

ORDINANCE NO. 712-X

AN ORDINANCE AUTHORIZING REPAIRS TO BE MADE TO STORM DRAIN CONDUIT ON PRIVATE PROPERTY AND TO CHARGE THE COSTS THEREOF TO THE PROPERTY OWNER.

WHEREAS, Section 6.101 of the Charter of the City of Charlotte provides that the City Council shall have power "to require that all property owners provide adequate drainage facilities to the end that their premises be free from standing water and permit the natural flow of water thereon to be taken care of, and to provide that in case of failure on the part of such power or owners to so provide the same, to go upon their premises and construct the necessary facilities and to charge the costs thereof against the premises so improved"; and

WHEREAS, the natural flow of water across the property of John C. Myers at 1738 Brandon Road is impeded by an inadequate of clogged storm drain conduit located on his property, which causes the street to flood, water to run over the curb and sidewalk and mud and debris to accumulate in the street, constituting a public nuisance and causing damage to public and private property; and

WHEREAS, efforts to unstop the conduit by rodding and flushing from the catch basin and efforts to have corrective action taken by Mr. Myers have been unsuccessful; and

WHEREAS, in order to abate the public nuisance and eliminate damage to public and private properties resulting from the failure of Mr. Myers to provide adequate drainage facilities as set forth above, it is necessary that the line be excavated, cleaned out and repaired.

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

1. The City Engineer is authorized to notify Mr. John C. Myers by certified mail to make the necessary repairs within fifteen (15) days and in the event that he does not comply by that time, the City Engineer is

authorized to go upon the premises and make the necessary repairs to the storm drain conduit located on his property, and to charge the costs thereof against the property of Mr. John C. Myers, all in accordance with the provisions of Section 6.101 of the Charter of the City of Charlotte.

2. This ordinance shall be effective upon its adoption.

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 9th day of October, 1967, the reference having been made in Minute Book 49, Page , and recorded in full in Ordinance Book 15, Page 123 and 124.

Ruth Armstrong
City Clerk