

ORDINANCE NO. 1044-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS "INDEPENDENCE PARK", IN THE CITY OF CHARLOTTE, NORTH CAROLINA, AND RECORDED ON PARCEL NUMBERS 080-192-01 AND 127-034-16, IN THE MECKLENBURG COUNTY TAX OFFICE.

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

WHEREAS, the City Council of Charlotte, North Carolina, 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 28th day of September, 1981, on the question of designating the property known as "Independence Park" as historic property; and

WHEREAS, "Independence Park" is the oldest public park in the City of Charlotte; and

WHEREAS, "Independence Park" was designed by John Nolen, a renowned landscape architect; and

WHEREAS, Daniel Augustus Tompkins, leading New South prophet in Charlotte was instrumental in the establishment of Independence Park; and

WHEREAS, the property known as "Independence Park" is vested in fee simple to the City of Charlotte.

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

1. That the property known as "Independence Park", being more specifically that portion of the Park situated eastward from Independence Boulevard, but excluding all buildings situated thereon, 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 property is noted as being situated on a tract of property as recorded on Parcel Numbers 080-192-01 and 127-034-16 in the Tax Office of Mecklenburg County, North Carolina.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a certificate of appropriateness by the Charlotte-Mecklenburg Historic Commission. An application for a certificate of appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay 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 owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

5. That the owners and occupants of the property known as "Independence Park" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds and the Tax Supervisor as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 29, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

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 a Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of September, 1981, the reference having been made in Minute Book 76, and recorded in full in Ordinance Book 31, at Pages 34-36.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 1981.

Ruth Armstrong, City Clerk

ORDINANCE NO. 1045-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, ESTIMATING FEDERAL AVIATION AGENCY GRANT REVENUES TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE PASSENGER TERMINAL COMPLEX.

---

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

Section 1. That the sum of \$180,500 is hereby appropriated from the Federal Aviation Agency grant (6-37-0012-17) to the Passenger Terminal Complex account (562.76). These funds will be used for an addition to the aircraft parking ramp to provide ten commuter airline parking spaces. The appropriation will replace an equivalent amount of funds from the 1978 Airport Bond Fund.

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 28th day of September, 1981, the reference having been made in Minute Book 76 and is recorded in full in Ordinance Book 31 at Page 37.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1046-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, ESTIMATING FEDERAL AVIATION AGENCY GRANT REVENUES TO PROVIDE SUPPLEMENTAL APPROPRIATIONS TO TWO AIRPORT DEVELOPMENT PROJECTS.

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

Section 1. That the sum of \$1,299,500 is hereby estimated to be available from the Federal Aviation Agency grant 6-37-0012-18.

Section 2. That the sum of \$1,299,500 is hereby transferred to the following Airport projects:

<u>Account No.</u>	<u>Project Title</u>	<u>Amount</u>
562.76	Passenger Terminal Complex	\$ 990,000
562.54	FBO Development	309,500
	TOTAL	\$1,299,500

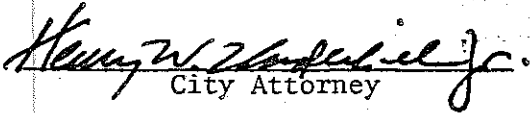
These funds will be used to extend Taxiway "M" to provide access to Runway 23 from the new terminal apron, and to construct a new taxiway to provide access to the proposed General Aviation ramp.

The appropriation of \$990,000 to the Passenger Terminal Complex will replace an equivalent amount of funds from the 1978 Airport Bond Fund.

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 28th day of September, 1981, the reference having been made in Minute Book 76 and is recorded in full in Ordinance Book 31 at Page 38.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1047-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT REVENUES, AND TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE 1978 AIRPORT BOND FUND AND THE 1981 AIRPORT REVENUE 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 \$3,436,349.54 is hereby transferred to the Passenger Terminal Complex account (562.76) in accordance with the following schedule:

<u>Source of Revenue</u>	<u>Amount</u>
Federal Aviation Agency Grant 6-37-0012-14	\$ 166,354.04
State of North Carolina Grant 80-07	27,725.67
1978 Airport Bond Fund	2,455,155.83
1981 Airport Revenue Bond	787,114.00
TOTAL	<u>\$3,436,349.54</u>

These funds will be used to finance a tower line-of-sight clearing project, change orders, and owner's costs in the Passenger Terminal Complex.

Section 2. That the Finance Director or his designee is hereby authorized to advance the sum of \$787,114 from the 1978 Airport Bond Fund. This sum will revert to the original source of funding when permanent financing will have been arranged.

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 28th day of September, 1981, the reference having been made in Minute Book 76 and is recorded in full in Ordinance Book 31 at Page 39.

Ruth Armstrong, City Clerk

ORDINANCE 1048

AN ORDINANCE AMENDING CHAPTER 10 OF THE CITY CODE ENTITLED, "HEALTH AND SANITATION" TO INCLUDE STRICT LIABILITY FOR DAMAGE CAUSED BY HAZARDOUS WASTE.

---

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

Section 1. Article III. Mosquito Control, of Chapter 10 of the City Code shall be deleted in its entirety.

Sec. 2. A new Article III entitled "Hazardous Waste" shall be substituted in lieu thereof, and shall read as follows:

"Sec. 10-42. Strict liability for damage caused by hazardous waste.

(1) Definition. "Hazardous waste", for the purpose of this article shall mean a solid waste, or combination of solid wastes, including liquid or gaseous wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

(a) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

(b) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

(2) Unlawful disposal and strict liability. It shall be unlawful for any person to dispose of hazardous waste or to hire or otherwise arrange for a person to dispose of hazardous waste upon another person's property without the consent of the owner of that property, and such person shall be strictly liable, without regard to fault or negligence, for damages or for any equitable remedies to persons or property, including the cost of the removal of such hazardous waste to a lawfully designated disposal site, resulting from such unlawful disposal of hazardous waste."

Sec. 3. This ordinance shall become effective upon 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 28th day of September, 1981, the reference having been made in Minute Book 76 and is recorded in full in Ordinance Book 31 at Page 40.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1049

AMENDING CHAPTER 2

AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE TO  
ALLOW THE DEPUTY CITY ATTORNEY AND ASSISTANT CITY  
ATTORNEYS TO APPROVE ORDINANCES AS TO FORM.

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

Section 1. Chapter 2, Article I, Section 2-1, of the City Code  
is hereby amended by repealing the present provisions in their entirety  
and substituting in lieu thereof the following:

"Sec. 2-1. Proposed ordinances must be written; form  
approved by city attorney, deputy city attorney  
or assistant city attorneys.

Every ordinance amending or repealing any ordinance  
and every new ordinance shall be proposed in writing and  
shall be approved as to form by the city attorney, the  
deputy city attorney or an assistant city attorney. "

Section 2. 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 28th  
day of September, 1981, the reference having been made in  
Minute Book 76, and recorded in full in Ordinance Book 31,  
at page 41.

Ruth Armstrong, City Clerk



ORDINANCE NO. 1050-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING  
AT 3001 Reid 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 M. F. Crouch  
RESIDING AT P.O. Box 507, Mooresville, N.C. 28115

WHEREAS, the dwelling located at 3001 Reid Ave.

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 3/26/81 and  
4/21/81 : 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  
3001 Reid Avenue 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:

Henry W. Underhill, Jr. by H. N. Nield, Jr.  
City Attorney

Read, approved and adopted by the City Council of the City  
of Charlotte, North Carolina, in regular session convened  
on the 28th day of September, 1981  
the reference having been made in Minute Book 76, and  
is recorded in full in Ordinance Book 31, at Page 42.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1051-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2016-18 Kinney 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 Eugene Milburn Davant RESIDING AT 2135 Sharon Avenue, Charlotte, N.C.

WHEREAS, the dwelling located at 2016-18 Kinney 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 3/9/81 and 3/31/81: 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 2016-18 Kinney 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:

Henry W. Underhill, Jr. by H. M. M. J. L.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of September, 1981 the reference having been made in Minute Book 76, and is recorded in full in Ordinance Book 31, at Page 43.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1052-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING  
AT 223 Manley St. (Rear) 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 Myrtle J. Kilgo  
RESIDING AT 223 Manley Street, Charlotte, N.C.

WHEREAS, the dwelling located at 223 Manley St. (Rear)  
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 12/24/80 and  
1/14/81: 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  
223 Manley St. (Rear) 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:

Henry W. Underhill, Jr. by T. B. Nail Jr.  
City Attorney

Read, approved and adopted by the City Council of the City  
of Charlotte, North Carolina, in regular session convened  
on the 28th day of September, 1981,  
the reference having been made in Minute Book 76, and  
is recorded in full in Ordinance Book 31, at Page 44.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 1053-X

AN ORDINANCE ORDERING THE DWELLING AT 413 Campus Street  
TO BE VACATED, DEMOLISHED AND REMOVED PURSUANT TO THE HOUSING CODE OF THE  
CITY OF CHARLOTTE AND ARTICLE 19, CHAPTER 160A OF THE GENERAL STATUTES OF  
NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF Jennie Edwards Estate  
, RESIDING AT 413 Campus Street, Charlotte, NC

WHEREAS, the dwelling located at 413 Campus 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 vacate and demolish said dwelling pursuant to the Housing  
Code of the City of Charlotte and Article 19, Chapter 160A of the General  
Statutes of North Carolina; and

WHEREAS, the owners thereof have been ordered to demolish and remove  
said dwelling, pursuant to the Housing Code of the City of Charlotte and  
Article 19, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, said owners have failed to comply with the said orders  
to vacate and demolish said dwelling and to remove said dwelling, which  
orders were served by registered mail on the 5/6/81  
and 6/2/81.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of  
Charlotte, that the Superintendent of Building Inspection is hereby  
ordered to cause the dwelling located at 413 Campus Street  
in the City of Charlotte to be vacated, and to be demolished and removed, all  
in accordance with the Housing Code of the City of Charlotte and Article 19,  
Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill, Jr. by T. B. Murch Jr.  
(City Attorney)

Read, approved and adopted by the City Council of the City of Charlotte,  
North Carolina, in regular session convened on the 28th day of September, 1981  
the reference having been made in Minute Book 76, and is recorded in full  
in Ordinance Book 31, at Page 45.

Ruth Armstrong  
City Clerk