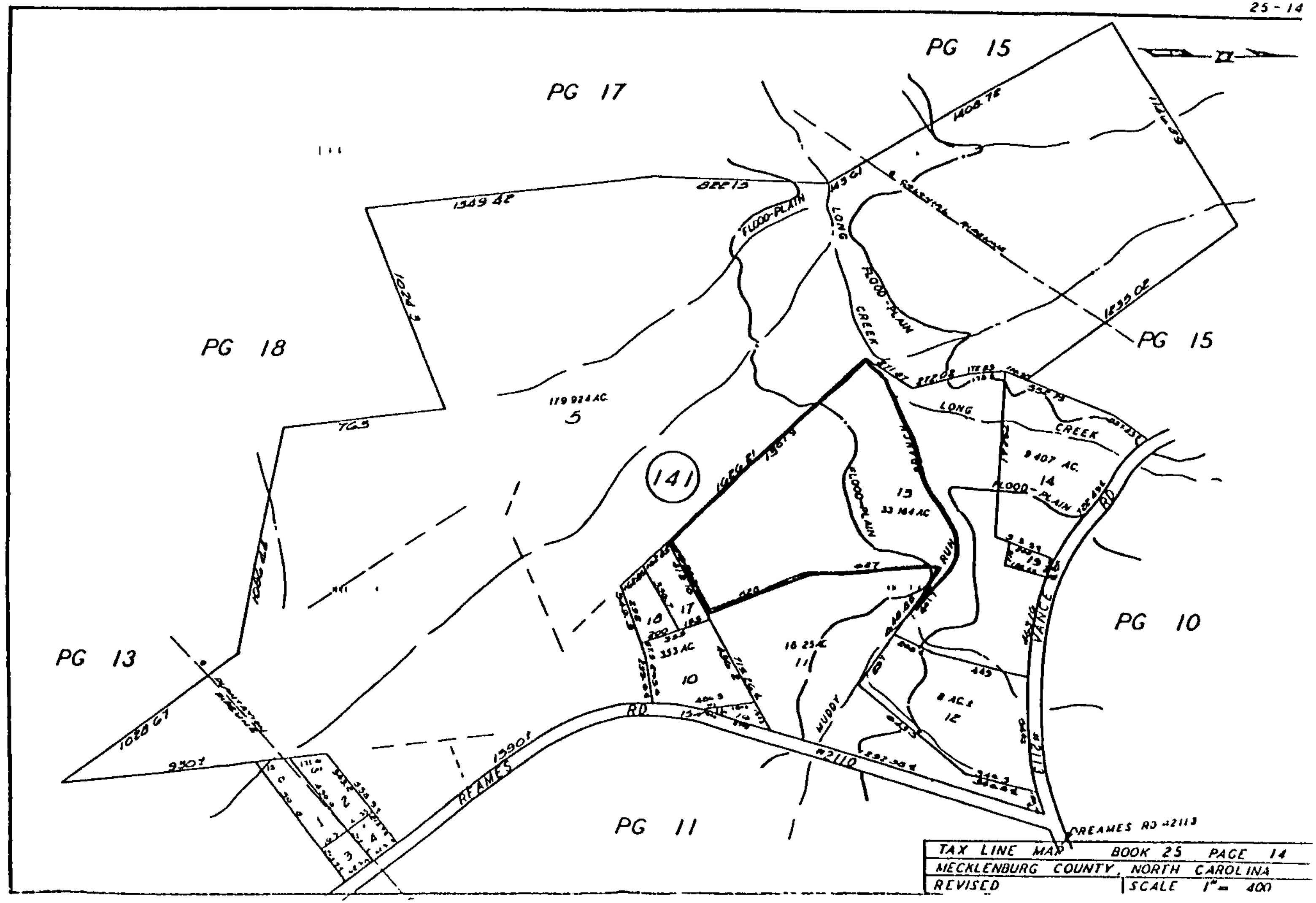
CERTIFIED CORRECT Jack N. McWhirter
~~Engineering Accountant~~
Real Estate Supervisor

~~Chief Right of Way Agent~~

APPROVED FOR PAYMENT Susan N Williams
~~Auditor~~
Presly F Brown
~~Director of Public Works~~

COUNCIL APPROVAL

Operations Dept., Director



TAX LINE MAP BOOK 25 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED SCALE 1" = 400

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DOLPHUS IRVIN DUCKETT AND WIFE, BONNIE DUCKETT, LOCATED ON THE WEST SIDE OF REAMES ROAD IN MECKLENBURG COUNTY FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to DOLPHUS IRVIN DUCKETT and wife, BONNIE DUCKETT, located on the west side of Reames Road in Mecklenburg County, to acquire land for a solid-waste collection and disposal facility in connection with the Proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of DOLPHUS IRVIN DUCKETT and wife, BONNIE DUCKETT, located on the west side of Reames Road in Mecklenburg County under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $200.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

615

October 26 1981

Tax Code - 25-141-15

Project Proposed Reames Road Landfill Site

Parcel 15 Charge to (Code) 2010/268.00

Owner(s) Dolphus Irvin Duckett and wife, Bonnie Duckett

Address of Property West side of Reames Road

Total Land Area 16.684 acres Lot Size see map attached

Portion to Be Acquired .161 acre

Residue 16.523 acre

Improvements

Condemnation Price $ 200.00 Negotiated By E. C Lasher

Appraised By D. A. Stout ($200.) and John McPherson ($200.)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter-offer.

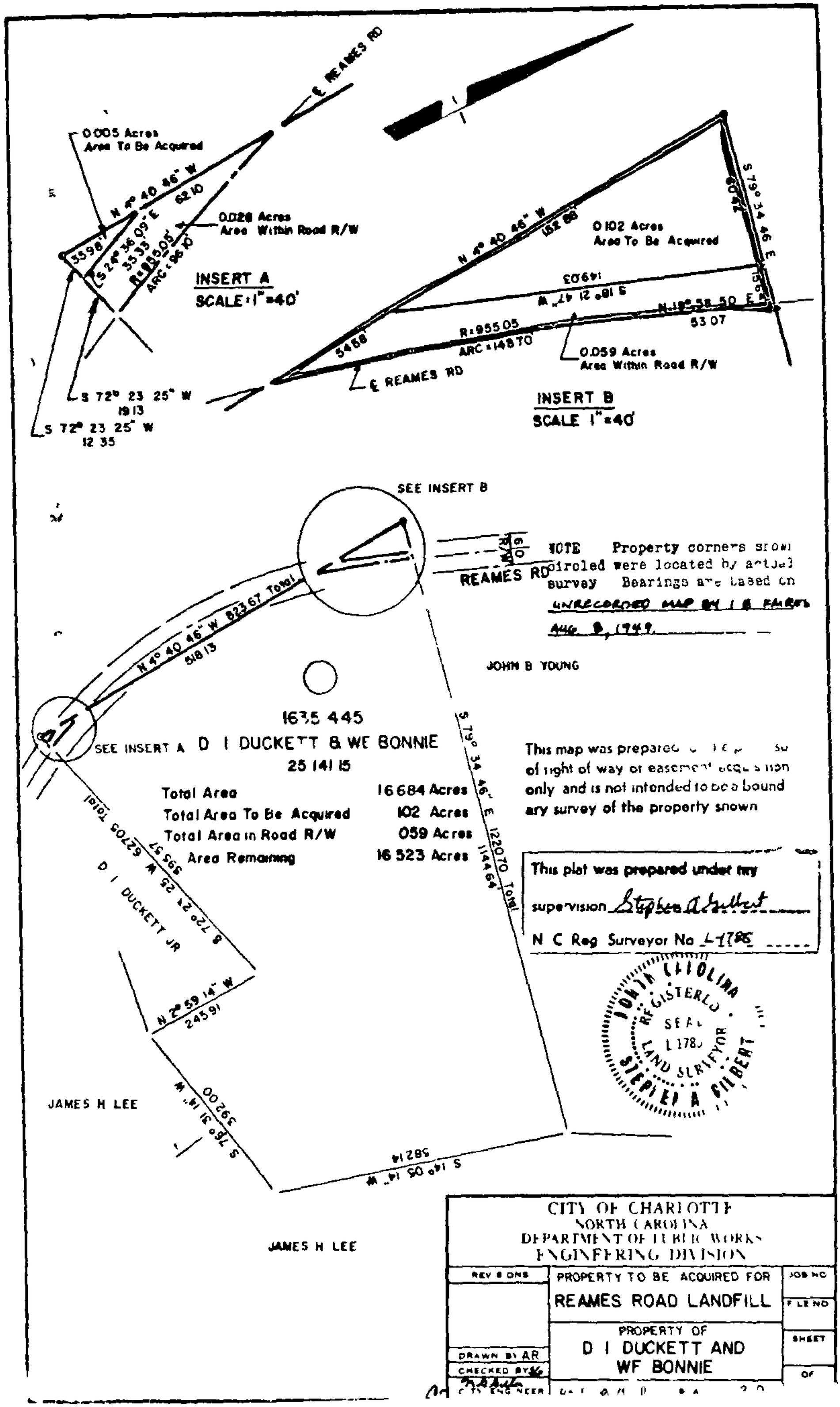
CERTIFIED CORRECT

Real Estate Supervisor

APPROVED FOR PAYMENT

Operation Dept., Director

COUNCIL APPROVAL:


℄ REAMES RD
0.005 Acres
Area To Be Acquired
N 4° 40 46" W
62 10
0.028 Acres
Area Within Road R/W
35 98'
S 24° 36 09" E
35 33'
R=955 05'
ARC=96 10'
INSERT A
SCALE 1"=40'
S 72° 23 25" W
19 13
S 72° 23 25" W
12 35
0.102 Acres
Area To Be Acquired
N 4° 40 46" W
152 88'
S 79° 34 46 E
60 42'
S 18° 21 47" W
149 03
N 18° 58 50 E
53 07
R=955 05
ARC=148 70
54 88
0.059 Acres
Area Within Road R/W
℄ REAMES RD
INSERT B
SCALE 1"=40'
SEE INSERT B
REAMES RD
NOTE Property corners shown circled were located by actual survey Bearings are based on UNRECORDED MAP BY I B FARRIS AUG 8, 1949.
N 4° 40 46" W 823 67 Total
518 13
JOHN B YOUNG
1635 445
SEE INSERT A D I DUCKETT & WF BONNIE
25 141 15
S 79° 34 46" E 1220 70 Total
1144 64
Total Area 16 684 Acres
Total Area To Be Acquired 102 Acres
Total Area in Road R/W 059 Acres
Area Remaining 16 523 Acres
S 72° 23 25" W 627 05 Total
595 57
D I DUCKETT JR
N 2° 59 14" W
245 91
JAMES H LEE
S 75° 31 14" W
392 00
S 14° 05 14" W
582 14
JAMES H LEE
This map was prepared [illegible] of right of way or easement acquisition only and is not intended to be a boundary survey of the property shown
This plat was prepared under my supervision Stephen A Gilbert
N C Reg Surveyor No L-1785
NORTH CAROLINA REGISTERED SEAL L 1785 LAND SURVEYOR STEPHEN A GILBERT
CITY OF CHARLOTTE
NORTH CAROLINA
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
REV & ONS
PROPERTY TO BE ACQUIRED FOR
REAMES ROAD LANDFILL
JOB NO
FILE NO
PROPERTY OF
D I DUCKETT AND
WF BONNIE
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OF
DRAWN BY AR
CHECKED BY
CITY ENGINEER

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN B. YOUNG LOCATED ON THE WEST SIDE OF REAMES ROAD IN THE COUNTY OF MECKLENBURG FOR THE PROPOSED REAMES ROAD LANDFILL SITE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John B. Young located on the West Side of Reames Road in the County of Mecklenburg to acquire land for the proposed Reames Road Landfill Site Project, and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach agreement with the owner for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7 81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of John B. Young, located on the West Side of Reames Road in the County of Mecklenburg, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended, and

BE IT FURTHER RESOLVED that $1,450.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book_____page_____, and recorded in full in Resolutions Book_____, page_____.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the_____day of_____, 1981.

Ruth Armstrong, City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

612

Tax Code - 25-141-16 October 26 19 81

Project Proposed Reames Road Landfill Site

Parcel 16 Charge to (Code)

Owner(s) John B Young

Address of Property west side of Reames Road

Total Land Area 527 acre Lot Size see attached map

Portion to Be Acquired 527 acre

Residue 0

Improvements no

Condemnation Price $ 1,450 00 Negotiated By E C Lasher

Appraised By D A Stout ($1,450.) and John McPherson ($1,300)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site No counter offer.

CERTIFIED CORRECT

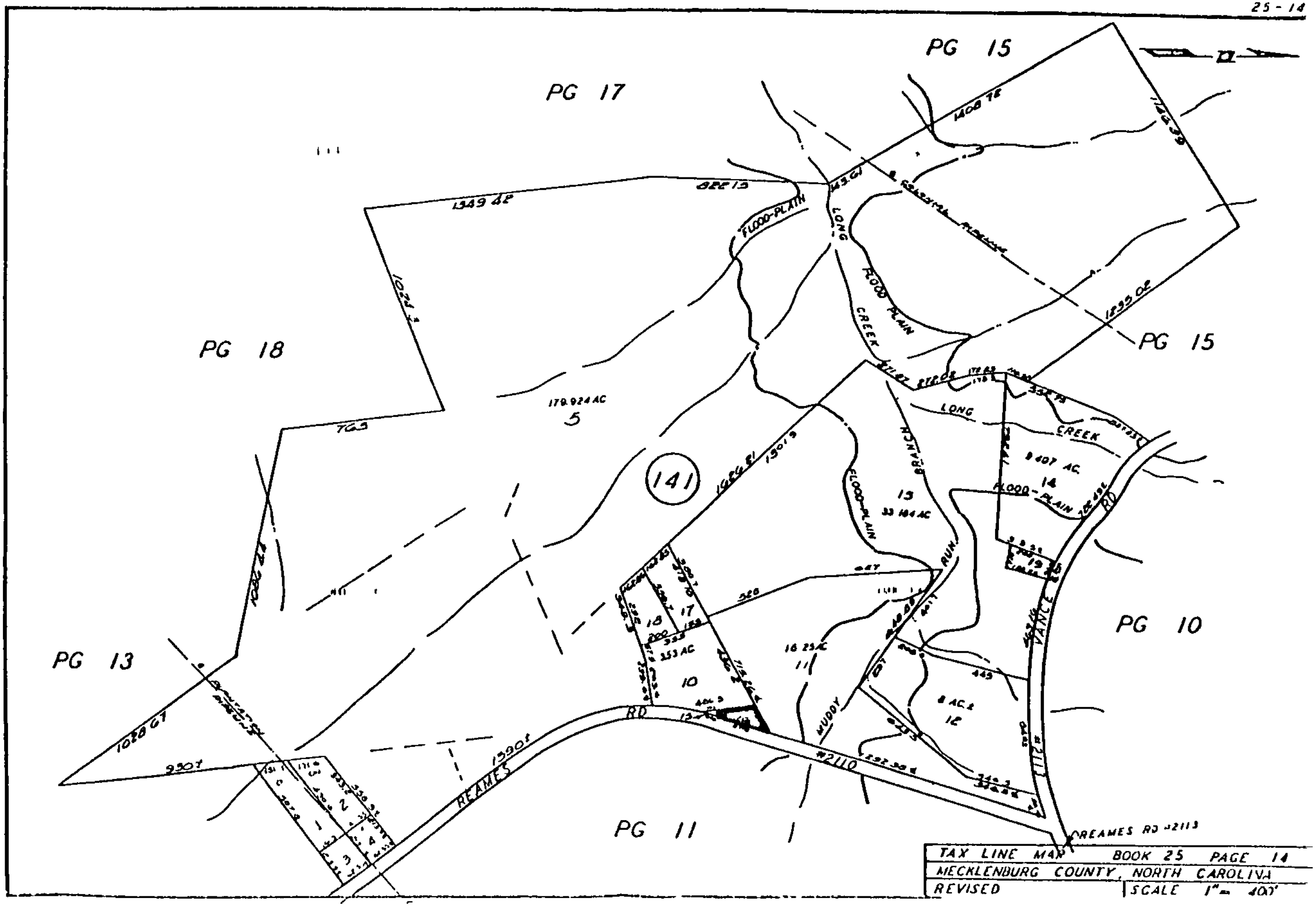
~~Engineer~~
Real Estate Supervisor

APPROVED FOR PAYMENT

~~Chief Engineer~~

Operations Dept., Director

COUNCIL APPROVAL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16
8 AC ±
12
REAMES RD #2113
TAX LINE MAP BOOK 25 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED
SCALE 1" = 400'

KL

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LELIA S. HOPPES AND HUSBAND, PAUL A. HOPPES; C. D. TALIAFERRO, TRUSTEE FOR C. C. MOORE, CLERK OF SUPERIOR COURT, MORTGAGEE, LOCATED AT 9337 REAMES ROAD IN MECKLENBURG COUNTY FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to LELIA S. HOPPES and husband, PAUL A. HOPPES; C. D. TALIAFERRO, TRUSTEE for C. C. MOORE, Clerk of Superior Court, Mortgagee, located at 9337 Reames Road in Mecklenburg County to acquire land for a solid-waste collection and disposal facility in connection with the Proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of LELIA S. HOPPES and husband, PAUL A. HOPPES; C. D. TALIAFERRO, TRUSTEE for C. C. MOORE, Clerk of Superior Court, Mortgagee, located at 9337 Reames Road in Mecklenburg County under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $20,350.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

608

October 26 19 81

Tax Code - 25-141-10

Project Proposed Reames Road Landfill Site

Parcel 10 Charge to (Code)

Owner(s) Lelia S Hoppes and Paul A Hoppes

Address of Property 9337 Reames Road

Total Land Area 3 53 acres Lot Size 436 2 feet x 486 50 feet x 269 60 feet x 57 50 feet x 355 0 feet

Portion to Be Acquired 3 53 acres

Residue 0

Improvements yes

Condemnation Price $ 20,350 00 Negotiated By E C Lasher

Appraised By D A Stout ($19,000) and John McPherson ($20,350)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter offer

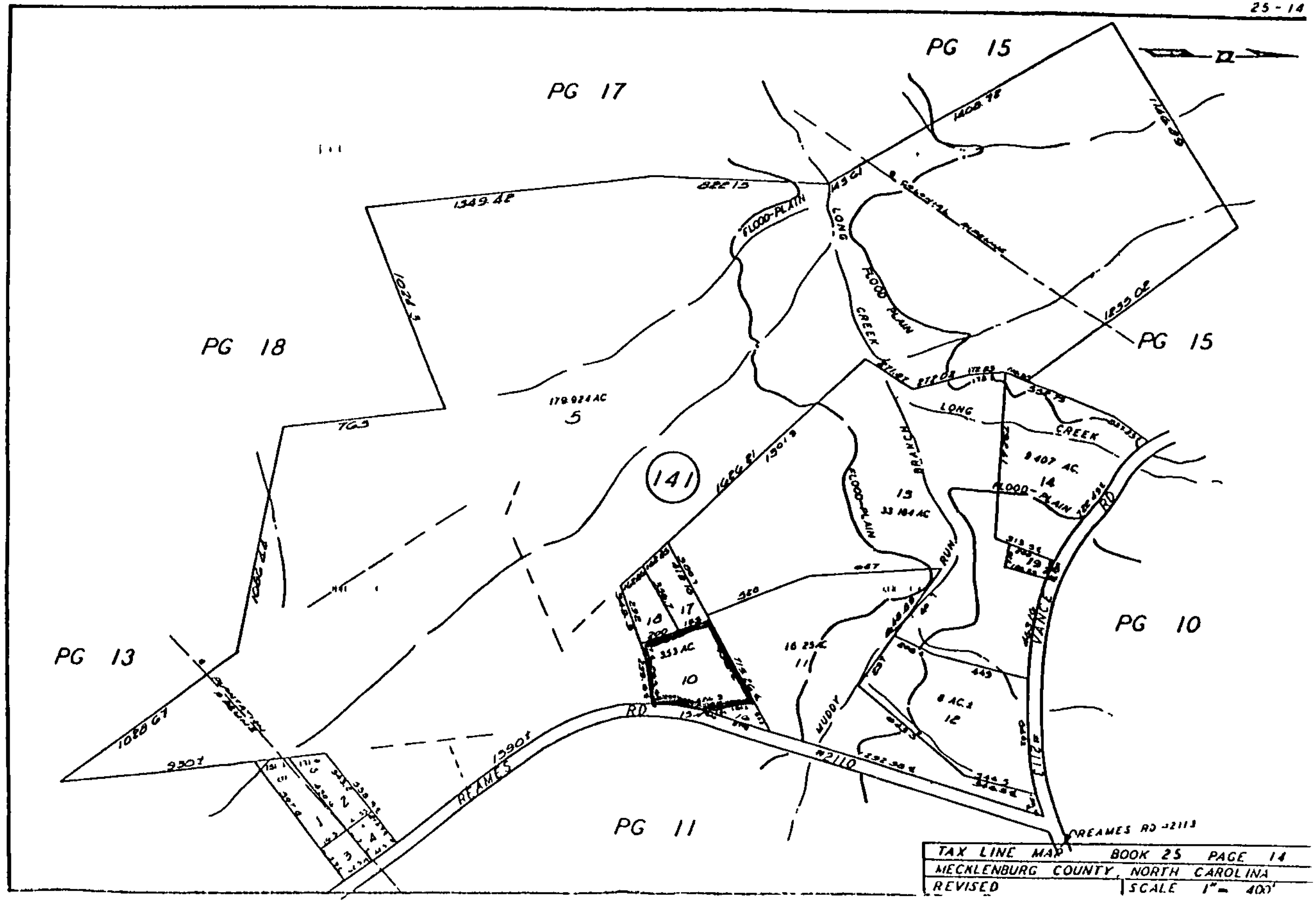
CERTIFIED CORRECT

Real Estate Supervisor

APPROVED FOR PAYMENT

Operations Dept., Director

COUNCIL APPROVAL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LONG
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FLOOD-PLAIN
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MUDDY
VANCE
REAMES
RD
REAMES RD #2113
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17
TAX LINE MAP BOOK 25 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED
SCALE 1" = 400'

1Ne

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FRANKLIN W. BLYTHE, LOCATED AT 8910 VANCE ROAD IN MECKLENBURG COUNTY FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to FRANKLIN W. BLYTHE, located at 8910 Vance Road in Mecklenburg County to acquire land for a solid-waste collection and disposal facility in connection with the Proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owner for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of FRANKLIN W. BLYTHE, locate at 8910 Vance Road in Mecklenburg County under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $14,800.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

607

October 26 19 81

Tax Code - 25-151-1

Project Proposed Reames Road Landfill Site

Parcel 1 Charge to (Code)

Owner(s) Franklin W Blythe

Address of Property 8910 Vance Road

Total Land Area 5 37 acres Lot Size see map attached

Portion to Be Acquired 5 37 acres

Residue 0

Improvements yes

Condemnation Price $ 14,800.00 Negotiated By E. C. Lasher

Appraised By D A Stout ($14,800) and John McPherson ($13,500)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter offer

CERTIFIED CORRECT Jack H McAlister
~~Engineer~~ Real Estate Supervisor

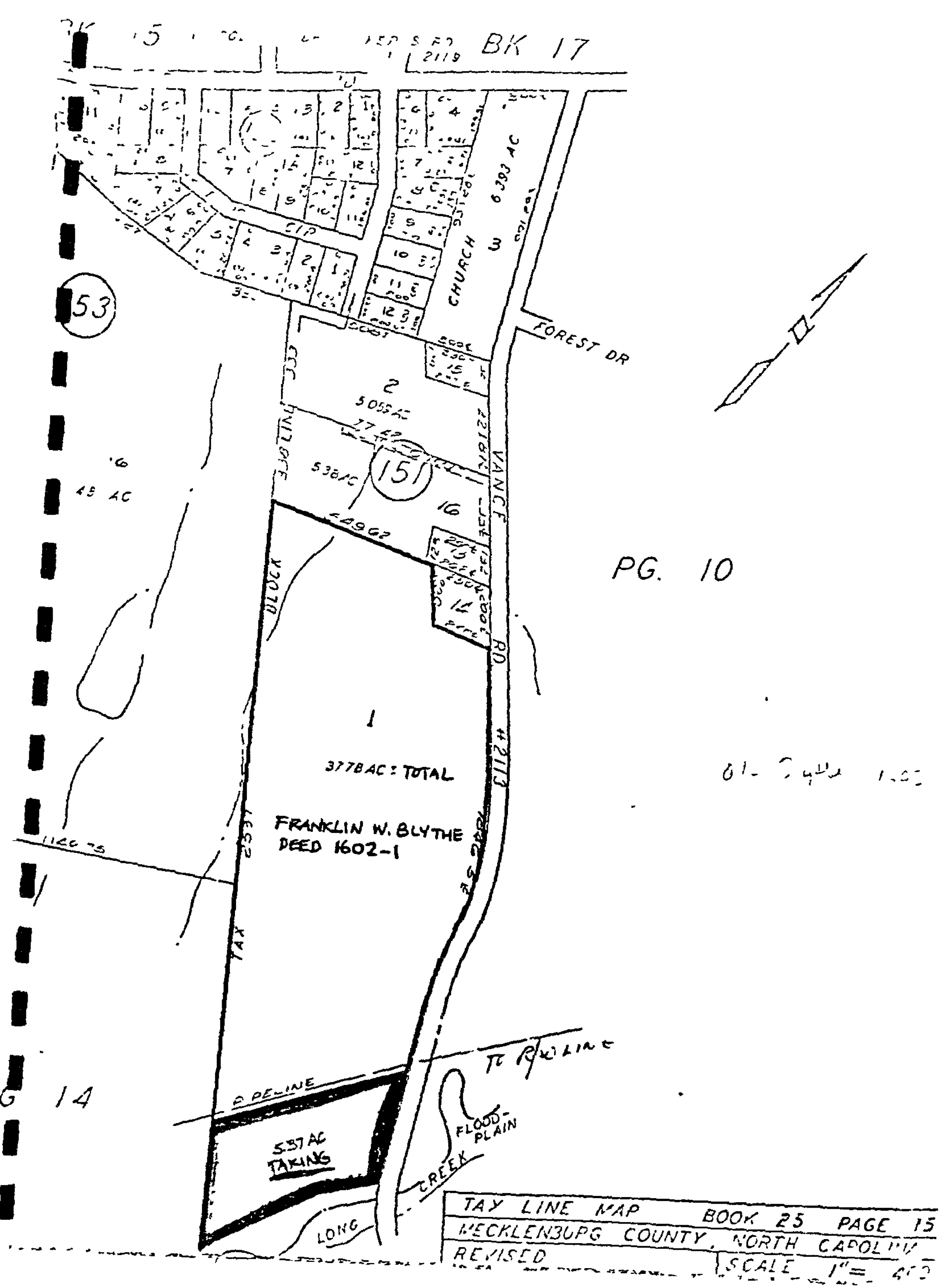
~~Engineer~~

APPROVED FOR PAYMENT Susan H Williams
~~City Engineer~~

Presly F Beard
~~Engineer~~

Operations Dept., Director

COUNCIL APPROVAL


BK 17
53
CHURCH
6.393 AC
FOREST DR
2
5.055 AC
151
16
538 AC
49 AC
1
3.778 AC = TOTAL
FRANKLIN W. BLYTHE
DEED 1602-1
TAX
5.37 AC
TAKING
FLOOD-PLAIN
CREEK
LONG
TAX LINE MAP BOOK 25 PAGE 15
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED
SCALE 1" = 400'

PG. 10

PG. 14

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN B. YOUNG LOCATED ON THE WEST SIDE OF REAMES ROAD IN COUNTY OF MECKLENBURG FOR THE PROPOSED REAMES ROAD LANDFILL SITE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John B. Young located on the West Side of Reames Road in County of Mecklenburg to acquire land for the proposed Reames Road Landfill Site Project, and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owner for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7 81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of John B Young located on the West Side of Reames Road in County of Mecklenburg under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended, and

BE IT FURTHER RESOLVED that $19,700.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the____ day of_____, 1981, and the reference having been made in Minute Book_____, page_____, and recorded in full in Resolutions Book_____, page_____.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the_____day of_____, 1981.

Ruth Armstrong, City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

609

October 26 1981

Tax Code - 25-141-11

Project Proposed Reames Road Landfill Site

Parcel 11 Charge to (Code)

Owner(s) John B Young

Address of Property west side of Reames Road

Total Land Area 16 25 acres Lot Size see map attached

Portion to Be Acquired 11 61 acres

Residue 4 64 acres

Improvements no

Condemnation Price $ 19,700 Negotiated By E. C. Lasher

Appraised By D A Stout ($19,700.) and John McPherson ($17,400)

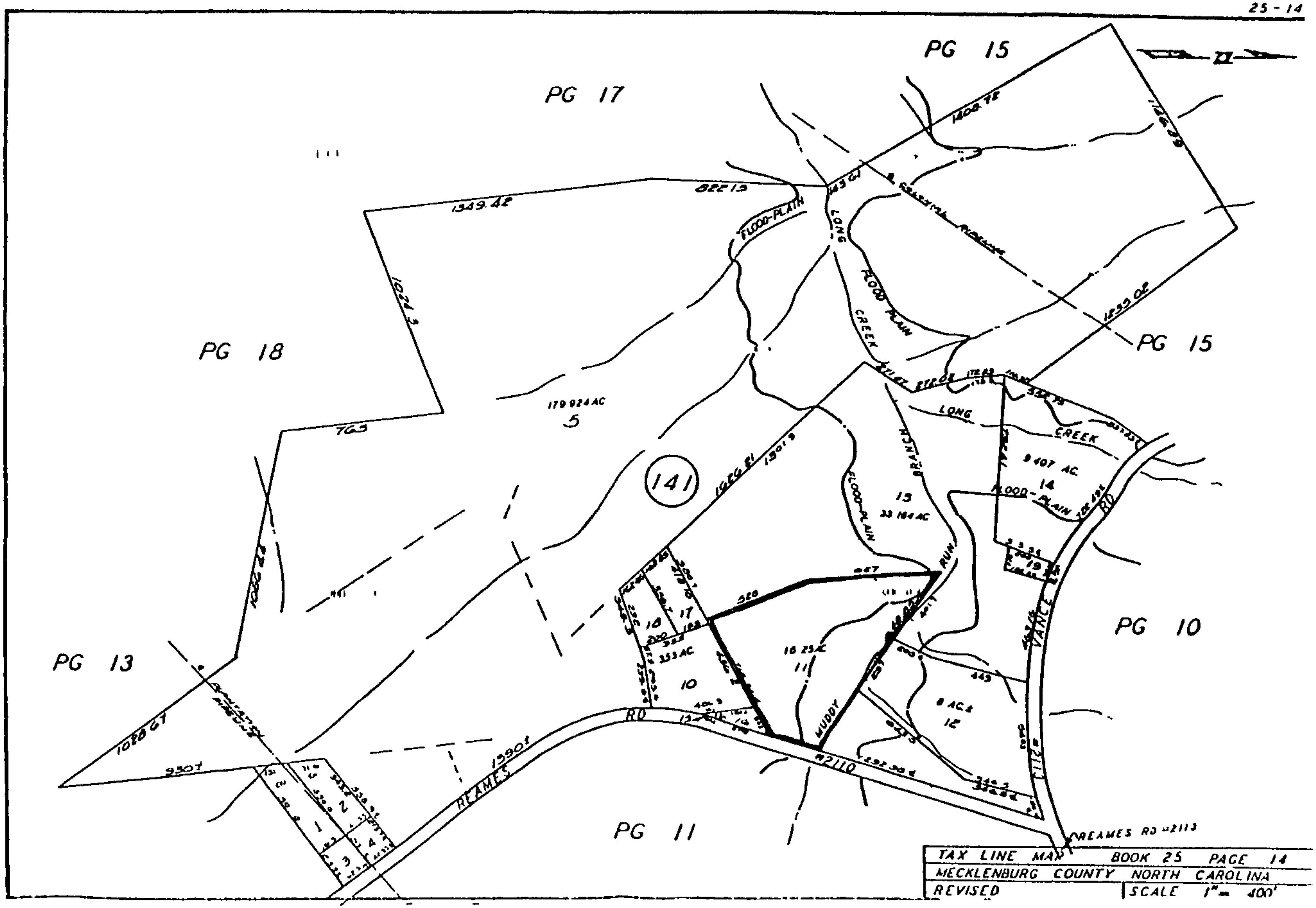
Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter offer.

CERTIFIED CORRECT Jack M McWhirter
Real Estate Supervisor

APPROVED FOR PAYMENT Susan H Williams
Presley F Beam
Operations Dept., Director

COUNCIL APPROVAL



TAX LINE MAP	BOOK 25	PAGE 14
MECKLENBURG COUNTY	NORTH CAROLINA	
REVISED	SCALE 1" = 400'	

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FRANCES DIANE HALL STUART, AND MARGARITTA FRANCES STUART, KENNETH R. DOWNS, GUARDIAN AND SHERRY ANN STUART, KENNETH R. DOWNS, GUARDIAN, LOCATED ON THE WEST SIDE OF REAMES ROAD IN COUNTY OF MECKLENBURG FOR THE PROPOSED REAMES ROAD LANDFILL SITE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Frances Diane Hall Stuart, and Margaritta Frances Stuart, Kenneth R. Downs, Guardian and Sherry Ann Stuart, Kenneth R. Downs, Guardian, located on the West Side of Reames Road in the County of Mecklenburg to acquire land for the proposed Reames Road Landfill Site Project, and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7 81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Frances Diane Hall Stuart and Margaritta Frances Stuart, Kenneth R. Downs, Guardian and Sherry Ann Stuart, Kenneth R Downs, Guardian, located on the West Side of Reames Road in the and County of Mecklenburg, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended, and

BE IT FURTHER RESOLVED that $3,100.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the_____ day of_____, 1981, and the reference having been made in Minute Book_____, page_____, and recorded in full in Resolutions Book_____page_____.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the_____day of_____, 1981.

Ruth Armstrong, City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

614

October 26 19 81

Tax Code - 25-141-17

Project Proposed Reames Road Landfill Site

Parcel 17 Charge to (Code)

Owner(s) Margaritta Frances Stuart/Kenneth R Downs, Guardian
Sherry Ann Stuart/Kenneth R. Downs, Guardian
and husbands if any

Address of Property west side of Reames Road

Total Land Area 1.380 acres Lot Size see attached map

Portion to Be Acquired 1.380 acres

Residue 0

Improvements no

Condemnation Price $ 3,100.00 Negotiated By E. C. Lasher

Appraised By D A Stout ($3,100.) and John McPherson ($2,750.00)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Mr. Kenneth Downs, Attorney and Public Guardian for two minor heirs who are the owners of the above property recommends that condemnation is the surest procedure for the City to get title to this property. Property will have to go for public auction unless condemned.

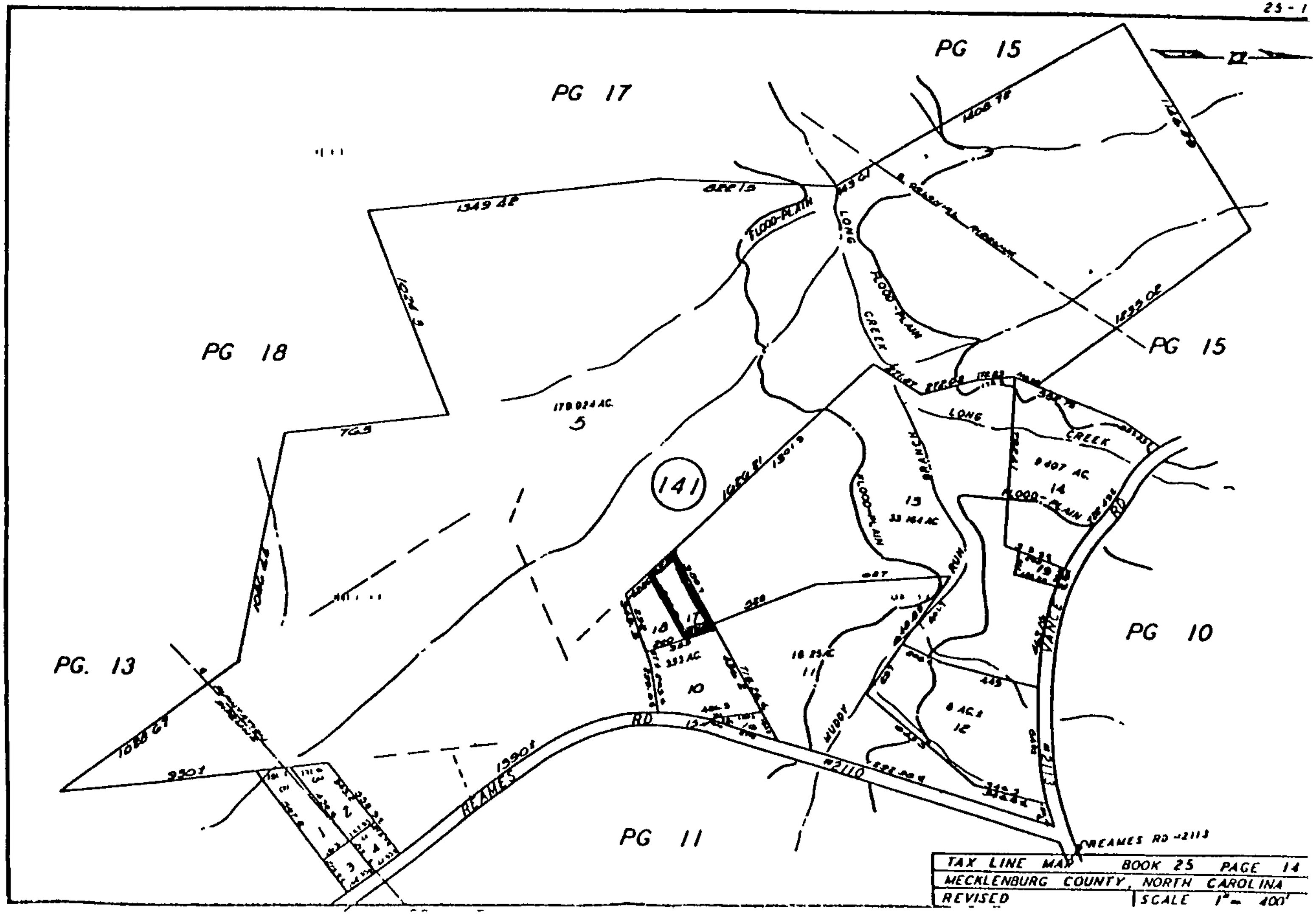
CERTIFIED CORRECT

Real Estate Supervisor

APPROVED FOR PAYMENT

Operations Dept., Director

COUNCIL APPROVAL.



TAX LINE MAP BOOK 25 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED SCALE 1" = 400'

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN SLOAN STUART AND WIFE, LINDA W. STUART, DEED OF TRUST FROM R. S. STEWART TO C. D. TALIAFERRO, TRUSTEE FOR C. C. MOORE CLERK OF SUPERIOR COURT, MORTGAGEE LOCATED OFF REAMES ROAD IN THE COUNTY OF MECKLENBURG FOR THE PROPOSED REAMES ROAD LANDFILL SITE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John Sloan Stuart and wife, Linda W. Stuart, Deed of Trust from R. S. Stewart to C. D. Taliaferro, Trustee for C C. Moore, Clerk of Superior Court, Mortgagee located off Reames Road in the County of Mecklenburg, to acquire land for the proposed Reames Road Landfill Site Project, and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of John Sloan Stuart and wife, Linda W. Stuart, Deed of Trust from R. S. Stewart to C. D. Taliaferro, Trustee for C. C. Moore Clerk of Superior Court, Mortgagee, located off Reames Road in the County of Mecklenburg, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended, and

BE IT FURTHER RESOLVED that $3,600.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the____day of_____, 1981, and the reference having been made in Minute Book_____, page_____, and recorded in full in Resolutions Book_____, page_____

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the_____day of_____, 1981

Ruth Armstrong, City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

613

October 26 1981

Tax Code - 25-141-18

Project Proposed Reames Road Landfill Site

Parcel 18 Charge to (Code)

Owner(s) John Sloan Stuart and wife Linda W Stuart

Address of Property off Reames Road

Total Land Area 1 320 acres Lot Size see attached map

Portion to Be Acquired 1 320 acres

Residue 0

Improvements no

Condemnation Price $ 3,600 00 Negotiated By E C Lasher

Appraised By D A Stout ($3,600.) and John McPherson ($3,300)

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a landfill site. No counter offer

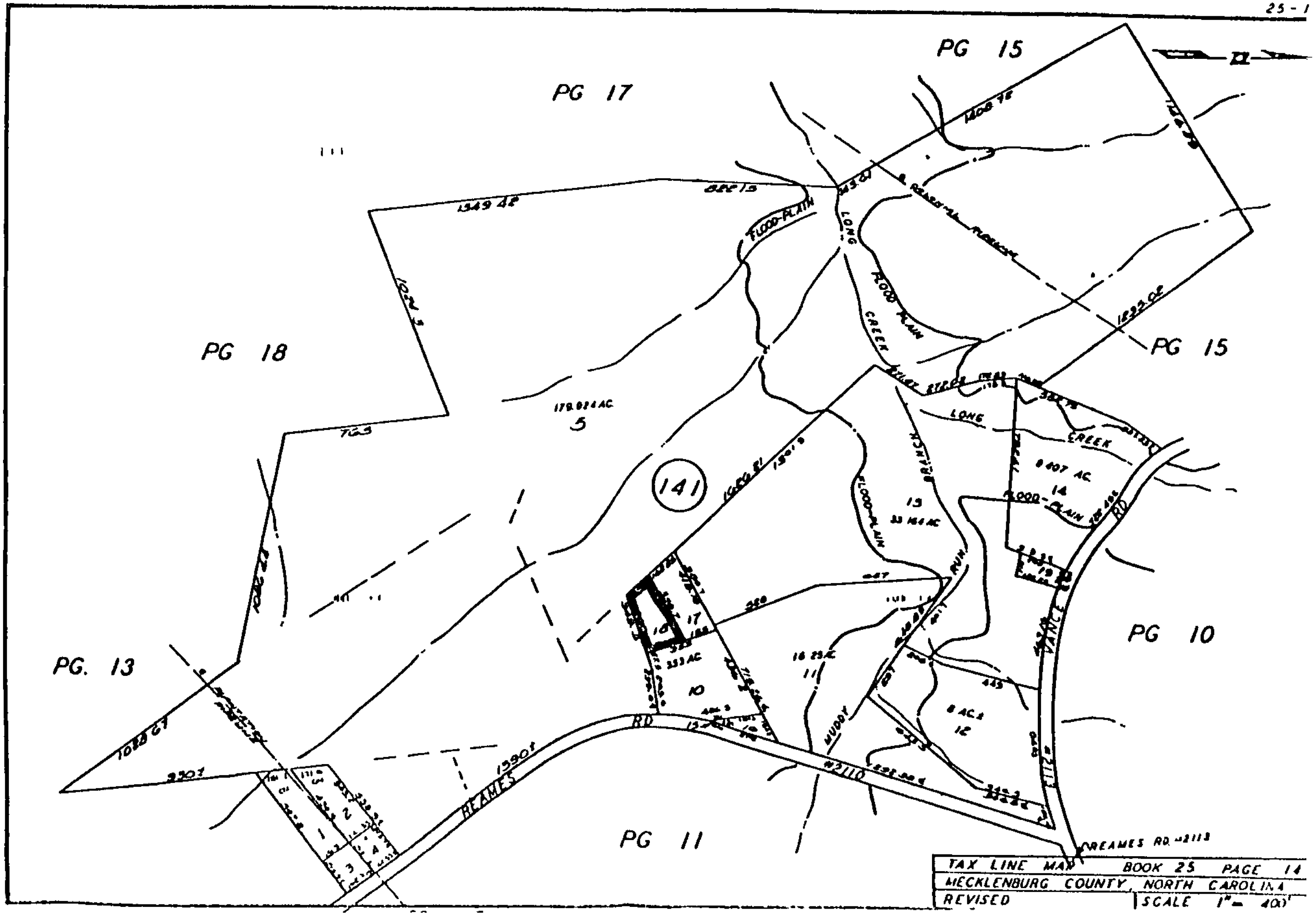
CERTIFIED CORRECT

Real Estate Supervisor

APPROVED FOR PAYMENT

Operations Dept., Director

COUNCIL APPROVAL


PG 15
PG 17
PG 18
PG 15
PG 10
PG. 13
PG 11
FLOOD-PLAIN
LONG
CREEK
FLOOD PLAIN
LONG
CREEK
FLOOD-PLAIN
RUN
MUDDY
VANCE
REAMES
RD
141
5
13
14
10
12
17
11
REAMES RD #2113
TAX LINE MAP BOOK 25 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED
SCALE 1" = 400'

1Ei

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DOLPHUS IRVIN DUCKETT AND WIFE, BONNIE DUCKETT, LOCATED ON THE WEST SIDE OF REAMES ROAD IN MECKLENBURG COUNTY, FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council has authorized this day that $200.00 be deposited with the Office of the Clerk of Superior Court of Mecklenburg County, together with the filing of a Complaint and Declaration of Taking of certain property belonging to DOLPHUS IRVIN DUCKETT and wife, BONNIE DUCKETT, located on the west side of Reames Road in Mecklenburg County; and

WHEREAS, the City Council finds as a fact that it is necessary to acquire another certain tract belonging to DOLPHUS IRVIN DUCKETT and wife, BONNIE DUCKETT, located on the west side of Reames Road in Mecklenburg County, to acquire land for a solid-waste collection and disposal facility in connection with the proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of DOLPHUS IRVIN DUCKETT and wife, BONNIE DUCKETT, located on the west side of Reames Road in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $100.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form: Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

616

October 26 1981

Tax Code - 25-141-15

Project Proposed Reames Road Landfill Site

Parcel 15-A Charge to (Code) 2010/268.00

Owner(s) Dolphus Irvin Duckett and wife Bonnie Duckett

Address of Property west side of Reames Road

Total Land Area 16.523 acres Lot Size see map attached

Portion to Be Acquired .033 acre

Residue 16 490 acres

Improvements

Condemnation Price $ 100.00 Negotiated By E. C. Lasher

Appraised By and

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a Landfill site. No counter offer.

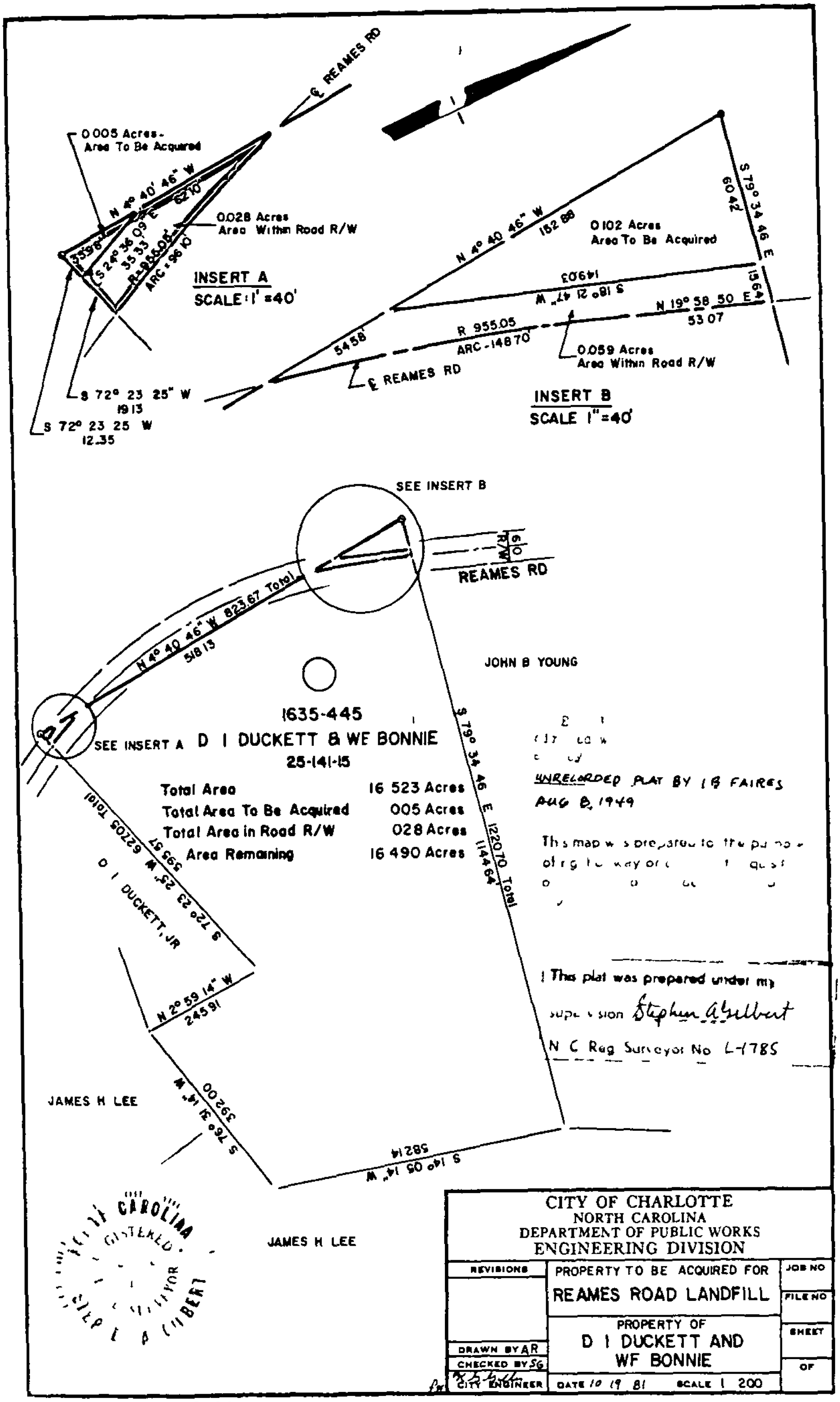
CERTIFIED CORRECT: Jack M. McWhirter
~~Engineering Accountant~~
Real Estate Supervisor

~~XXXXXXXXXXXXXXXXXX~~

APPROVED FOR PAYMENT

~~XXXXXXXXXX~~
~~City Engineer~~
Cressly F Beaver
~~XXXXXXXXXXXXXXXXXX~~
Operations Dept., Director

COUNCIL APPROVAL:


℄ REAMES RD
0.005 Acres -
Area To Be Acquired
N 4° 40' 46" W
62.10'
0.028 Acres
Area Within Road R/W
S 24° 36' 09" E
35.33'
R=86.06'
ARC=96.10'
35.98'
INSERT A
SCALE: 1" = 40'
N 4° 40' 46" W
152.88
0.102 Acres
Area To Be Acquired
S 79° 34' 46" E
60.42'
149.03'
S 18° 21' 47" W
15.64'
N 19° 58' 50" E
53.07'
R 955.05
ARC - 148.70'
54.58'
0.059 Acres
Area Within Road R/W
℄ REAMES RD
S 72° 23' 25" W
19.13'
S 72° 23' 25" W
12.35'
INSERT B
SCALE 1" = 40'
SEE INSERT B
REAMES RD
N 4° 40' 46" W 823.67 Total
518.13'
JOHN B YOUNG
1635-445
SEE INSERT A
D I DUCKETT & WF BONNIE
25-141-15
S 79° 34' 46" E 1220.70 Total
1144.64'
Total Area 16.523 Acres
Total Area To Be Acquired .005 Acres
Total Area in Road R/W .028 Acres
Area Remaining 16.490 Acres
S 72° 23' 25" W 622.05 Total
595.57'
D I DUCKETT, JR
N 2° 59' 14" W
245.91'
JAMES H LEE
S 76° 34' 14" W
392.00'
S 14° 05' 14" W
582.14'
JAMES H LEE
UNRECORDED PLAT BY I B FAIRES
AUG 8, 1949
This map was prepared for the purpose of right of way or easement acquisition
I This plat was prepared under my supervision Stephen A Gilbert
N C Reg Surveyor No L-1785
CAROLINA
REGISTERED
LAND SURVEYOR
STEPHEN A GILBERT
CITY OF CHARLOTTE
NORTH CAROLINA
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
REVISIONS
PROPERTY TO BE ACQUIRED FOR
REAMES ROAD LANDFILL
JOB NO
FILE NO
PROPERTY OF
D I DUCKETT AND
WF BONNIE
SHEET
OF
DRAWN BY AR
CHECKED BY SG
CITY ENGINEER
DATE 10 19 81
SCALE 1 200

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DOLPHUS IRVIN DUCKETT, JR. AND WIFE, REBECCA DUCKETT, LOCATED ON THE WEST SIDE OF REAMES ROAD IN MECKLENBURG COUNTY, FOR THE PROPOSED REAMES ROAD LANDFILL SITE

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to DOLPHUS IRVIN DUCKETT, JR. and wife, REBECCA DUCKETT, located on the west side of Reames Road in Mecklenburg County, to acquire land for a solid-waste collection and disposal facility in connection with the Proposed Reames Road Landfill Site; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of DOLPHUS IRVIN DUCKETT, JR. and wife, REBECCA DUCKETT, located on the west side of Reames Road in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $100.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, RUTH ARMSTRONG, City Clerk of The City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 1981, and the reference having been made in Minute Book _____, Page _____, and recorded in full in Resolutions Book _____, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the _____ day of _____, 1981.

_____
City Clerk

Form RW-02

CITY OF CHARLOTTE
RIGHT OF WAY DIVISION
CONDEMNATION
APPROVAL FOR PROPERTY AND R/W ACQUISITION

617

October 26 19 81

Tax Code - 25-113-06

Project Proposed Reames Road Landfill Site

Parcel 19 Charge to (Code) 2010/268.00

Owner(s) Dolphus Irvin Duckett, Jr. and wife Rebecca Duckett

Address of Property west side of Reames Road

Total Land Area 1.712 acre Lot Size see map attached

Portion to Be Acquired .005 acre

Residue 1.707 acre

Improvements

Condemnation Price $ 100.00 Negotiated By E. C. Lasher

Appraised By and

Recommended Condemnation Price Is Within The Values Estimated By The Appraisers yes

REMARKS Owner does not wish to negotiate for a Landfill site. No counter offer.

CERTIFIED CORRECT

~~Engineering Accountant~~
Real Estate Supervisor

APPROVED FOR PAYMENT

~~Operations Dept., Director~~
Presley F. Beaver
Operations Dept., Director

COUNCIL APPROVAL:

34 SF (.001 Ac)

189 SF (.004 Ac)

℄ REAMES RD

N 72° 23' 25" E 187.5'

S 24° 36' 09" E 553.

N 84° 49' 14" W 613.

R=955.05
ARC=143.8'

1" = 10

66 R/W

N 72° 23' 25" E 595.57' 62705 Total

D I DUCKETT

JAMES H LEE

74 578 SF (1.707 Ac)

S 2° 59' 14" E 245.91'

D I DUCKETT

125-113-06
D I DUCKETT JR & WF REBECCA
DEED 3574 094

TOTAL AREA	74 601 SF	1.712 Ac
AREA TO BE ACQUIRED	34 SF	.001 Ac
AREA IN R/W	189 SF	.004 Ac
AREA REMAINING	74 578 SF	1.707 Ac

The map was prepared for the purpose of [illegible]

UNRECORDED PLAT BY I B FAIRES
AUG 8, 1949

This plat was prepared under my supervision Stephen A Gilbert
C Reg Surveyor No L-1785

NORTH CAROLINA REGISTERED SEAL L-1785 PROFESSIONAL LAND SURVEYOR STEPHEN A GILBERT

CITY OF CHARLOTTE
NORTH CAROLINA
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

REVISIONS	PROPERTY TO BE ACQUIRED FOR REAMES ROAD LANDFILL	JOB NO
		FILE NO
	PROPERTY OF D. I DUCKETT, JR AND WF REBECCA M	SHEET
DRAWN BY AR CHECKED BY SG		OF
CITY ENGINEER	DATE 10 19 81 SCALE 1 = 100'	

CHAR CITY 270