

ORDINANCE NO. 860-Z

AMENDING CHAPTER 23

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 northeast side of Craig Avenue and adjoining Delane Avenue from R-9 to R-9MF(CD); and

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 November 17, 1980; 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:

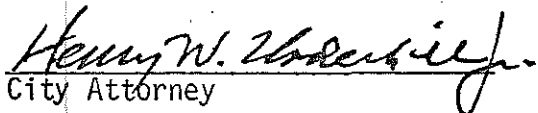
Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to R-9MF(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the intersection of the easterly right-of-way line of Craig Avenue with the northerly right-of-way line of Delane Avenue; 1) thence running with the right-of-way of Craig Avenue N.36-15-30W. 395.78 feet; 2) thence N.53-58E. 170.0 feet; 3) thence N.36-15W. 29.8 feet; 4) thence S.80-23-30E. 601.4 feet to a point on the Seaboard Railroad right-of-way; 5) thence running with the railroad right-of-way S.32-18E. 193.28 feet; 6) thence S.54-02-00W. 165.59 feet; 7) thence N.36-00W. 70.0 feet; 8) thence S.54-00W. 199.90 feet to a point on the right-of-way of Delane Avenue; 9) thence running with the right-of-way of Delane Avenue for the following calls: a) N.36-00W. 130.0 feet; b) S.53-58-10W. 212.09 to the point or place 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 22nd day of December, 1980, the reference having been made in Minute Book 75, and is recorded in full in Ordinance Book 30, at pages 212-213.

Ruth Armstrong,  
City Clerk

ORDINANCE NO. 861AMENDING CHAPTER 13  
SECTION 13-53

AN ORDINANCE AMENDING CHAPTER 13, ENTITLED "NOISE", OF THE CODE OF THE CITY OF CHARLOTTE

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

Section 1. Chapter 13, "Noise" of the City code shall be amended as follows:

§ 13-53. Acts declared to be unnecessary, unlawful noises

The following acts, among others, are declared to be loud, disturbing, annoying and unnecessary noises and shall be unlawful and in violation of this article, but said enumeration shall not be deemed to be exclusive.

- (a) Blowing horns - (same)
- (b) Racing engines - (same)
- (c) Use of vehicles - (same)
- (d) Shouting, etc. to attract attention - (same)
- (e) Radios, phonographs, etc. - (same)
- (f) Pets - To own, keep and have in his possession, or harbor any dog, other animals, or bird(s) which by frequent or habitually howling, yelping, barking, or otherwise shall cause loud noises and produce serious annoying disturbance to any person or to the neighborhood.
- (g) Building operations - (same)
- (h) Garage or filling station - The conducting, or operating, or maintaining of any garage or filling station for the repair, rebuilding, or testing of any motor vehicle in any residentially zoned district or within 300 feet of any residentially occupied structure so as to cause loud or offensive noises to be emitted after 9:00 P.M. shall be prohibited.
- (i) Front-end loaders and refuse collection - Front-end loaders providing refuse collection shall be prohibited from making such refuse collection in any residentially zoned district or within 300 feet of any residentially occupied structure before 7:00 A.M. and after 9:00 P.M.
- (j) Quiet zones - The creation of excessive noise adjacent to any schools, institutions of learning, or court while the same are in session, or within one hundred and fifty feet (150) of any hospital which unreasonably interferes with the working of such institution and which disturbs or unduly annoys patients in the hospital shall be prohibited.

§13-53.1 Use of Sound Amplifying Equipment

(1) Definitions. The following definitions shall apply in the interpretation and the enforcement of this section, and these shall be included as definitions of Section 13-53.2:

(a) "A" weighting scale. The sound pressure level in decibels as measured with the sound level meter using the "A" weighted network (scale). The standard unit notation is dB(A).

(b) dB(A). Sound level in decibels determined by the "A" - weighting scale of the standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-1971, for a type 2 Instrument.

(c) Sound level. In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in ANSI standards.

(d) Sound level meter. An instrument which includes an omnidirectional microphone, an amplifier, an output meter and frequency weighting network(s) for the measurement of sound level.

(e) Sound pressure level. In decibels, 20 times the logarithm to the base 10 of the ratio for the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.

(f)  $L_{10}$  level. The A-weighted sound level that is exceeded 10% of the time in any measurement period.

(2) Public parks.

Definitions. For the purpose of subsection(e), words are defined as herein indicated:

(a) Public parks. A public park is devoted to, accessible to, and shared by all citizens of the city. It is a piece of ground or water mass in or near the city, devoted to active or passive leisure activities, including property owned by others and under the jurisdiction of the city. It may include, but is not limited to: playground, community center, reservation, recreation center, stadium, nature preserve, Old Settler's Cemetery or any other area or structure in the city, owned, leased, or used by the city for public recreation or leisure. It includes public parks, as so defined, under the operating authority of the Parks and Recreation Department of the City of Charlotte and under the operating authority of the Landscaping Division of the Operations Department of the City of Charlotte. Section 13-53.1 shall not apply to the American Legion Memorial Stadium which has its own rules.

(b) Sound-amplifying equipment. Sound-amplifying equipment shall mean any machine or device for the amplification of the human voice, music or any other sound and shall include megaphone, amplifier, walkie-talkie, amplifiers on fronts of business buildings or other sound device. Sound-amplifying equipment as used herein shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed, or warning devices on authorized emergency vehicles, or horns or other warning devices on trucks selling ice cream products on the streets to the consuming public.

(c) Appropriate administrator. Appropriate administrator will refer to either the Director of Parks and Recreation (hereinafter "director") or the Superintendent of the Landscaping Division (hereinafter "superintendent"). The appropriate administrator shall be either the Director of Parks and Recreation or the Superintendent of the Landscaping Division depending on which one has authority over the particular "public park", as defined above. This subsection shall not apply to those activities for which a permit is required under §20-81, "Regulation of Parades".

Permissible time to use sound-amplifying equipment.

The use of sound-amplifying equipment or devices at public parks shall be permitted, in accordance with the regulations of this subsection, between 8:00 A.M. until 10:30 P.M. daily, except for Sunday when the use of sound-amplifying equipment shall be permitted between 12 noon to 10:30 P.M. The use of sound-amplifying equipment shall be completely prohibited from 10:30 P.M. until 8:00 A.M. daily, except for Sunday, when it shall be completely prohibited from 10:30 P.M. Saturday evening until 12 noon Sunday.

Decibel level for sound-amplifying equipment, radios, and tape recorders.

The decibel level of sound-amplifying equipment shall not exceed the  $L_{10}$  sound level equal to sixty (60) dB(A) as measured at any point within an adjacent property, or shall not exceed the  $L_{10}$  sound level equal to ninety (90) dB(A) as measured 50 feet from the equipment emitting the sound. The use of a radio or tape recorder in public park shall not exceed the  $L_{10}$  sound level equal to sixty (60) dB(A) as measured 50 feet from the radio or tape recorder.

Designated areas.

The use of all sound-amplifying equipment except radios or tape recorders shall be in the following designated areas in these designated public parks: the park band shelter at Freedom Park; the park amphitheaters at Coleman Park, at Freedom Park and at Midwood Park; the park enclosed picnic shelters at Freedom Park and at Veterans Park; and in Marshall Park. Radios and tape recorders shall be permitted at any location within a public park.

Application seeking modification of sound-amplifying restrictions.

The applicant can submit an application seeking a modification from the sound-amplifying restrictions, stated above. The application must be filed with the Director of Parks and Recreation at least 15 days before the requested date for use of the sound-amplifying equipment. If the application seeking modification pertains to a public park under the authority of the Landscaping Division, then the Director shall immediately refer the application to the Superintendent of the Landscaping Division who shall follow the same procedure described throughout this subsection. The application must include the following information: (a) name and address of applicant; (b) name and address of the sponsor of the activity, if any; (c) the date and hours for which the permit is desired; (d) the requested modification from the code provisions; (e) the reason for requesting a modification from the code provisions; (f) the park and the area thereof for which such modification is desired; (g) an estimate of the anticipated attendance; (h) any other information which the Director shall find necessary in order to determine whether a modification should be issued.

Standard for issuance of a modification.

The appropriate administrator shall issue a modification hereunder when it is determined: (a) that the requested modification will not unreasonably interfere with or detract from other members of the general public in their enjoyment of the park; (b) that the requested modification will not unreasonably interfere with the use and enjoyment of the property of residents in close proximity to the requested event; (c) that the requested modification will not unreasonably interfere with public safety; (d) that the proposed modification will not entail unusual, extraordinary, or burdensome expense upon the city in maintaining appropriate control during the course of the event; (e) that the facilities desired have not been reserved for use on the date and hours required in the application.

The appropriate administrator shall state the specific reason(s) for refusing any requested modification. The statement of the reason(s) for refusing a modification shall identify the above specific standard(s) of issuance which constitute(s) the basis of the refusal. In addition to identifying this specific standard(s) of issuance, the appropriate administrator shall explain why the standard(s) has not been met.

Appeal of denial for requested modification.

The applicant shall have an immediate right to appeal a denial by filing an appeal in writing within five (5) days of the denial to the City Manager. The City Manager, or his designee, shall arrange a meeting, if requested by the applicant, within five (5) days of a request to hear any statements from the applicant and from the appropriate administrator in order to make a decision on the appeal. The City Manager or his designee shall provide a written decision within five (5) days of the scheduled meeting or, if no meeting is requested by the applicant, within five (5) days of the applicant's waiver of a right to the requested meeting.

Revocation of a permit.

The appropriate administrator shall have the authority to revoke a permit only upon the finding of a violation of a provision of the permit or upon any good cause shown. In revoking a permit, the appropriate administrator shall state in writing the specific reason for the revocation of the permit. There shall be a right to appeal a revocation in accordance with the procedure stated above.

## (3) Sound trucks and other use of sound-amplifying equipment.

Sound truck.

The use of sound-amplifying equipment on a truck or other vehicle whether motorized or not, on a public street or on publicly-owned grounds is prohibited. Emergency and utility vehicles are exempted from this provision.

Commercial advertising from private property.

The use of sound-amplifying equipment on private property that produces a sound which is cast upon the public streets or sidewalks for the purpose of commercial advertising or attracting the attention of the public to any building or structure for commercial purposes is prohibited.

Private property and sound-amplifying equipment.

## (a) Private park or stadium.

The use of sound-amplifying equipment by a person or persons in the amplification or broadcasting of music, speeches, or general entertainment upon a private park or stadium in connection with an event, program, or concert shall not exceed the L<sub>10</sub> sound level equal to sixty (60) dB(A) as measured at any point within an adjacent property and shall be completely prohibited between the hours of 11:00 P.M. and 7:00 A.M. of the following day.

## (b) Music, general entertainment sound and speeches from private property.

In addition to sound-amplifying equipment, this subsection shall also include the use, operation, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound.

Such noise shall not disturb those citizens who are situated within the adjacent property. The use of sound-amplifying equipment by a person or persons in the amplification or broadcasting of music, general entertainment, or speeches upon such private property shall not exceed the L<sub>10</sub> sound level equal to fifty-five (55) dB(A) as measured at any point within the adjacent property, and shall not exceed the L<sub>10</sub> sound level equal to fifty (50) dB(A) between the hours of 11:00 P.M. and 7:00 A.M. of the following day as measured at any point within the adjacent property, exempting those facilities described in part (a) of this subsection, for which that part will apply.

Such noise shall not disturb the peace, quiet and comfort of other citizens who inhabit or are situated within the property lines of the use. Such noise shall not be louder than is necessary for the convenient hearing of the person or persons who are voluntary listeners thereto and such noise shall not disturb the peace, quiet and comfort of other inhabitants, or residents or occupants within the property lines of the use. Such noise between the hours of 11:00 P.M. and 7:00 A.M. that is plainly audible at a distance of fifty (50) feet from the building, room, structure, patio, vehicle, or other area, from which the noise is coming, shall be prima facie evidence of a violation.

§13-53.2. Motor Vehicle Noise

(a) Definitions. The following definitions shall apply in the interpretation and enforcement of this section; and shall include the definitions in Section 13-53.1.

- (1) Dynamic Braking Device (commonly referred to as Jacobs Brake). A device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
- (2) Motor Vehicle. Any device, driven by an engine, in, or by which, any person or property is or may be transported or drawn upon a public right-of-way.
- (3) Motorcycle. Any motor vehicle having a saddle or seat for the use of the rider, and designed to travel on not more than three wheels in contact with the ground. The term shall include motorized bicycles, mopeds, and motor scooters. For the purpose of this section, motorcycles shall be treated in the same manner as all motor vehicles.
- (4) Gross Vehicle Weight Rating (GVWR). The value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle.
- (5) Muffler. An apparatus consisting of a series of chambers or baffle plates designed for the purpose of transmitting gases while reducing sound emanating from such apparatus.

(b) Maximum Sound Levels.

- (1) It shall be unlawful for any person to drive, operate, move, or permit to be driven, operated or moved, a motor vehicle or combination of vehicles at any time in such a manner that the sound level of the vehicle exceeds the levels set forth for that category of vehicle as shown next:



Sound Level in dB(A)			
	Speed Limit 35 MPH or less	Speed Limit 35 MPH or more	Vehicle Stationary
Motor vehicle with a gross vehicle weight rating (GVWR) of less than 10,000 pounds	81	85	83
Motorcycle	81	85	83
Motor vehicle with a GVWR of more than 10,000 pounds	89	93	91

- (2) Sound levels are to be measured at a distance of 25 feet from the near edge of the near lane of travel. In the event the distance of the measuring instrument from the near edge of near lane of travel is more or less than 25 feet, such noise levels not to be exceeded shall be corrected to reflect equivalent noise limits for the actual distance.
- (3) This section shall apply to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this article relating to motor vehicle mufflers or noise control.
- (4) Traffic, aircraft, and other transportation noise sources and other background noises shall not be considered in taking measurements.

(c) Mufflers.

- (1) It shall be unlawful for any person to operate or cause to be operated any motor not equipped with a muffler or other sound dissipative device in good working order and in constant operation to prevent excessive and unusual noise in subsection (b) above.
- (2) No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle.
- (3) It shall be unlawful for any person to modify the exhaust system of a motor vehicle by the installation of a muffler cut-out or by-pass, and no person shall operate a motor vehicle which has been so modified.
- (4) It shall be unlawful for any person to operate or cause to be operated a motor vehicle unless the exhaust system is free from defects which affect sound reduction.

(d) Off-Road Vehicles.

- (1) It shall be unlawful for any person to operate or cause to be operated a recreational or off-road motor vehicle individually,

in a group, or in an organized racing event, on public or private property in such a manner that the sound level exceeds the maximum permissible levels set forth previously in this section, adjusted to a distance of 25 feet from the path of the vehicle when operated on public space, and across the boundary of private property when operated on private property.

- (2) This subsection shall apply to all recreational vehicles, whether or not duly licensed or registered, including, but not limited to, commercial or non-commercial racing vehicles, motorcycles, go-carts, amphibious craft, and dune buggies.
- (3) Use of such vehicles off-road, except for emergency purposes and except to attain access from private property to public right-of-way, shall be completely restricted between the hours of 10:00 P.M. and 7:00 A.M.

(e) Standing Motor Vehicles.

It shall be unlawful for any person to operate or permit the operation of an engine providing motive power to a motor vehicle with a gross vehicle weight rating of 10,000 pounds or more for a consecutive period of 20 minutes or more while such vehicle is standing, for reasons other than traffic congestion, while located within 150 feet of a property zoned or used for residential purposes or of a quiet zone, except where such a vehicle is standing within a completely enclosed structure, from 10:00 P.M. to 7:00 A.M. the following day.

(f) Dynamic Braking Devices.

Operating any motor vehicle with a dynamic braking device engaged, except in the aversion of imminent danger, is prohibited.

(g) Severability.

If any provision, clause, sentence, or paragraph of this ordinance or application thereof to any person or circumstance shall be held to be invalid, such invalidity shall not affect the sections which can be given effect independent from the invalidity; and to this end, any invalidity is hereby declared to be severable.

§13-53.3 Mechanical Noise

Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder or lawn mower, or any other garden, lawn or shop tool, between 11:00 P.M. and 7:00 A.M., so as to be audible within any adjacent residentially zoned or occupied property, is prohibited.

§13-55.1 Presumption

The complaints of three (3) or more persons, each of whom resides in a different home from the other complaining person or persons, or the complaint of one (1) or more persons, when combined with the complaint of a police officer, a noise control officer, or an animal control officer shall be prima facie evidence that such sound is loud, annoying, frightening, disturbing, unreasonable loud, or unnecessary noise: This presumption shall apply to any provision under this article and shall also apply to §3-5(f) of this code, pertaining to noise from barking dogs and other animals.

§13-55.2. Administration and enforcement

A designated noise control officer shall administer and enforce this article with all the authority and rights provided for in this article. The noise control officer shall have the authority to make any necessary inspection to enforce any provisions of this article, whenever such employee has reasonable cause to believe that there is a violation of this article. The noise control officer is empowered to enter upon and inspect such property at any reasonable time and perform any duties imposed upon the noise control officer by this article, but only if the consent of the occupant or the owner of the property is freely given. The noise control officer is authorized to secure an administrative search warrant as provided by the general statutes of North Carolina, if it is necessary to inspect the premises and consent has been denied.

§13-55.3. Penalties

- (a) Criminal penalties - Any person who causes, permits, or allows any violation of any of the provisions of this article shall be deemed guilty of a misdemeanor punishable by imprisonment not to exceed thirty (30) days or a fine not to exceed fifty (\$50.00) dollars. Each day of a continuing violation shall constitute a separate violation.
- (b) Civil penalty - Any person who causes, permits, or allows any violation of any of the provisions of this article shall be subject to a civil penalty of not more than five hundred (\$500.00) dollars. No civil penalty shall be assessed until the person that is alleged to be in violation has been notified of the violation. Each day of a continuing violation shall constitute a separate violation.

The City Council of Charlotte shall determine the amount of the civil penalty to be assessed. The Charlotte City Council shall make written demand for payment upon the person responsible for the violation and shall set forth in detail the violation(s) for which the penalty has been invoked. If payment is not received or equitable settlement reached within sixty (60) days after demand for payment is made, the matter shall be referred to the city attorney for institution of a civil action in the name of the city in an appropriate division of the General Court of Justice of Mecklenburg County for recovery of the penalty. Any sums recovered shall be used to carry out the purposes and requirements of this ordinance.

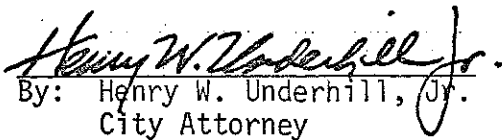
- (c) Injunctive relief - The city attorney's office is authorized to institute any action or proceeding in the name of the City of Charlotte for mandatory or prohibitory injunction and order of abatement commanding the defendant to correct any unlawful condition upon or cease the unlawful use of the person's property if there be any violation of any provision of this article.

Upon determination by a court of an alleged violation occurring, the court shall enter such orders or judgments as are necessary to abate the violation. The institution of an action for injunctive relief under this section shall not relieve any party to such proceedings from civil or criminal penalty prescribed for violation of this article.

- (d) Issuance of Citations - In discharging his duties under this article, the noise control officer is also hereby empowered and authorized to issue citations. A citation shall be a penalty of ten dollars (\$10.00) levied against any person who causes, permits, or allows any violation of any of the provisions of this article and who is cited for such violation in accordance with the same procedure for the issuance of citations as in §3-33, incorporated by reference in its entirety and applicable to this article.
- (e) Enforcement of article - When there is a violation of any provision of this article, the noise control officer, at his discretion, shall take one or more of the above courses of action. This article shall be enforced by any one, all, or a combination of the remedies authorized and prescribed in this article.

Section 2. This ordinance shall become effective March 1, 1981.

Approved as to form:

  
By: 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 22nd day of December, 1980, the reference having been made in Minute Book 75 and is recorded in full in Ordinance Book 30 at Pages 214-223.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 862-X

AN ORDINANCE TO AMEND ORDINANCE NO. 394-X, THE 1980-81 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT REVENUES AND TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE 1975 PUBLIC TRANSIT BOND FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR PUBLIC TRANSIT SYSTEM IMPROVEMENTS.

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

Section 1. That the sum of \$1,351,100 is hereby estimated to be available from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
1975 Public Transit Bond	\$ 135,110
Urban Mass Transportation Administration Grant	1,080,880
N. C. Department of Transportation Grant	<u>135,110</u>
Total	\$1,351,100

Section 2. The sum of \$1,351,100 is hereby transferred to Charlotte Transit Capital Equipment Program account (852.40). These funds will be used for purchase of nine buses, communication equipment, fare collection equipment, and shop tools and equipment.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 22nd day of December, 1980, the reference having been made in Minute Book 75 and is recorded in full in Ordinance Book 30 at Page 224.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 863

AMENDING CHAPTER 4

AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY CODE TO PROVIDE AN ENFORCEMENT PROCEDURE FOR COLLECTION OF TAXICAB FEES AT THE AIRPORT AND INCREASE THE FEE FROM \$0.50 to \$0.75.

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BE IT ORDAINED by the City Council of the City of Charlotte that:

Section 1. Chapter 4, Section 4-50(c), of the City Code shall be amended by the deletion of the current Section (c) and substitution in its place the follow language:

"(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.

Section 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 22nd day of December, 1980, the reference having been made in Minute Book 75, and recorded in full in Ordinance Book 30, at page 225.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 864-X

AN ORDINANCE TO AMEND ORDINANCE NO. 394-X, THE 1980-81 BUDGET ORDINANCE, ESTIMATING REVENUES FROM A FEDERAL GRANT TO PROVIDE AN APPROPRIATION FOR THE PARKS AND RECREATION MASTER PLAN.

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

Section 1. That the sum of \$90,000 is hereby estimated to be available from the following sources of revenue:

<u>Source of Revenue</u>	<u>Account</u>
General Revenue Sharing Special Projects Account (478.00)	\$45,000
Urban Park and Recreation Recovery Act Grant	45,000
	<u>\$90,000</u>

Section 2. That the sum of \$90,000 is hereby transferred to the Parks and Recreation Master Plan account (700.84).

Section 3. That the Finance Director or his designee is hereby authorized to advance sufficient funds from the unencumbered balance of the General Revenue Sharing Fund pending receipt of the grant under the Urban Park and Recreation Recovery Act. In addition, the Finance Director or his designee is hereby authorized to transfer expenses incurred in the Parks and Recreation Master Plan account (700.84) related to the inventory and appraisal of the existing parks and recreation system to the Improvements to Existing Park Facilities account (701.00) funded by the 1978 Recreation Bond.

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 22nd day of December, 1980, the reference having been made in Minute Book 75 and recorded in full in Ordinance Book 30 at Page 226.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 865-X

AN ORDINANCE TO AMEND BUDGET ORDINANCE NO. 394-X, THE 1980-81 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO THE SPECIAL PROJECTS DEPARTMENT FOR EMERGENCY FUEL PROGRAM.

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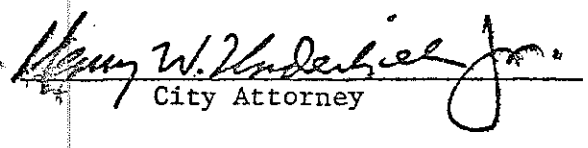
BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$15,000 is hereby transferred from the General Fund Contingency (530.00) to the Office of Special Projects (116.00.298) an emergency fuel program for low income residents of Charlotte.

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 22nd day of December, 1980, the reference having been made in Minute Book 75 and is recorded in full in Ordinance Book 30 at Page 227

Ruth Armstrong  
City Clerk



ORDINANCE NO. 866-X

AN ORDINANCE ORDERING THAT A LIEN BE PLACED ON THE PROPERTY AT 519 W. 5th ST. PURSUANT TO SECTION 5-6(e) OF THE CODE OF THE CITY OF CHARLOTTE, SAID BUILDING BEING THE PROPERTY OF PINTO BROTHERS, INC., 1226 CENTRAL AVENUE, CHARLOTTE, NORTH CAROLINA, AND MR. A. L. STEIN, P. O. BOX 384, RICHMOND, VIRGINIA.

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WHEREAS, the building located at 519 W. 5th Street in the City of Charlotte has been found to be unsafe and in a dangerous condition, thereby requiring the securing of the building; and

WHEREAS, Section 5-6(e) of the Code of the City of Charlotte provides that the City may place a lien on property where such an unsafe and dangerous condition exists, and that such lien shall be enforced in same manner as the lien for taxes upon the property; and

WHEREAS, demand has been made on the owners to remedy said unsafe and dangerous condition by properly securing the building; and

WHEREAS, said owners have failed to comply with the said demand to remedy said condition.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that a lien be placed on the building located at 519 W. 5th Street in the City of Charlotte, all in accordance with Section 5-6(e) of the Code of the City of Charlotte.

Approved as to form:

Henry W. Underhill Jr. by [Signature]  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of December, 1980, the reference having been made in Minute Book 75 and is recorded in full in Ordinance Book 30 at Page 228.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 867-X

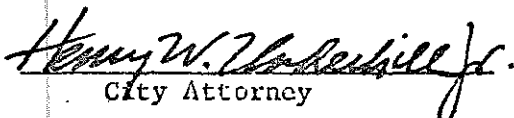
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1932 N. Allen Street PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF Mrs. J. L. Oliver Morris Orr RESIDING AT % Lees Rest Home, 9108 Reames Rd., Charlotte, N.C.

WHEREAS, the dwelling located at 1932 N. Allen 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 8/7/80 and 10/30/80: 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 1932 N. Allen 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 22nd day of December, 1980 the reference having been made in Minute Book 75, and is recorded in full in Ordinance Book 30, at Page 229.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 868-X

AN ORDINANCE TO AMEND ORDINANCE NO. 394-X, THE 1980-81 BUDGET ORDINANCE INCREASING THE ESTIMATED RENTAL INCOME TO PROVIDE AN APPROPRIATION FOR THE MANAGEMENT AND MAINTENANCE OF THE CHERRY NEIGHBORHOOD STRATEGY AREA.

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

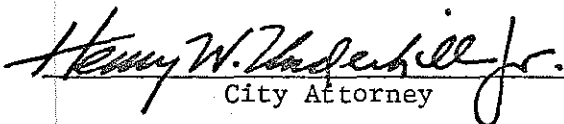
Section 1. That the sum of \$9,300 is estimated to be available from the rental of housing units in the Cherry Neighborhood Strategy Area.

Section 2. That the sum of \$9,300 is hereby appropriated to the Cherry Community Housing Account (590.00) for the management and maintenance of housing in the Cherry Neighborhood Strategy Area.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

  
City Attorney

Read, approved and adopted by the City Council fo the City of Charlotte, North Carolina, in regular session convened on the 22nd day of December, 1980, the reference having been made in Minute Book 75 and is recorded in full in Ordinance Book 30 at Page 230.

Ruth Armstrong  
City Clerk