

Ordinance No. 641. An Ordinance Amending Chapter 21 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. That Chapter 21, Article 1, Section 2 of the City Code of the City of Charlotte (O. B. 10) be amended by having Building Zone Map of the City of Charlotte amended by changing from Residence 2 to Industrial the following described property:

BEGINNING at the intersection of the easterly margin of Remount Road and the northerly margin of Parker Drive and running thence in a northerly direction with the easterly margin of Remount Road 310 feet, more or less, to an existing industrial zone boundary line; thence in an easterly direction with said boundary line 1,615 feet, more or less, to the center of an unnamed creek; thence in a southerly direction with the center of said creek 370 feet, more or less, to the southerly margin of Parker Drive; thence in a westerly direction with said margin 60 feet, more or less, to a line parallel to and 100 feet northwest of the southeasterly boundary line of property belonging to Edna Corporation; thence in a southwesterly direction with said parallel line 346 feet, more or less, to the southerly boundary line of said Edna Corporation property; thence with said line N. 86-58-30 W. 465 feet, more or less to the southwest corner of said Edna Corporation property; thence N. 17-39-30 E. 219.4 feet to the John D. Grier property line; thence S. 69 W. 242.0 feet to the southeast corner of the E. H. Nance property; thence S. 85-39 W. 136.1 feet to the southwest corner of the E. H. Nance property; thence N. 15-16 W. 196.55 feet to the southerly margin of Parker Drive, the northwest corner of the E. H. Nance property; thence in a westerly direction with the southerly margin of Parker Drive 366 feet, more or less, to the northeast corner of Marsh Realty Company property, said corner being 51 feet, more or less, from the easterly margin of Remount Road; thence S. 6-50 W. 243 feet; thence N. 84-19 W. 51 feet, more or less, to the easterly margin of Remount Road; thence in a northerly direction with the easterly margin of Remount Road 293 feet, more or less, to the BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 25th day of January, 1960, the reference having been made in Minute Book 39, at Page 225, and recorded in full in Ordinance Book 12, at Page 444.

Lillian R. Hoffman
City Clerk

Ordinance No. 631. An Ordinance Amending Chapter 21 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. That Chapter 21, Article II, Section 5, of the City Code of the
City of Charlotte (O. B. 10) be amended by having Building Zone Map of the
Charlotte Perimeter Area amended by changing from Residence 2 to
Business 1 the following described property:

BEGINNING at a point in the southerly margin of Grove Avenue East,
said point being the northwest corner of Lot 5 as shown on a Map
recorded in Map Book 6, Page 705 in the office of the Register of
Deeds for Mecklenburg County, North Carolina, and running thence
with the southerly margin of Grove Avenue East S. 75-27-20 E. 389.56
feet; thence S. 14-32-40 W. 180.0 feet; thence S. 12-08-50 W. 160.02
feet to the northerly margin of Cinderella Road; thence with the
northerly margin of Cinderella Road N. 77-51-10 W. 338.39 feet; thence
N. 12-08-50 E. 356.13 feet to the BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption after
a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina on the 25th day of January, 1960, the reference having
been made in Minute Book 39, at Page 226, and recorded in full in
Ordinance Book 12, at Page 445.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 649

AN ORDINANCE AMENDING FOOD
INSPECTION AND SALES REGULATIONS

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE SALE OF ICE CREAM FROM VEHICLES ON CITY STREETS.

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

Section 1. That, Chapter 9, Article 2, Section 13 of the City Code of the City of Charlotte be, and the same is hereby amended by deleting the period after the word "foods" in the first sentence thereof and adding the following phrase: "except as hereinafter provided."

Section 2. That a new paragraph to read as follows be added to Section 13, Article II of Chapter 9 of the City Code of the City of Charlotte:

It shall be lawful for persons, firms or corporations to sell wrapped or packaged ice cream products from motor vehicles operated on city streets under the following conditions;

- (a) Any person, firm or corporation operating or managing any such vehicles shall first obtain a permit from the Health Officer of the Charlotte-Mecklenburg County Health Department as provided in Section 4 of this Article. Each such vehicle shall be considered a "food establishment".
- (b) Every vehicle and everything pertaining thereto used by a vendor shall at all times be maintained in a clean and orderly condition, and no portion of the contents thereof shall be thrown, spilled or deposited upon the street or other public place. Every such vehicle shall have the name of the vendor and the location where such vehicle is stored when not in use, painted thereon plainly and legibly.
- (c) The operators of such vehicles shall at all times keep the sidewalk, streets, or other public spaces around such vehicle clean and free from paper and refuse of any and all kinds.
- (d) Before a person applies to the Collector of Revenue for a permit to sell such products from a vehicle he shall first register with the Police Department, be fingerprinted and provide such information relating to his character and moral qualifications as the department may require. The information supplied shall include complete details of every felony, misdemeanor, or violation of municipal ordinance of which he has been convicted. After the Police Department has reviewed the applicant's background and has forwarded the applicant's fingerprints to the Federal Bureau of Investigation and receive a report from that agency, the Chief of Police shall determine from the facts presented whether or not it would be detrimental to the well-being of the residents of the City for the applicant to engage in the sale of ice cream products from a motor vehicle operated on City streets and shall so notify the applicant and the Collector of Revenue.
- (e) After the Chief of Police has determined that it would not be detrimental to the well-being of the residents of the City for

an applicant to engage in the sale of ice cream products from a motor vehicle, the applicant may apply for a permit from the Collector of Revenue. Each applicant for such permit must file with the Collector of Revenue a sworn application in writing on a form to be furnished by the Collector of Revenue containing the following information:

1. Name and description of the applicant.
 2. Permanent home address and full local address of the applicant.
 3. If employed, or acting as agent, the name and address of the employer, or principal, together with credentials establishing the exact relationship.
 4. Two photographs of the applicant, taken with 60 days immediately prior to the date of the filing of the application, which picture shall be 2 x 2" showing the head and shoulders of the applicant in a clear and distinguishing manner.
 5. A statement by a reputable physician of the City of Charlotte dated not more than ten days prior to submission of the application, certifying the applicant to be free from contagious, infectious or communicable disease.
- (f) Upon submission of a completed application, the Collector of Revenue shall issue a permit upon the payment of a fee of \$3.00 to cover the cost of issuing such permit; such permit to include the signature of the issuing officer, the name, address and photograph of the applicant. All permits issued under the provisions of this ordinance shall be effective during the fiscal year beginning July 1st and ending the succeeding June 30th.
- (g) Any material false statement in an application for a permit shall result in the automatic cancellation of the permit by the Collector of Revenue and shall constitute a misdemeanor. Upon the conviction of any holder of a permit of any felony or misdemeanor involving moral turpitude, such permit shall be automatically cancelled and revoked. In the event any holder of a permit is convicted of any other misdemeanor the Judge of such court may suspend or revoke this permit if he in his judicial discretion may determine that the health and well-being of the residents of the City will be promoted by such revocation or suspension.
- (h) Each vehicle used on the streets of the City in the sale of such products shall be insured by an insurance company licensed to write public liability insurance in the State of North Carolina in the amounts of \$100,000.00 for a single injury or death, \$300,000.00 for injury or death to two or more people resulting from one accident and \$10,000.00 for property damage. Evidence that such insurance has been issued and is in force shall be given to the City Manager or his designated representative.
- (i) It shall be unlawful to peddle or sell such products from any kind of vehicle within a business district (business district to be defined as the territory contiguous to a highway where 75% or more of the frontage thereon for 300 feet or more is occupied by buildings in use for business purposes). It shall further be unlawful to peddle or sell any such products within two blocks of a school during the days in which said school is in session. No such vehicle shall park within 15 feet of an intersection for the purposes of selling such products nor shall any such vehicle

occupy the same parking area for more than thirty minutes at any one time. Nothing in these regulations shall be construed to relieve the operator of such vehicle from obeying City Ordinances and Police regulations with respect to traffic and nothing shall give such operator the right or privilege to obstruct traffic with such vehicle. The Chief of Police of the City of Charlotte or his authorized representative may designate any additional sections or portions of the city streets on which such sales are to be forbidden entirely or are to be forbidden during specified hours when the Chief of Police or his authorized representative may determine that such restrictions are reasonably necessary due to traffic conditions.

- (j) Each vehicle used on the streets of the City in the sale of such products shall comply with the provisions of Chapter 19, Article II of the City Code, relating to unnecessary noises.
- (k) The sales of such products permitted under this section shall not be construed to come within the provisions of Section 15 of this Article.

Section 3. That, this ordinance shall be in full force and effect from and after the date of its adoption.

Approved as to form:

John D. Shaw
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 25th day of January, 1960, the reference having been made in Minute Book 39, at Page 226, and recorded in full in Ordinance Book 12, beginning at Page 446.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 650.

AN ORDINANCE AMENDING THE REVENUE ORDINANCE BEING THE LICENSING ORDINANCE OF THE CITY OF CHARLOTTE WITH RESPECT TO ICE CREAM SALES ON CITY STREETS.

An ordinance amending the revenue ordinance levying privilege license taxes for the City of Charlotte with respect to the sale of packaged ice cream on City streets.

Section 1. That the Revenue Ordinance of the City of Charlotte levying privilege license taxes for the year 1959-60 adopted June 8, 1959, be and the same is hereby amended by inserting at the end of the subtitle "Ice Cream" in Section 16, Subsection I, immediately following "Ice Cream Dealers at Retail", the following: "Ice Cream Dealers That Retail from Motor Vehicles on City Streets - -

"Each vehicle \$ 75.00."

Section 2. This ordinance shall be in full force and effect after its adoption.

Approved as to form:

John D. Shaw
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 25th day of January, 1960, the reference having been made in Minute Book 39, at Page 226, and recorded in full in Ordinance Book 12, at Page 449.

Lillian R. Hoffman
City Clerk