

August 9, 1982  
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ORDINANCE NO. 1212-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, TO APPROPRIATE FUNDS FROM THE GENERAL FUND CONTINGENCY FOR THE CITY'S SHARE OF THE CRIMINAL JUSTICE SYSTEM COORDINATOR.

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

Section 1. That the sum of \$32,000 is hereby appropriated from the General Fund Contingency (530.00) account to the Criminal Justice Coordinator account (530.59). These monies represent the City's share of the Criminal Justice System Coordinator's operation.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Page 319

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1213-X

AN ORDINANCE TO AMEND ORDINANCE NO. 980-X, THE 1981-82 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF STREET LAND BONDS TO REMOUNT ROAD WIDENING TO REIMBURSE SOUTHERN RAILWAY FOR THE CITY'S SHARE OF CROSSING IMPROVEMENTS.

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

Section 1. That the sum of \$2,134.30 is hereby transferred from Street Land Bond (4191) to Remount Road Widening (292.00). These funds will be used to satisfy the City's share of contractual expenses associated with Southern Railway improvements to the Remount Road railway crossing.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Page 320

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1214-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, TO APPROPRIATE FUNDS FROM THE UNAPPROPRIATED FUND BALANCE OF THE MUNICIPAL SERVICES DISTRICT FOR THE PURCHASE OF LAND IN THIRD WARD.

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

Section 1. That the sum of \$44,452 is hereby appropriated from the unappropriated fund balance of the Municipal Services District to Municipal Services District Operations (205.00.314). These funds will be used for the purchase of land in the West Trade Street area of Third Ward.

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. Elsdorff Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Page 321.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1215-X

AN ORDINANCE TO AMEND ORDINANCE 1184-X, THE 1982-83 BUDGET ORDINANCE, ESTIMATING REVENUES FROM THE CHARLOTTE UPTOWN DEVELOPMENT CORPORATION TO BE USED FOR THE TRYON STREET TRANSIT MALL PUBLIC INFORMATION PROGRAM.

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

Section 1. That the sum of \$4,000 is hereby estimated to be available from the Charlotte Uptown Development Corporation. These monies are to be provided for the Tryon Street Transit Mall Public Information Program (2010.480.51).

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 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Page 322.

Pat Sharkey  
City Clerk

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ORDINANCE 1216-X

ORDINANCE OF THE CITY COUNCIL RESCINDING THE VACATING AND CLOSING OF A DWELLING BELONGING TO Frances Abrams LOCATED AT 328-330 Lillington Ave. IN THE CITY OF CHARLOTTE.

WHEREAS, on 11/13/72, The City Council enacted Ordinance 668-X ordering the vacating and closing of a dwelling located at 328-30 Lillington Ave., Charlotte, N.C. as unfit for human habitation, said dwelling being the property of Frances Abrams; and

WHEREAS, it has been determined by the Superintendent of the Building Inspection Department that this dwelling has now been repaired and meets the Minimum Housing Standards set forth in the Housing Code and Chapter 160A of the N.C. General Statutes, and there is no longer a need for the vacating and closing of the dwelling located at 328-330 Lillington Ave..

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte in a regularly scheduled meeting on \_\_\_\_\_, that Ordinance 668-X recorded in Ordinance Book 19, Page 355 in the City Clerk's Office and registered in Deed Book 3503 at Page 534 in the Office of the Register of Deeds for Mecklenburg County is now hereby rescinded.

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 9th day of August, 1982, the reference having been made in Minute Book 78, and is recorded in full in Ordinance Book 31, at Page 323.

Pat Sharkey  
City Clerk

AMENDING CHAPTER 9

ORDINANCE 1217

AN ORDINANCE AMENDING CHAPTER 9, SECTION 13 OF THE CITY CODE OF THE CITY OF CHARLOTTE.

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

Section 1. Chapter 9, Section 13, subsection (a) shall be deleted in its entirety and the following substituted in lieu thereof:

"(a) Approval required. Any person operating or managing any such vehicle shall first obtain approval from the Mecklenburg Environmental Health Department, or its successor agency."

Section 2. Subsection (c) of Section 9-13 shall be deleted in its entirety.

Section 3. Subsection (d) of Section 9-13 shall be deleted in its entirety and the following substituted in lieu thereof:

"(c) Application for Operator's License. After approval has been granted by the Mecklenburg County Environmental Health Department, each operator of an ice cream vehicle shall also obtain an operator's license. Each applicant for such license must file with the Collector of Revenue a sworn application in writing on a form to be furnished by that office containing the following information:

- (1) Name and description of the applicant;
- (2) Permanent home address and full local address of the applicant.
- (3) If employed, or acting as an agent, the name and address of the employer, or principal, together with credentials establishing the exact relationship.
- (4) Two photographs of the applicant, showing the head and shoulders, to be taken within sixty (60) days of filing application with the City-County Tax Collector.
- (5) Valid drivers license must be shown to City-County Tax Collector and drivers license number shall be recorded on operators license.

Section 4. Subsection (e) of Section 9-13 shall be deleted in its entirety and the following substituted in lieu thereof to be designated (d):

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"(d) Issuance of Operator's License. Upon submission of a completed application, the Collector of Revenue shall issue a license upon the payment of a fee of three dollars (\$3.00) to cover the cost of issuing such license, and the license shall include the signature of the issuing officer, together with the name and address of the applicant. All licenses issued under the provisions of this article shall be valid for one year beginning July 1st and ending the succeeding, June 30th. The Operator's license required by this section shall be in addition to the vehicle license set forth in Chapter 11 of the City Code.

Section 5. Subsection (f) of Section 9-13 shall be deleted in its entirety and the following substituted in lieu thereof but shall be redesignated (e):

"(e) Revocation and suspension of licenses. Any material false statement in an application for either an operator's license or a vehicle license shall result in the automatic cancellation of the license by the Collector of Revenue and shall constitute a misdemeanor. Upon the conviction of any holder of either license of any felony or misdemeanor involving moral turpitude, such license shall be automatically cancelled and revoked.

Section 6. Subsection (g) of Section 9-13 shall remain the same but be redesignated (f).

Section 7. Subsection (h) of Section 9-13 shall be amended by the deletion of the last sentence and shall be redesignated (g).

Section 8. Subsection (i) of Section 9-13 shall be deleted in its entirety.

Section 9 Subsection (j) of Section 9-13 shall be deleted in its entirety and the following substituted in lieu thereof to be redesignated (h):

"(h) Exception to Article. The sale of such products permitted under this section shall not be construed to come within the provisions of Sections 9-2, 9-3 or 9-15 of this article."

Section 10. This ordinance shall become effective upon adoption.

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 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Pages 324-325.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1218-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO THE DEPARTMENT OF TRANSPORTATION FOR THE SIGNALIZATION OF N.C. 51 AT JOHNSTON ROAD.

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

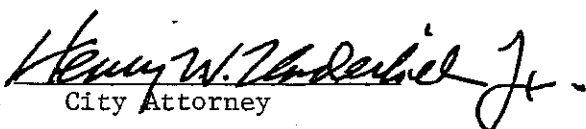
Section 1. That the sum of \$14,690 is hereby transferred from General Fund Contingency (530.00) to the Department of Transportation for the installation of traffic signals at the intersection of N.C. 51 and Johnston Road, and is distributed as follows:

<u>Account</u>	<u>Allocation</u>
522.04.528	\$ 9,262
518.00.291	<u>5,428</u>
TOTAL	\$ 14,690

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 9th day of August, 1982, the reference having been made in Minute Book 78 and is recorded in full in Ordinance Book 31 at Page 326

Pat Sharkey  
City Clerk



ORDINANCE NO. 1219-X


AN ORDINANCE ORDERING THE DWELLING AT 428-30 E. Worthington Avenue  
TO BE VACATED AND CLOSED 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  
Vincent L. Miller and Wife, Jettie B. RESIDING AT  
2407 Marshall Place, Charlotte, N.C.

WHEREAS, the dwelling located at 428-30 E. Worthington 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 vacate and close 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 6-30-81 and  
7-30-81 : 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 dwelling located at 428-30 E. Worthington Avenue  
in the City of Charlotte to be vacated and closed 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 9th day of August, 1982  
the reference having been made in Minute Book 78 , and is recorded in full  
in Ordinance Book 31 , at Page 327..

Pat Sharkey  
City Clerk

ORDINANCE NO. 1220-X

AN ORDINANCE ORDERING THE DWELLING AT 417-19 East Tremont Ave.  
TO BE VACATED AND CLOSED 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  
Vincent L. Miller & Jettie B. RESIDING AT  
2407 Marshall Place, Charlotte, N.C.

WHEREAS, the dwelling located at 417-19 East Tremont 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 vacate and close 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 6/29/81 and  
7/30/81: 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 dwelling located at 417-19 East Tremont Ave.  
in the City of Charlotte to be vacated and closed 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  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte,  
North Carolina, in regular session convened on the 9th day of August, 1982,  
the reference having been made in Minute Book 78, and is recorded in full  
in Ordinance Book 31, at Page 328.

Pat Sharkey  
City Clerk

ORDINANCE NO. 1221-X

AN ORDINANCE ORDERING THE DWELLING AT 1919-21 Winthrop Avenue  
TO BE VACATED AND CLOSED 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  
Vincent L. Miller and Wife, Jettie B. RESIDING AT  
2407 Marshall Place, Charlotte, N. C.

WHEREAS, the dwelling located at 1919-21 Winthrop 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 vacate and close 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 6/30/81 and

7/30/81 : 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 dwelling located at 1919-21 Winthrop Avenue  
in the City of Charlotte to be vacated and closed 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 9th day of August, 1982  
the reference having been made in Minute Book 78 , and is recorded in full  
in Ordinance Book 31 , at Page 329.

Pat Sharkey  
City Clerk

August 9, 1982  
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Petition No. 82-43  
Newman Manor  
Associates, Ltd.

ORDINANCE NO. 1222-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 at the 7300 Block of Sardis Road, bordered by McAlpine Greenway and Charlotte Christian School, from R-12 to R-20MF; and

WHEREAS, the petition for rezoning for an R-20MF conditional district as permitted by Section 23-35.3 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 June 21, 1982; 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 and public interest of the community, and each of the following, which are required by Section 23-35.3(e):

1. Access to public streets and the adequacy of those streets to carry anticipated increased traffic;
2. On-site circulation for both pedestrian and vehicular traffic;
3. Adequacy of existing community facilities such as water, sewer, police and fire protection;
4. Relationship to and impacts upon adjoining and nearby properties and adequacy of proposed measures to minimize any adverse impacts; and
5. The appropriateness of the proposal in relationship to the policies and objectives of the Comprehensive Plan and to a more detailed area plan, if available.

In addition, City of Charlotte City Council considered the following, which are required by Section 23-35.3(f)(6):

1. Accomplishes objectives as specified in the statement of intent;
2. Exhibits special, atypical design features and thoughtful, imaginative use of the land;
3. Provides for reasonable and appropriate land use relationships, both within the development itself and to surrounding areas adjacent to the development, by considering, but not necessarily being determined by, at least the following: (a) the preservation of open space, trees, significant natural features and existing structures when applicable;

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- (b) the provisions for screening and adequate tree cover; (c) the protection of surrounding areas from adverse effects, such as exterior lighting, storm water runoff and service or utility areas; and (d) the provision of safe, adequate pedestrian and vehicular access and circulation; and
4. Provides the community with a beneficial, alternative design concept which is potentially applicable in other community situations.

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 68 feet more or less southeast from Holly Lane, and further said point being on the easterly right-of-way of Sardis Road; 1) thence N.42-38-22W. 127.0 feet; 2) thence a radius of 3218.07 feet for a length of 242.75 feet; 3) thence a radius of 1196.29 feet for a length of 217.48 feet; 4) thence N.24-56-43W. 108.86 feet; 5) thence N.65-29-20E. 696.78 feet; 6) thence S.07-34-38W. 718.41 feet; 7) thence S.44-06-27W. 189.88 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 9th day of August, 1982, the reference having been made in Minute Book 78, and is recorded in full in Ordinance Book 31, at pages 330-331.

\_\_\_\_\_  
City Clerk