

June 13, 1983
Ordinance Book 32 - Page 71

ORDINANCE NO. 1365 AMENDING CHAPTER 20

AN ORDINANCE AMENDING CHAPTER 20 OF THE CITY CODE RELATIVE TO
RUNNING AND JOGGING ON PUBLIC STREETS OR HIGHWAYS.

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

Section 1. Chapter 20, Article III, of the City Code is hereby
amended by the addition of a new sub-section 20-53 to read as
follows:

"Sec. 20-53(a) No person shall run or jog in any public
street or highway open to motor vehicle traffic other than
in a safety zone, during the time from one-half hour after
sunset to one-half hour before sunrise, or at any other
time when there is not sufficient natural light to render
discernible persons, vehicles, and substantial objects on
the street or highway at a distance of five hundred (500)
feet ahead, unless such person is wearing reflective
clothing or a reflective device. The reflective clothing
or reflective device shall be worn on the person and be of
sufficient size and reflective capacity to be seen at a
distance of not less than five hundred (500) feet to the
person's front and rear, when illuminated by two standard
automobile headlights operating at the lawful lower beam
setting.

"(b) For the purposes of this section, the public street or
highway shall not include the sidewalk or a crosswalk.

"(c) A violation of this section shall constitute a
misdemeanor punishable by a fine not to exceed \$50."

Section 2. This ordinance shall become effective August 1, 1983.

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 June, 1983, the reference having been made
in Minute Book 80, and recorded in full in Ordinance Book
32, at Page 71.

Pat Sharkey, City Clerk

June 13, 1983
 Ordinance Book 32 - Page 72
 ORDINANCE NO. 1366-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING FUNDS FOR THE MINT MUSEUM EXPANSION PROJECT.

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

Section 1. That the sum of \$5,075,000 is hereby estimated to be available from the following sources:

<u>Source of Revenue</u>	<u>Amount</u>
Mint Museum of Arts, Incorporated	\$2,000,000
1982 Museum Bonds	3,075,000
Total	<u>\$5,075,000</u>

Section 2. That the sum of \$5,075,000 is hereby appropriated to fund 2010; account 481.00 (Mint Museum Expansion). These funds will be used to complete expansion of the Mint Museum of Art.

Section 3. That the Finance Director or his designee is hereby authorized to reserve \$2,000,000 in the Municipal Debt Service fund balance to be used for capital advances and to advance as needed to fund 2010; account 481.00. These advances shall be made in accordance with the City's agreement with the Mint Museum of Arts, Incorporated.

Section 4. All funds advanced from the Municipal Debt Service fund balance to fund 2010; account 481.00 will be repaid to the City and returned to the Municipal Debt Service fund balance by the Mint Museum of Arts, Incorporated upon collection of Mint Museum pledges.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. 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 June, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32 at Page 72.

Pat Sharkey, City Clerk

June 13, 1983
Ordinance Book 32 - Page 73

ORDINANCE NO. 1367-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, TRANSFERRING FUNDS TO SETTLE CONDEMNATION OF PROPERTY AT NORTH COLLEGE AND SEVENTH STREETS TO PROVIDE PARKING FOR SPIRIT SQUARE.

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

Section 1. That the sum of \$13,219 is hereby transferred from account 2010;700.10 (Landscape Maintenance Facility) to account 2010;269.00 (Spirit Square). These funds will be used to settle condemnation proceedings of the North College and Seventh Street property to be used by Spirit Square for parking.

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. Chandler 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 June, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Page 73.

Pat Sharkey
City Clerk

June 13, 1983
Ordinance Book 32 - Page 74

AMENDING CHAPTER 13

ORDINANCE 1368

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE V, ENTITLED "PUBLIC MONUMENTS" OF THE CITY 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, Article V, shall be amended by the deletion of Sections 13-69, 13-70, 13-71 and 13-72 in their entirety, and the following shall be substituted in lieu thereof:

"Sec. 13-69. Procedure for Erection of Monument on Public Property"

(a) Any person, corporation, partnership or unincorporated association which proposes to erect any monument as defined in section 13-67 above shall first file an application with the City Clerk. The City Clerk shall then route the application to the appropriate staff departments for review. Said application shall contain such information and supporting documents as are required by the City Manager and the City Council.

(b) After the application has been determined to be complete and in proper form, the City Council shall set the matter for public hearing.

(c) Notice shall be given of the date on which such hearing shall be held. This notice shall be published once in a local newspaper of general circulation. The notice shall provide that Council may, in its discretion, make changes in the requested proposal for the erection or dedication of a monument without resort to further notice or hearing. Such notice for public hearing shall be given at least ten (10) days and not longer than sixty (60) days prior to the date set for hearing.

(d) Designated staff members of the appropriate departments, (hereinafter referred to as "Staff"), shall attend the public hearing and, following the hearing, prepare a review to be submitted to the City Council. Members of Staff and Council may ask questions of any person at anytime during the public hearing.

(e) Unless such time is extended by Council, the Staff shall tender its review to Council by transmitting it to the City Manager within thirty (30) days after the date of the hearing.

(f) The request shall then be decided by Council within a reasonable time and at a regular Council meeting. The decision of City Council shall be conclusive and final. Provided, however, that nothing shall be designated as a monument by City Council unless said thing is erected, placed or located on property owned by or dedicated to and accepted by the City of Charlotte for such purposes not inconsistent with said designation."

"Sec. 13-70. Standard for Review.

As to each application, the Staff and Council shall review, investigate, evaluate and make recommendations and decisions in regard to the appropriateness and adequacy of each proposal based upon, but not limited to, the following standards:

(a) The monument shall have historic, aesthetic or special character or interest to the general public and not be limited in interest to a special group or persons. The Council shall consider the local and general significance and prominence of the things to be memorialized.

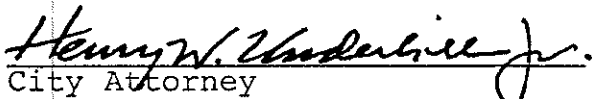
(b) The monument's location shall be compatible with its surroundings and its establishment shall not have a negative impact on environmental integrity. Council shall avoid undue concentrations of monuments.

(c) The monument must be of enduring quality and character and materials used in creating and establishing each monument shall reflect such quality and character.

(d) The care and maintenance of the monument shall not require a disproportionate expenditure of public funds."

Section 2. 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 June, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Pages 74-75.

Pat Sharkey
City Clerk

June 13, 1983
Ordinance Book 32 - Page 76

ORDINANCE NO. 1369-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO REALIGN MORRIS FIELD DRIVE PROVIDING QUICKER RESPONSE TIMES TO AREAS SURROUNDING THE AIRPORT FOR THE CRASH-FIRE-RESCUE FACILITY.

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

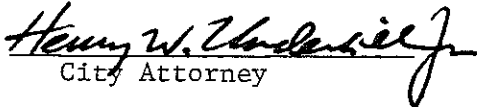
Section 1. That the sum of \$170,000 is available from the North Carolina Air National Guard for the realignment of Morris Field Drive to provide quicker response times to areas surrounding the airport for the Crash-Fire-Rescue Facility.

Section 2. That the sum of \$170,000 is hereby appropriated to Airport CIP account 2073;562.54 - FBO Development.

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 13th day of June, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Page 76.

Pat Sharkey
City Clerk

June 13, 1983
Ordinance Book 32 - Page 77

ORDINANCE NO. 1370-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1184-X, THE 1982-83 BUDGET ORDINANCE, AUTHORIZING END OF THE YEAR TRANSFER OF FUNDS.

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

Section 1: That the budgetary accounts in the General Fund column 1, be increased by the following amounts and that these amendments be financed by the transfer of funds from the unencumbered balance of the appropriation listed in Column 2.

	<u>Column 1</u>		<u>Column 2</u>
Finance	\$103,000	Operations	\$172,872
Special Projects	3,000		
City Clerk	13,700		
Historic Properties	4,744		
Tax Listing	<u>48,428</u>		
Total	\$172,872		

Section 2: That the sum of \$412,983 is hereby available from the following sources to finance a contract for the operation of a consolidated building inspection function administered by Mecklenburg County.

Building Inspection Department	\$320,983
Employee Benefits	<u>92,000</u>
Total	\$412,983

Section 3. That the sum of \$55,000 is hereby appropriated from the General Fund Contingency for the funding of a study of a Performing Arts Center to the General Capital Improvement Fund Performing Arts Center Study - 2010.487.00.

June 13, 1983
Ordinance Book 32 - Page 78

Section 4: The Table of Organization is hereby amended to delete all positions in the Building Inspection Department and to add the following in the Community Development Department.

Classification	Position	Pay Range	No. of Positions
0004	Office Assistant IV	08	1
3250	Housing Inspector I	15	9
3251	Housing Inspector II	18	1
3252	Chief Housing Inspector	20	1

Section 5. The appropriation to Public Transportation is hereby amended to establish a departmental charge of \$60,000 in Transit Administration (801.00) to allow the collection of eligible costs from UMTA planning grants.

Section 6: That the following amounts from the respective fund balances are transferred to the unencumbered balances of the debt service funds in accordance with the following schedule:

<u>Transfer From:</u>	<u>Amount</u>
0101 General Fund	\$1,800,000
2010 General Capital Improvements	1,560,000
2078 Public Transportation Capital Improvement	<u>252,000</u>
Transfer to Municipal Debt Service Fund	\$3,612,000

<u>Transfer From:</u>	<u>Amount</u>
2071 Water and Sewer Capital Improvement	\$2,130,000
2075 County W & S Capital Improvement	<u>450,000</u>
Transfer to Utilities Debt Service Fund	\$2,580,000

<u>Transfer From:</u>	<u>Amount</u>
2073 Airport Capital Improvements	\$1,195,000
2403 Airport Construction	<u>100,000</u>
Transfer to Airport Debt Service Fund	\$1,295,000

June 13, 1983
Ordinance Book 32 - Page 79

Section 7: That the appropriations for the following debt service funds are hereby revised to provide supplemental funding for the retirement of bonds, interest and bank commissions.

	<u>Budget</u>	<u>Revised</u>
Municipal Debt Service Fund	\$ 8,789,500	\$ 8,904,500
Water and Sewer Debt Service Fund	10,014,500	10,109,500

Section 8. That the sum of \$4,375 is hereby appropriated to the General Capital Projects Fund; Works of Art - Public Building Account - 2010.486.00 from the following sources:

	<u>Amount</u>
483.00 Fire Station #2	\$3,452
700.94 Greenville Center	<u>923</u>
Total	\$4,375

Section 9: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10: This ordinance shall become effective upon its adoption.

Approved as to form:

76 Mike J.
Deputy 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 June, 1983, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32 at Pages 77-79.

Pat Sharkey
City Clerk

June 13, 1983
Ordinance Book 32 - Page 80

ORDINANCE NO. 1371-X

AN ORDINANCE ORDERING THE DWELLING AT 3528 Jonquil 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 David M. Rice and Wife,
Annie, RESIDING AT 2002 Canterwood Drive #6, Charlotte, N.C.

WHEREAS, the dwelling located at 3528 Jonquil Street
in the City of Charlotte has been found by the Director of the Community
Development Department 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 7/29/82 and 8/20/82.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of
Charlotte, that the Director of the Community Development Department is
hereby ordered to cause the dwelling located at 3528 Jonquil 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. Chadwell 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 June, 1983,
the reference having been made in Minute Book 80, and is recorded in
full in Ordinance Book 32, at Page 80.

Pat Sharkey
City Clerk

June 13, 1983
Ordinance Book 32 - Page 81

Petition No. 83-26
City of Charlotte -
Community Development Department

ORDINANCE NO. 1372-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-3 to UR-3 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 of South Cedar Street and the southerly right-of-way of West Fourth Street; 1) thence S.46-53-05E. 369.10 feet; 2) thence S.42-36-25W. 555.98 feet; 3) thence S.36-41-56W. 33.95 feet; 4) thence S.09-36-22E. 24.62 feet; 5) thence R=348.00. ARC=133.11; 6) thence S.37-13-38W. 42.85 feet; 7) thence N.78-05-46W. 238.46 feet; 8) thence S.23-15-38W. 37.42 feet; 9) thence N.71-42-42W. 94.02 feet; 10) thence S.58-06-09W. 22.20 feet; 11) thence S.36-01-19W. 230.40 feet; 12) thence S.45-11-29 E. 20.37 feet; 13) thence S.33-30-16W. 77.00 feet; 14) thence S.56-37-40W. 116.00 feet; 15) thence N.51-57-22W. 189.83 feet; 16) thence N.41-11-13E. 211.83 feet; 17) thence N.40-59-04E. 175.55 feet; 18) thence N.40-45-22E. 41.91 feet; 19) thence N.41-08-42E. 30.23 feet; 20) thence N.41-11-19E. 141.42 feet; 21) thence N.40-35-21E. 83.23 feet; 22) thence N.42-00-02E. 35.49 feet; 23) thence N.40-34-46E. 99.14 feet; 24) thence N.40-52-36E. 239.93 feet; 25) thence N.40-51-17E. 94.81 feet; 26) thence N.40-46-24E. 49.94 feet; 27) thence N.40-47-25E. 99.46 feet; 28) thence N.40-47-25E. 98.42 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 June, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 81.

City Clerk