

ORDINANCE NO. 147-X

AN ORDINANCE DESIGNATING THE INTERIOR AND EXTERIOR OF A BUILDING KNOWN AS THE "CLUBHOUSE OF THE CHARLOTTE WOMAN'S CLUB" AS HISTORIC PROPERTY, LOCATED AT 1001 EAST MOREHEAD STREET IN CHARLOTTE, N.C.

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

WHEREAS, the City Council 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 24th day of July 1978, on the question of designating the interior and exterior of the building known as the "Clubhouse of the Charlotte Woman's Club"; and

WHEREAS, the building known as the "Clubhouse of the Charlotte Woman's Club" possesses architectural significance as one of the finer examples of the design capabilities of Mr. Charles C. Hook; and

WHEREAS, the building known as the "Clubhouse of the Charlotte Woman's Club" is the only structure which was erected for the purpose of serving as the "Clubhouse of the Charlotte Woman's Club"; and

WHEREAS, the structure known as the "Clubhouse of the Charlotte Woman's Club" documents the determination of women to participate more actively in public affairs; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic significance of the interior and exterior of the building known as the "Clubhouse of the Charlotte Woman's Club"; and

WHEREAS, the Division of Archives and History of the North Carolina Department of Cultural Resources has endorsed the findings of the Charlotte-Mecklenburg Historic Properties Commission; and

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WHEREAS, the building and property known as the "Clubhouse of the Charlotte Woman's Club" is owned in fee simple by the Charlotte Woman's Club.

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

1. That the interior and exterior of the building known as the "Clubhouse of the Charlotte Woman's Club" located at 1001 East Morehead Street, within the city of Charlotte 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 building is noted as being situated on real property described in a document recorded in the Mecklenburg County Public Registry in 541 at Page 468.

2. That said building may not be demolished, materially altered, remodeled or removed until ninety (90) days' written notice of the owner's proposed action has been given to the Charlotte-Mecklenburg Historic Properties Commission.

3. That nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on the "Clubhouse of the Charlotte Woman's Club", that does not involve a change in design, material, or outer appearance thereof, nor to prevent 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 owners from making any use of this property not prohibited by other statutes,

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ordinances, or regulations.

4. That a suitable sign shall be posted indicating the said building's designation as historic property and containing any other appropriate information. If the owners consent, the sign shall be placed upon the said building or property. If the owners object, the sign shall be placed on a nearby public right of way.

5. That the owners and occupants of the building and property known as the "Clubhouse of the Charlotte Woman's Club" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the office of the City Clerk, Mecklenburg County Register of Deeds, Building Inspection Department and Tax Supervisor as required by applicable law.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 55-57.

Ruth Armstrong, City Clerk

C E R T I F I C A T I O N

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 an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 55-57.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of July, 1978.

Ruth Armstrong, City Clerk

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of property located on the northerly side of Woodlawn Road at Halstead Drive from R-9 to R-6MFH (CD) in order to undertake an expansion and addition to an existing apartment building.

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 23-96 and a public hearing was held on 3 January 1978 for the petition; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following, which are required by Section 23-35(d):

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts of the establishment of the conditional district upon the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

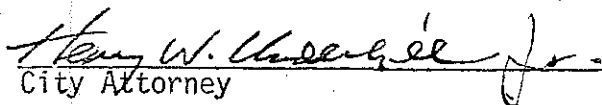
Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to R-6MFH(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point in the northerly right-of-way line of Woodlawn Road, said point being the southeasterly corner of the Keith B. Price and wife land recorded in Deed Book 3371 at page 513 in the Mecklenburg County Registry; *thence eight calls as follows: -- N.6-30-15E. 283.49 feet; S.83-01-42E. 460.16 feet; S.3-17-58E. 86.40 feet; S.83-01-42E. 20.33 feet; S.3-17-58E. 78.05 feet; N.84-49E. 79.46 feet; S.3-15-55E. 216.18 feet; N.84-00-00W. 492.17 feet to the point of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. 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 24th day of July, 19 78, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at page 58.

Ruth Armstrong,
City Clerk

* thence six calls as follows: N.6-30-15E. 367.71 feet; S.83-01-42E. 460.16 feet; S.3-17-58E. 86.40 feet; N.83-01-42W. 345.06 feet; S.6-30-15W. 281.19 feet; N.84-00-00-W. 130 feet to the point of BEGINNING.

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of property located on the westerly side of Beatties Ford Road north of Celia Avenue from O-6 to B-1(CD) in order to use the existing structure for a florist shop.

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, The City Council has authority to amend the Zoning Ordinance by Section 23-96 and a public hearing was held on 24 April, 1978 for the petition; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following, which are required by Section 23-35(d):

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts of the establishment of the conditional district upon the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

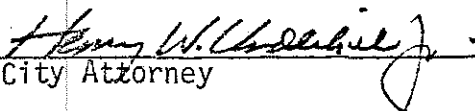
Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from O-6 to B-1(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the northwesterly corner of the Charles V. Bell land recorded in Deed Book 3224 at page 317 in the Mecklenburg County Registry and the intersection with the Leon Dolphus et al land recorded in Deed Book 2134 at page 239 in the Mecklenburg County Registry; thence N.02-43E. 29.32 feet; thence N.82-15E. 137.0 feet; thence S.07-46W. 65.67 feet; thence N.82-14W. 129.37 feet to the point of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. 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 24th day of July, 19 78, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at page 59.

Ruth Armstrong,
City Clerk

July 24, 1978
Ordinance Book 26 - Page 60

ORDINANCE NO. 150-X

AN ORDINANCE TO AMEND ORDINANCE NO. 91-X, THE 1978-79 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE 1972 AIRPORT GENERAL OBLIGATION BOND FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE PASSENGER TERMINAL COMPLEX.

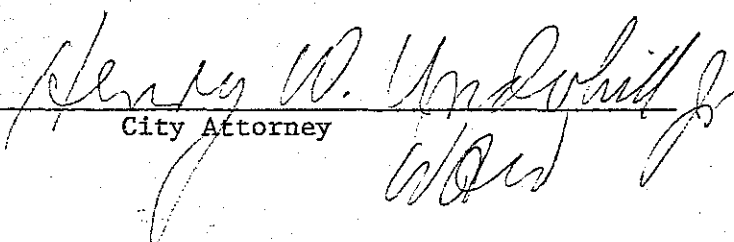
BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$1,000,000 is hereby transferred from the unappropriated balance of the 1972 Airport General Obligation Bond Fund to the Airport Capital Improvement Projects Account 562.76 - Passenger Terminal Complex. These funds will be used to finance engineering, architectural and project management fees for the new terminal complex.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. 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 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 60.

Ruth Armstrong, City Clerk

July 24, 1978
Ordinance Book 26 - Page 61

ORDINANCE NO. 151-X

AN ORDINANCE TO AMEND ORDINANCE NO. 91-X, THE 1978-79 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE AIRPORT REVENUE BOND CONSTRUCTION FUND TO PROVIDE AN APPROPRIATION FOR LAND ACQUISITION AT THE AIRPORT.

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

Section 1. That the sum of \$1,995,000 is hereby transferred from the unappropriated fund balance of the Airport Revenue Bond Construction Fund to the capital projects Account 562.49, Acquire Land on Besser Drive and Wallace Neal Road. These funds will be used to finance the purchase of two tracts of land along Besser Drive and Wallace Neal Road.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 61.

Ruth Armstrong, City Clerk

ORDINANCE 152

AN ORDINANCE AMENDING CHAPTER 20 OF THE CITY CODE

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

Section 1. Chapter 20 of the City Code of the City of Charlotte shall be amended by deleting sections 20-20 through and including 20-24 and sections 20-125 through and including 20-135, and substituting in lieu thereof the following:

"ARTICLE VII. ZONE WRECKER AND TOW SERVICE

Sec. 20-125. Definitions.

For the purpose of this article the following terms and words shall have the meaning given herein. The word "shall" is always mandatory and not merely directory.

(a) "Zone Wrecker" is a person, firm or corporation engaged in a business offering the services of towing and storage under contract with the City to tow and store disabled or wrecked motor vehicles or motor vehicles in violation of a city ordinance or state law at the direction of a city police officer.

(b) "Zone" is an area within the city limits established by boundaries by the Chief of Police or his designee and assigned to be serviced by a specific zone wrecker company.

(c) "Motor vehicle" is defined to include all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle.

Sec. 20-126. Responsibility for enforcement.

The Police Department shall have the responsibility for the enforcement of this ordinance. The Chief of Police, or his

designee, shall adopt and enforce reasonable rules and regulations relative to zone boundary lines, equipment, storage and service requirements and things of like nature.

The Chief of Police shall also designate the Head of the Taxi and Tow-in Unit of the Police Department to receive and attempt to resolve complaints concerning Zone Wrecker service.

Sec. 20-127. Impoundment of vehicles authorized.

(a) Whenever a police officer finds a motor vehicle that has been wrecked or disabled upon the public streets or ways of the city, or upon city property, or that may have been parked in violation of a city ordinance or state law, such officer shall have the vehicle towed from the area. If the owner or operator of the vehicle is present at the time the vehicle is to be towed, he may call a wrecker company of his choice, and in such case, the provisions of this article shall not apply. However, if the owner or operator of the vehicle is not present, or does not state a preference for a certain wrecker company, the police officer at the scene shall have the appropriate Zone Wrecker for that area dispatched to remove the vehicle to any destination within the city limits which is requested.

(b) A police officer, however, may have a vehicle removed to a police storage area by a Zone Wrecker in the following instances:

- (1) The vehicle has been involved in a hit and run accident.
- (2) The vehicle was the subject of theft.
- (3) The vehicle was being used in the commission of a felony.
- (4) The vehicle has been parked in a prohibited parking area in violation of a city ordinance or state law.
- (5) The driver was operating the vehicle without a driver's license, or was under the influence of intoxicating liquors or narcotics.

(c) Vehicles removed to a Zone Wrecker storage lot or garage, or to a police storage lot shall be held until claimed by the legal owner, or otherwise disposed of as provided by this article.

Sec. 20-128. Notification to owner; sale of unclaimed vehicles.

(a) It shall be the duty of the Chief of Police, or his designee, to advise the owner of the vehicle of the removal of the vehicle and the place of said removal. The owner shall be construed to be the registered owner as shown by the records of the State of its registration. Written notice by certified mail shall be given to the owner's last known address within seventy-two (72) hours of the fact that such vehicle has been stored or impounded, setting forth the reasons therefor and stating the location of the vehicle. If the owner of such vehicle cannot be ascertained, the Chief of Police shall advertise within five (5) days after such vehicle is stored or impounded, once in a newspaper of general circulation in the city, the fact that such vehicle is stored or impounded, describing the same and setting forth the reasons therefor.

(b) If at the expiration of thirty (30) days from the date of storing or impounding of such vehicle the rightful owner thereof has not claimed the vehicle and paid the charges herein provided, the Zone Wrecker shall advertise and sell such vehicle pursuant to the laws of this State (General Statutes 20-77 and Article I of Chapter 44A), governing storage charges insofar as the same are applicable to the vehicles to be sold for the towing and storage charges thereon.

Sec. 20-129. Applicability of this article.

The provisions of this article shall be applicable to wrecker and tow-in services only when a Zone Wrecker under contract with the City is used and the request for service is made by a police officer in the regular scope of his employment.

Sec. 20-130. Zone Wrecker Review Board; created.

(a) There is hereby established a Zone Wrecker Review Board whose function is to make recommendations to the City Council relative to this ordinance and Zone Wrecker contracts, to administer disciplinary action to any Zone Wrecker which violates this ordinance or the contract, to review and attempt to settle unresolved complaints relative to zone wrecker service and to hold hearings for those persons dissatisfied with the administration of this ordinance or the Zone Wrecker contract.

(b) The Board shall be composed of five (5) members; two citizens appointed by the City Council, and three appointments by the City Manager. The appointments by the City Manager shall consist of a police attorney, a Division Commander of the Police Department, and the Superintendent of the Motor Transport Division of the Public Works Department. Members shall serve for a period of three years.

Sec. 20-131. Duties and Responsibilities.

The Zone Wrecker Review Board shall have the following duties and responsibilities:

(1) to review and settle unresolved complaints concerning zone wrecker service.

(2) to investigate reported violations by Zone Wrecker companies of this ordinance and/or contract. If the investigation reveals violations have, in fact, occurred, the Board shall have the authority to suspend the services of a zone wrecker company for a period of not longer than thirty (30) days, or place the company on probation for a period of not longer than six (6) months, or both. If it is found that the violations are of such a severe nature as to warrant termination of the services, then the Board may recommend to the City Council that the contract be terminated. All decisions of the Board must be made in writing and a copy of such decision shall be given to all parties concerned.

(3) to make recommendations to City Council relative to proposed amendments to this ordinance or to the Zone Wrecker contract.

(4) to hear appeals from the revocation of permits.

Sec. 20-132. Appeal.

(a) An appeal from any decision of the Police Department or the Zone Wrecker Review Board relative to zone wrecker service may be taken by any person or company aggrieved thereby. The appeal shall be filed with the Zone Wrecker Review Board within five (5) working days from the rendering of the decision, and shall be in writing specifying the grounds upon which the appeal is based.

(b) The Board shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties, and shall render a decision on the appeal within ten (10) working days of the date of the hearing. The proceedings of the hearing shall be recorded. Any person shall appear in person or by agent or attorney. The final decision of the Board shall be subject to review by proceedings in the nature of certiorari instituted in the Superior Court of Mecklenburg County within thirty (30) days of the final decision of the Board.

Sec. 20-133. License Required.

No Zone Wrecker shall engage in business within the City or offer his service with the City without first obtaining a license as hereinafter provided.

Sec. 20-134. Application.

Application for licenses issued hereunder shall be made upon a form prepared and made available by the Chief of Police and shall state:

- (a) The name, home address and proposed business address of the applicant.
- (b) The type and quantity of equipment owned and maintained by the business.

- (c) That the applicant has available space for properly accommodating and protecting all disabled motor vehicles to be towed or otherwise removed from the place where they are disabled, together with the location of the storage area and the method of protection.
- (d) That the applicant has a storage vault or storage room which is adequate to secure and protect personal property which may be left in vehicles towed to a private wrecker lot.
- (e) Such other information as the Chief of Police may find reasonably necessary to effectuate the purpose of this article and to arrive at a fair determination of whether the terms of this article have been complied with.

Sec. 20-135. Application fee.

An application hereunder shall be accompanied by an application fee of ten dollars (\$10.00).

Sec. 20-136. Insurance policies required.

No license shall be issued to an applicant for a Zone Wrecker license until he has deposited with the Chief of Police, Certificates of Insurance showing that he has purchased the following insurance policies:

(a) Garage keeper's policy. A garage keeper's legal liability policy covering fire, theft, windstorm and explosion in the minimum amounts of twenty-five thousand dollars (\$25,000.00), with each accident deemed a separate claim.

(b) Garage liability policy. A garage liability policy covering the operation of applicant's business, equipment or other vehicles, for any bodily injury, or property damage. This policy shall be in the amount of not less than one hundred thousand dollars (\$100,000.00) for any one person injured or killed and three hundred thousand dollars (\$300,000.00) for more than one person injured or killed in any one accident, and fifty thousand dollars (\$50,000.00) for property damage.

Thirty (30) days prior to any material change or cancellation of any policy required herein, written notice of such change or cancellation must be given to the Chief of Police by the Zone Wrecker or his insurance carrier.

Sec. 20-137. Investigation by Chief of Police.

Within fifteen (15) days after receipt of an application as provided for herein, the Chief of Police shall cause an investigation to be made of the applicant and of his proposed operation.

Sec. 20-138. Standards for issuance of license.

The Chief of Police shall recommend to the City Council that a license be issued when he finds that:

- (a) The applicant has satisfied the equipment, storage and service requirements as set out in this article and on the application;
- (b) Insurance policies as required by this article have been procured;
- (c) All drivers of vehicles used on zone wrecker service calls have been issued zone wrecker driver's permits as hereinafter provided;
- (d) The requirements of this article and all other governing laws and ordinance have been met; and
- (e) That public convenience and necessity require the wrecker service for which application has been made.

Sec. 20-139. Issuance of license; fee.

After approval by the Chief of Police and before a license is issued, the City Council shall determine whether the public convenience and necessity require the wrecker service for which application has been submitted, and after such finding by the City Council, a license shall be issued to a successful applicant hereunder after payment of the license fee of

fifteen dollars (\$15.00) to the Collector of Revenue, and the execution of a contract with the City to carry out the provisions of this article.

Sec. 20-140. Revocation of license.

The City Council may revoke the license issued hereunder when it finds any of the following grounds:

- (a) The license was procured by fraudulent conduct or false statement of a material fact, or that a fact concerning the applicant was not disclosed at the time of his making application, and such fact would have constituted just cause for refusal to issue said license.
- (b) The Zone Wrecker illegally employed a short wave radio to obtain information as to the location of the scene of an accident or disabled vehicle.
- (c) The Zone Wrecker has violated the fee schedule set out herein by overcharge.
- (d) The Zone Wrecker has violated any of the requirements of this article, the contract or any other rules or regulations as established by the Chief of Police or his designee.

Sec. 20-141. Permit required for Zone Wrecker drivers.

No person shall drive a Zone Wrecker vehicle belonging to a Zone Wrecker without first having obtained a zone wrecker driver's permit from the Police Department.

Each applicant for a zone wrecker driver's permit shall make application on forms to be provided by the Police Department, and shall, among other things, show his full name, address, name of company employed by, physical condition with particular reference to hearing, eyesight and use of intoxicating liquors and drugs, physical description, age, his arrest record and State chauffeur's license number.

Each application shall have attached thereto three (3) recent photographs of the applicant of such size as may, from time to time, be designated by the Police Department. The applicants fingerprints shall be impressed on each application form in the space provided.

Sec. 20-142. Qualifications of applicant.

Each applicant for a zone wrecker driver's permit must meet the following requirements:

- (a) Be at least eighteen (18) years of age.
- (b) Be of sound physique, with good eyesight and not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of a zone wrecker vehicle.
- (c) Be able to read, write and speak the English language.
- (d) Be not addicted to the use of drugs or intoxicating liquors.
- (e) Hold a current automobile chauffeur's license.

Sec. 20-143. Refusal of permit; grounds specified.

The Police Department may refuse to grant or renew a zone wrecker driver's permit in the case of an application from any person:

- (a) whose chauffeur's license or permit to operate a zone wrecker vehicle has been suspended or revoked; or
- (b) who shall have been convicted of driving a motor vehicle while intoxicated; or
- (c) who shall have been convicted of a violation of any law, state or federal relating to the use, possession or sale of narcotic drugs; or

- (d) who has been an habitual violator of traffic laws or habitual user of intoxicating liquors or narcotic drugs; or
- (e) who has made a false statement of a material fact on his application.

Sec. 20-144. Issuance, renewal and display of permit.

After the Police Department is satisfied that the applicant has met the requirements set forth in this article, a zone wrecker driver's permit shall be issued to the applicant for a period of one (1) year.

The Police Department may renew the permit from year to year by appropriate endorsement thereon. A driver applying for a renewal of his permit shall make application on a form furnished by the Police Department.

A Zone Wrecker driver shall display his permit in the cab of his vehicle while on a zone wrecker service call.

Sec. 20-145. Revocation of permit; ground specified; hearing.

At any time after the issuance of a permit to any person to drive a zone wrecker vehicle, the Police Department may revoke said permit if the person holding such permit is convicted of:

- (a) A violation of any federal or state statute relating to the possession or sale of intoxicating liquors;
- (b) A violation of any federal or state statute relating to the use, possession or sale of narcotic drugs;
- (c) Repeated violations of traffic laws or ordinances;

or if he:

- (d) Becomes an habitual user of intoxicating liquors or narcotic drugs;

- (e) Has made a false statement of a material fact on his application, or that a fact concerning the applicant was not disclosed at the time of making his application, and such fact would have constituted just cause for refusal to issue such permit.
- (f) Violates any provision of this article.

Sec. 20-146. Hours of operation of Zone Wrecker.

Each Zone Wrecker under contract with the City shall receive or release towed vehicles in storage twenty-four (24) hours a day, seven days a week, including holidays. Each Zone Wrecker shall provide access to vehicles by owners for purposes other than release between the hours of 7:00 a.m. and 7:00 p.m. seven days a week, and no charge shall be made for this service.

Sec. 20-147. Duties and responsibilities of Zone Wreckers and drivers.

A Zone Wrecker licensed under this article shall comply with the following conditions:

- (a) Exhibition of sticker. The Police Department shall issue to a licensed Zone Wrecker a sticker which shall be prominently displayed at all times on the front right windshield of each wrecker vehicle or other vehicle used for tow-in services.
- (b) Maintenance of equipment. Zone Wreckers shall keep and maintain tow-in equipment which is adequate to perform tow-in service in a reasonably satisfactory manner.
- (c) Compliance with rate schedule. Zone Wreckers shall charge for services such rates as may be fixed by the City Council. No other charges shall be made relative to towing or storage except as permitted by this article.

(d) Posting of information. The following information shall be conspicuously posted in the office of each zone wrecker company:

- (1) Rate schedule for services.
- (2) Company's payment policy.
- (3) Hours of operation and hours of access to vehicles in storage.
- (4) A statement that a copy of the contract and ordinance is available for inspection in the office.

(e) Availability for service. If the Zone Wrecker dispatched cannot respond immediately to a service call, it shall so inform the Police Dispatcher who shall call another Zone Wrecker. No Zone Wrecker shall assign a call to another wrecker service.

(f) Towing receipts. Towing receipts shall have the fee schedule imprinted on the form and the form shall be approved by the Police Department before printing. The Zone Wrecker shall furnish the Police Department a copy of each towing receipt at the end of each month for audit purposes. Each receipt shall show the date of the tow-in, the location from which the vehicle was towed, the hours or days the vehicle was stored, and an itemization of the individual fees charged.

(g) Delivery. The Zone Wrecker driver shall tow a vehicle to any destination which an owner or operator requests within the city limits provided the vehicle has not been involved in a violation set forth in Sec. 20-127(b).

(h) Standby time. Whenever necessary, a Zone Wrecker shall be required to standby for a maximum of one (1) hour without charge. Computation of waiting time shall commence when the Zone Wrecker arrives at the scene of the tow-in.

(i) Reports. The Zone Wrecker driver shall provide a personal property/vehicle damage sheet to be completed at the scene of the tow-in. The inventory portion of the sheet shall list all personal property within the vehicle, and the vehicle damage portion shall identify all damage to the vehicle prior to towing. The driver shall sign the sheet, and if the owner/operator is at the scene, he shall also sign. In the absence of the owner or operator, the police officer at the scene shall sign the sheet. A copy shall be retained by the Zone Wrecker driver and the owner or operator.

(j) Identification. Each zone wrecker vehicle used for service calls shall have the business name, address, and telephone number printed in at least three (3) inch letters on each side of the cab.

(k) Storage facilities for personal property. Each Zone Wrecker shall provide a storage vault or storage room in which personal property left within towed vehicles shall be promptly stored and secured. A signed copy of the personal property inventory sheet shall list all such property stored and shall be retained in the office.

(l) Duty of drivers. It shall be the duty of each zone wrecker driver to (1) clean the wreck area of glass, oil, auto parts and other debris, and to carry away the debris for disposal; and (2) to use a clean cover in order to protect the interior of a vehicle if it becomes necessary to enter it.

(m) Telephone equipment. Each Zone Wrecker shall be required to install and maintain, at its own expense, a direct telephone line from its office to the Police Dispatcher.

(n) Interception of police calls. Zone Wreckers shall report for service only when dispatched by a city police officer. No Zone Wrecker shall report for service as a result of intercepting police calls by radio.

(o) Inspections and meetings. Representatives of the Police Department shall be permitted to conduct regular and thorough inspections of the Zone Wrecker and its operations relative to City tow-in service, and shall hold regular meetings with the Zone Wrecker to resolve complaints, procedural problems and to maintain lines of communication.

(p) Zone assignment. For City tow-in services, each Zone Wrecker shall operate only within the boundaries of the zone to which it has been assigned, and no part of his zone shall be assigned to another party by the zone wrecker company.

(q) Contracts. Contracts entered into with the City shall not be saleable, but may be transferred or assigned to a qualified, licensed wrecker company with prior Council approval.

Sec. 20-148. Zone Wrecker tow and storage charges.

The following shall be the fee schedule for zone wrecker service and storage charges within the city limits:

(1) Wrecker services per wrecker for standard passenger vehicles (including passenger vans, motorcycles, and mopeds) and unloaded trucks of three-quarter ton capacity or less, to be effective from hookup of wrecker to towed vehicle where chain, hooks or saddle attached:

- (a) Tow-ins, anytime - except
second tow \$ 25.00
- (b) Second tow 10.00
(a second tow charge only applies when the owner of a towed vehicle requests at the time of the original tow that he wishes his vehicle towed to a place which is not open or accessible at that hour. In such case, his vehicle shall be stored on a storage lot until that place is open and shall be charged a storage fee until the second tow occurs.)
- (c) Waiting time, per hour or any part thereof after the first hour 10.00
- (d) Cancellation charge (applicable when wrecker has been dispatched for more than five minutes) 10.00
- (e) Dolly surcharge (not applicable to motorbycles or mopeds) 10.00
- (f) Overturn charge 10.00
- (g) Winching service (where vehicle is off street right of way) 10.00

- (2) Storage for a 24-hour period or any part thereof \$ 2.00

Service charges involving vehicles larger than standard passenger vehicles and three-quarter ton trucks shall be negotiated between zone wreckers and vehicle owners and are not covered by this section.

The above charges shall be paid by the owner of the vehicle. No stored or impounded vehicle shall be released until all towing, storage and advertising charges have been paid and proper evidence of ownership exhibited by a release from the Police Department.

Sec. 20-149. Requirements for storage garages and lots.

(a) The storage garage or lot shall be adjacent to the business office of the Zone Wrecker and shall have only one common entrance and one common exit, which may or may not be combined. The operator of such lot or garage shall keep such entrances and exits properly attended or locked at all times during the period the private lot or garage is in operation and shall be responsible for securely enclosing the same when not in operation.

(b) Except for places of entrance and exit, every zone wrecker lot shall be completely enclosed by barriers, constructed and maintained so as to reasonably prevent unauthorized entrance into such private lot or garage, said barrier consisting of either a building or an eight (8) foot chain-link fence of heavy industrial weight or a seven (7) foot chain-link fence of heavy industrial weight, plus an additional one foot above the chain-link fence, consisting of three (3) strands of barbed wire. When such private lot abuts on a building such fencing shall not be required on the building side, provided, the Chief of Police issues a written waiver to such lot operator, waiving such fencing because of the adequacy of the building to protect cars and their contents.

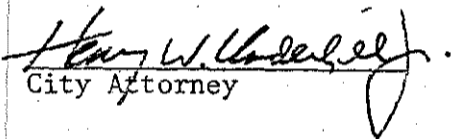
(c) Storage area lighting shall not be less than one foot candle power as an average and not less than .25 foot candle power at any point in the garage or lot.

Sec. 20-150. Refund of protested payments.

Should any owner of the stored or impounded vehicle pay the charge provided herein under protest and later be found not guilty of the violation of any traffic law of the City or State of North Carolina, such person shall be refunded the moneys paid under protest without interest. The Police Department shall be responsible for all such refunds. Fees collected from towing and storing as a result of vehicle accidents are not subject to refund.

Sec. 2. This ordinance shall become effective upon 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 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 62-77.

Ruth Armstrong, City Clerk

ORDINANCE NO. 153-X

AN ORDINANCE TO AMEND ORDINANCE NO. 91-X, THE 1978-79 BUDGET ORDINANCE, AMENDING REVENUES AND EXPENDITURES TO ESTABLISH AN APPROPRIATION FOR THE PURCHASE OF 43 PORTABLE RADIOS FOR POLICE USE.

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

Section 1. That the sum of \$49,450 is hereby appropriated to provide funds for the purchase of 43 portable radios to be used by Charlotte police officers in the field.

Section 2. That Section 3, Schedule A - General Fund Revenues, is hereby amended to increase the intergovernmental revenue estimate by \$46,977 to reflect the following grant revenues:

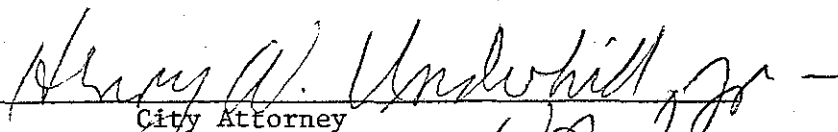
Law Enforcement Assistance Administration Grant Award	\$44,505
State Department of Crime Control and Public Safety Grant Award	<u>2,472</u>
	\$46,977

Section 3. That the sum of \$2,473 is hereby transferred from the General Fund Contingency to Account 531.39 - Police Radios. These funds will provide the local match in support of the LEAA grant.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 78.

Ruth Armstrong, City Clerk

ORDINANCE NO. 154-X

AN ORDINANCE TO AMEND ORDINANCE NO. 91-X, THE 1978-79 BUDGET ORDINANCE, AMENDING REVENUES AND EXPENDITURES TO ESTABLISH AN APPROPRIATION FOR THE LEAA-FUNDED 1979 REGIONAL TRAINING GRANT.

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

Section 1. That the sum of \$9,106 is hereby appropriated to provide funds for sending police officers to schools sponsored by the Northwestern University Traffic Institute, the Southern Police Institute, and the National Crime Prevention Institute.

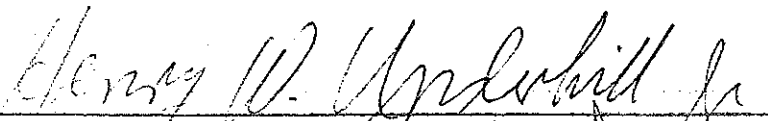
Section 2. That Section 3, Schedule A-General Fund Revenues, is hereby amended to increase the intergovernmental revenue estimate by \$8,650 to reflect the LEAA grant award for police officer training.

Section 3. That the sum of \$456 is hereby transferred from the General Fund Contingency to Account 531.37-1979 Regional Training Grant. These funds will provide the local match in support of the LEAA grant.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 79.

Ruth Armstrong, City Clerk

July 24, 1978
Ordinance Book 26 - Page 80

ORDINANCE NO. 155-X

AN ORDINANCE TO AMEND ORDINANCE NO. 91-X, THE 1978-79 BUDGET ORDINANCE, AMENDING REVENUES AND EXPENDITURES TO ESTABLISH AN APPROPRIATION FOR THE LEAA-FUNDED 911 RECORDER SYSTEM.

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

Section 1. That the sum of \$47,783 is hereby appropriated to provide funds for the purchase of the 911 Recorder System.

Section 2. That Section 3, Schedule A-General Fund Revenues, is hereby amended to increase the intergovernmental revenue estimate by \$45,393 to reflect the LEAA grant award for the recorder system.

Section 3. That the sum of \$2,390 is hereby transferred from the General Fund Contingency to Account 531.38 - 911 Recorder System. These funds will provide the local match in support of the LEAA grant.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 24th day of July, 1978, the reference having been made in Minute Book 68, and is recorded in full in Ordinance Book 26, at Page 80.

Ruth Armstrong, City Clerk

ORDINANCE NO. 156-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING
AT 218 Frazier Avenue PURSUANT TO THE
HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6,
CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID
BUILDING BEING THE PROPERTY OF Roberta Spratt
RESIDING AT 1025 Lewiston Ave., Charlotte, N. C.

WHEREAS, the dwelling located at 218 Frazier Avenue
in the City of Charlotte has been found by the Superintendent of Building
Inspection to be unfit for human habitation and the owners thereof have
been ordered to demolish and remove said dwelling, all pursuant to the
Housing Code of the City of Charlotte and Article 19, Part 6, Chapter
160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served
by registered mail on the 9/12/77 and
9/30/77 : NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Charlotte, North
Carolina, that the Superintendent of Building Inspection is hereby ordered
to cause the demolition and removal of the dwelling located at
218 Frazier Ave. in the City of Charlotte in accordance
with the Housing Code of the City of Charlotte and Article 19, Part 6,
Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:



City Attorney

Deputy

Read, approved and adopted by the City Council of the City
of Charlotte, North Carolina, in regular session convened
on the 24th day of July, 1978,
the reference having been made in Minute Book 68, and
is recorded in full in Ordinance Book 26, at Page 81.

Ruth Armstrong
City Clerk

ORDINANCE NO. 157-X

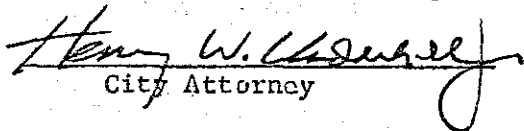
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING
AT 2304 Tate Street PURSUANT TO THE
HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6,
CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID
BUILDING BEING THE PROPERTY OF Mary E. Spencer
RESIDING AT 65-A Phelps Avenue, New Brunswick, New Jersey, 28901

WHEREAS, the dwelling located at 2304 Tate Street
in the City of Charlotte has been found by the Superintendent of Building
Inspection to be unfit for human habitation and the owners thereof have
been ordered to demolish and remove said dwelling, all pursuant to the
Housing Code of the City of Charlotte and Article 19, Part 6, Chapter
160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served
by registered mail on the 4/7/78 and
5/17/78: NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Charlotte, North
Carolina, that the Superintendent of Building Inspection is hereby ordered
to cause the demolition and removal of the dwelling located at
2304 Tate Street in the City of Charlotte in accordance
with the Housing Code of the City of Charlotte and Article 19, Part 6,
Chapter 160A of the General Statutes of North Carolina.

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 24th day of July, 1978,
the reference having been made in Minute Book 68, and
is recorded in full in Ordinance Book 26, at Page 82.

Ruth Armstrong
City Clerk