

ORDINANCE NO. 997-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 southerly side of Queens Road West and Hopedale Avenue from R-12 to R-20MF; and

WHEREAS, the petition for rezoning for a conditional district as permitted by Section 23-35.3 was submitted to 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 June 15, 1981; 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-12 to R-20MF 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 southerly right-of-way line of Hopedale Avenue with the westerly right-of-way line of Hertford Road; 1) thence running in a southerly direction with the westerly right-of-way of Hertford Road for an arc line with a radius of 649.0 feet for a distance of 172.65 feet; 2) thence N.71-19-23W. 146.50 feet; 3) thence S.25-45-30W. 501.06 feet; 4) thence S.13-56-34W. 19.26 feet; 5) thence S.14-21-07W. 92.69 feet; 6) thence N.48-57-22W. 44.0 feet; 7) thence N.48-57-22W. 60.04 feet; 8) thence N.49-17-56W. 120.44 feet; 9) thence N.51-16-38W. 76.30 feet; 10) thence N.51-18-40W. 122.94 feet; 11) thence N.38-39-57W. 75.26 feet; 12) thence N.61-01-10E. 41.52 feet; 13) thence N.40-07-50W. 200.07 feet to a point on the southerly right-of-way of Queens Road West; 14) thence running with the southerly right-of-way of Queens Road West for the following calls: a) an arc with a radius of 402.75 feet for a distance of 125.0 feet; b) an arc line with a radius of 2180.88

feet for a distance of 192.68 feet; c) an arc line with a radius of 582.12 feet for a distance of 301.63 feet; d) an arc line with a radius of 49.78 feet for a distance of 46.10 feet to a point on the southerly right-of-way of Hopedale Avenue; 15) thence running with the southerly right-of-way of Hopedale Avenue for the following calls: a) S.54-10-56E. 290.14 feet; b) an arc with a radius of 174.78 feet for a distance of 126.51 feet 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 13th day of July, 1981, the reference having been made in Minute Book 76, and is recorded in full in Ordinance Book 30, at pages 436-37.

Ruth Armstrong,
City Clerk

ORDINANCE NO. 998-Z

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

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 I-1 to O-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point on the easterly right-of-way of Orchard Ridge Drive, said point being the northwesterly corner of the Robey C. Best property as recorded in Deed Book 4248 at Page 21 in the Mecklenburg County Registry of Deeds; 1) thence running in a northerly direction with the easterly right-of-way of Orchard Ridge Drive for a distance of 108.65 feet; 2) thence S.76-14-37E. 227.50 feet; 3) thence S.15-14-03W. 100.04 feet; 4) thence N.76-14-37W. 267.53 feet to the point or place of BEGINNING.

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

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 13th day of July, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30, page 438.

Ruth Armstrong,
City Clerk

ORDINANCE NO. 999-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 northeasterly of Walker Road in the general vicinity of Richland Drive from R-9MF to R-20MF; and

WHEREAS, the petition for rezoning for a conditional district as permitted by Section 23.35.3 was submitted to 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 June 15, 1981; 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-9MF to R-20MF on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the northeasterly corner of the Ira S. Meiselman property recorded in Deed Book 3575 at Page 53 in the Mecklenburg County Registry of Deeds; 1) thence S.69-46-00W. 300.0 feet to a point on the easterly right-of-way of Walker Road; 2) thence running with the easterly right-of-way of said road N.20-14-00W. 150.0 feet; 3) thence N.69-46-00E. 195.0 feet; 4) thence S.20-14-00E. 25.0 feet; 5) thence N.69-46-00E. 5.0 feet; 6) thence S.20-14-00E. 25.0 feet; 7) thence N.69-46-00E. 215.0 feet; 8) thence N.20-14-00W. 106.59 feet; 9) thence N.74-28-00E. 297.66 feet; 10) thence S.27-27-00E. 717.74 feet to a point in the northerly right-of-way of Richland Drive; 11) thence running with said right-of-way S.69-46-00W. 171.76 feet to a point of intersection with the westerly right-of-way of DuBarry Street; 12) thence running with said right-of-way S.20-14-00E. 130.0 feet; 13) thence S.69-46-00W. 100.0 feet; 14) thence S.20-14-00E. 30.0 feet; 15) thence S.69-46-00W. 117.62 feet; 16) thence S.11-31-27W.

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23.52 feet; 17) thence S.69-46-00W. 200.0 feet; 18) thence N.20-14-00W. 50.0 feet; 19) thence N.69-46-00E. 50.0 feet; 20) thence N.20-14-00W. 280.0 feet; 21) thence S.69-46-00W. 50.0 feet; 22) thence N.20-14-00W. 75.0 feet; 23) thence N.69-46-00E. 100.0 feet; 24) thence N.20-14-00W. 305.0 feet 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 13th day of July, 1981, the reference having been made in Minute Book 76, and is recorded in full in Ordinance Book 30, at pages 439-40.

Ruth Armstrong,
City Clerk

ORDINANCE 1000

AMENDING CHAPTER 3

AN ORDINANCE AMENDING CHAPTER 3, ENTITLED "ANIMALS", 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 3, section 24, of the city code shall be amended by deleting the caption, "Redemption fees", after "Sec. 3-24" and substituting a new caption in lieu thereof to read as follows:

Sec. 3-24. Redemption fees, adoption fees, and spay/neuter services.

Section 2. Chapter 3, section 24, of the city code shall be amended by adding the following two (2) paragraphs after the fourth paragraph of that section, which fourth paragraph begins with the words "No fees" and ends with the word "animal", which two paragraphs shall read as follows:

In addition to the adoption fees stated above, the purchaser of a dog/puppy or cat/kitten at the animal control shelter shall pay the cost of spay/neuter services, as provided in section 3-29, for the adopted animal. The payment for the spay/neuter services shall be made at the time that the person selects such an animal for adoption and before the surgery has been performed. If a person fails to adopt the animal in accordance with the provisions of this chapter, then the person shall forfeit the money paid for the surgery.

If a person adopts an animal and fails to return with the animal for an appointment for spay/neuter services, then that person shall forfeit the money paid for the surgery, effective upon the scheduled date of surgery, and the person shall be in violation of this section for failure to comply with that condition of purchasing the animal. Further, the purchaser shall consent to the animal control shelter's right to seize such animal, unless the purchaser pays for the necessary surgery. If the animal control shelter seizes the animal on the premises of the owner, then an administrative inspection warrant shall be required.

Section 3. Chapter 3, section 24, of the city code shall be amended by adding a new paragraph which paragraph shall be after the paragraph ending with the word "surgery" and before the paragraph beginning with the words "All fees" and shall read as follows:

If the owner of a dog or cat pays for spay/neuter services for that person's animal impounded by the animal control shelter, before the release of the animal to the owner, then the owner shall not be charged any redemption fees, which include impounding and boarding, stated in this section.

Section 4. Chapter 3, section 25, of the city code shall be amended by deleting the caption, "Tags, licenses, and rabies vaccination", after the word "Sec. 3-25" and substituting in lieu thereof the following new caption to read as follows:

Sec. 3-25. Differential city license tag fees; rabies vaccination tags.

Section 5. Chapter 3, section 25, of the city code shall be amended by adding two new paragraphs following the paragraph beginning with the word "It" and ending with the word "license" to read as follows:

The city license fee for fertile dogs and cats for the 1983 city license tag, for fiscal year 1983 (July 1, 1982 - July 30, 1983), shall be \$15.00; for the 1984 city license tag, for fiscal year 1984, shall be \$20.00; for the 1985 city license tag, for fiscal year 1985 and successive years shall be \$25.00. The city license tag fee for sterilized dogs and cats shall be \$5.00 for a 1983 city license tag year and for successive years.

If a person purchases a city license tag after January 1 for the remainder of that current fiscal year, then the cost of that city license tag shall be one-half (50%) of the cost for that city license tag. The one-half (50%) of the cost for a city license tag shall apply whether the dog/puppy or cat/kitten is fertile or sterilized.

Section 6. Chapter 3, section 29, of the city code shall be amended by deleting the caption, "Public spay and neuter clinic", and substituting in lieu thereof a new caption to read as follows:

Sec. 3-29. Spay and neuter services.

Section 7. Chapter 3, section 29, of the city code shall be amended by deleting in its entirety subsection (a) and substituting in lieu thereof a new subsection (a) to read as follows:

- (a) Establishment or provision of spay/neuter services. The animal control shelter of the city is authorized to establish, equip, operate and maintain and provide spay/neuter services for cats and dogs, to employ personnel for those services, and to appropriate and expend tax and non-tax funds, including property taxes, for those purposes. In lieu thereof, the Animal Control Division in behalf of the city of Charlotte is further authorized to contract with any individual, corporation, non-profit corporation, governmental body or any other group for the purpose of operating or providing spay/neuter services for dogs and cats within the city. The animal control shelter may appropriate and expend tax and non-tax funds, including property tax for those purposes. Services shall be provided as of 1 January 1982.

The charge for spay/neuter services for a dog/puppy shall be \$24.50 and for a male cat/kitten \$11.50 and for a female cat/kitten \$17.50. The city manager or his designee shall have the authority to establish the cost of spay/neuter services for dogs/puppies and cat/kittens based on estimated costs in providing the services. The city manager or his designee shall maintain documented records justifying any such increases or decreases. A change in service charges shall occur no more than once in each six month period.

Section 8. Chapter 3, section 32, of the city code shall be amended by adding a new sentence in subsection (a), which sentence shall come after the sentence ending with "section 3-33", and before the sentence beginning with the words "A penalty of", and the new sentence shall read as follows:

Any dog, cat, or equine animal owner that violates code section 3-25, requiring a city license tag, shall be subject to a fine of \$15.00 for failure to have a 1983 city license tag, for fiscal year 1983; a fine of \$20.00 for failure to have a 1984 city license tag, for fiscal year 1984; and a fine of \$25.00 for failure to have a 1985 city license tag, for fiscal year 1985 and for successive years thereafter.

Section 9. Chapter 3, Section 26 of the city code shall be amended by deleting the sentence which reads "The dog or cat license fee shall be five dollars (\$5.00)", and replacing therein a new sentence, following the word "inoculation" and before the word "Veterinarinas" to read as follows:

The dog or cat license fee shall be in accordance with the city license fee schedule stated in the city code.

Section 10. This ordinance shall become effective upon adoption, except when any provision indicates a specific date upon which that particular provision shall become effective.

Approved as to form:

Henry W. Woodruff Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of July, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30, beginning at Page 441 and ending at Page 444.

Ruth Armstrong
City Clerk

ORDINANCE NO. 1001-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE TO PROVIDE AN APPROPRIATION FOR THE ESTABLISHMENT OF A NOISE CONTROL ENFORCEMENT PROGRAM IN THE POLICE DEPARTMENT.

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

Section 1. That the sum of \$29,295 is hereby transferred from General Fund Contingency (530.00) to the Police Department, Special Services (401.47) to fund a position and equipment for the Noise Control Program.

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 13th day of July, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30, at Page 445.

Ruth Armstrong
City Clerk

ORDINANCE 1002

AN ORDINANCE AMENDING ARTICLE VII, "ZONE WRECKER AND TOW SERVICE"
OF CHAPTER 20 OF THE CITY CODE.

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

Section 1. Sec. 20-148 of Article VII of Chapter 20 of the City Code shall
be deleted in its entirety, and the following substituted in lieu thereof:

"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:

(a) 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:

- (1) Tow-ins:

Anytime (except second tow)	35.00
Second tow	15.00

(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.)
- (2) Waiting time, per hour, or any part
thereof after the first hour 10.00
- (3) Cancellation charge (applicable when
wrecker has been dispatched for more
than five (5) minutes) 10.00
- (4) Dolly surcharge (not applicable to
motor-bicycles or mopeds) 10.00
- (5) Overturn charge 10.00

- (6) Winching service (where vehicle is off street right-of-way) 10.00
- (b) Storage for a 24-hour period, or any part thereof 3.00

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. 2. This ordinance shall become effective upon adoption.

Approved as to form:

Henry W. McDaniel Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of July, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30, beginning at Page 446.

Ruth Armstrong
City Clerk

ORDINANCE NO. 1003-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, ESTIMATING STATE GRANT REVENUES TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR TWO UTILITY PROJECTS.

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

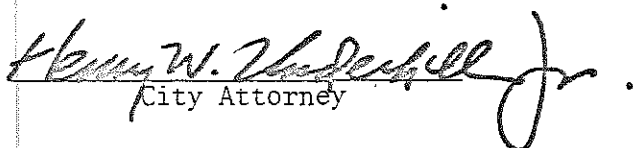
Section 1. That the sum of \$18,070.66 is hereby estimated to be available from State grant SBH-1006 to be appropriated to the following utility projects:

<u>Account Number</u>	<u>Project Title</u>	<u>Amount</u>
66.341	Water Main Along Johnson Road	\$ 4,177.12
630.89	Park Road - N.C. 51 to Park Crossing Drive	<u>13,893.54</u>
	TOTAL	\$18,070.66

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 13th day of July, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30 - at Page 448.

Ruth Armstrong
City Clerk

ORDINANCE NO. 1004-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, ESTIMATING STATE GRANT REVENUES TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE AIR CARGO DEVELOPMENT PROJECT.

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

Section 1. That the sum of \$20,264 from a North Carolina Department of Transportation grant is hereby transferred to the Air Cargo Development account (562.80).

These funds will be used to fund aircraft parking pad construction.

The appropriation to the Air Cargo Development account will be used to replace and equivalent amount originally funded by the Airport CIP Reserve.

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 13th day of July, 1981 the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 30 - at Page 449.

Ruth Armstrong
City Clerk