

July 9, 1984
Ordinance Book 33 - Page 160

ORDINANCE NO. 1556-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-1985 BUDGET ORDINANCE TO PROVIDE \$24,750 FOR A CONTRACT WITH THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS TO DEVELOP AND ADMINISTER A YOUTH PROGRAM TO BE KNOWN AS THE CHARLOTTE-MECKLENBURG YOUTH INVOLVEMENT COUNCIL.

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

Section 1. That the sum of \$24,750 is hereby estimated to be available from the following sources:

<u>SOURCE</u>	<u>AMOUNT</u>
General Fund Contingency	\$16,500
Mecklenburg County	8,250
	<u>\$24,750</u>

Section 2. That the sum of \$24,750 is hereby appropriated to the General Fund Non-Departmental Account (0101;530.46) for the purpose of contracting with the National Conference of Christians and Jews to develop and administer a youth program to be known as the Charlotte-Mecklenburg Youth Involvement Council.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 9th day of July, 1984, the reference having been made in minute Book 82 and recorded in full in Ordinance Book 33, Page 160

Menta C. Detwiler
Deputy City Clerk

July 9, 1984
Ordinance Book 33 - Page 161

ORDINANCE NO. 1557 AMENDING CHAPTER 19 OF THE CITY CODE
AN ORDINANCE AMENDING THE TAXICAB CODE.

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

Section 1. Chapter 19 of the Code of the City of Charlotte shall be amended as follows:

(A) Subsection (1) of Section 19-1 shall be rewritten to read as follows:

"(1) Person. Any individual, partnership, association, corporation, or other organization."

(B) Subsection (9) of Section 19-9 shall be amended by the addition of a new sentence at the end thereof, said sentence to read as follows:

"No vehicle shall be operated while there is affixed thereto a medallion issued pursuant to this subsection unless, pursuant to this chapter, the vehicle's use as a taxicab has been authorized and the driver of the vehicle has been authorized to drive a taxicab for the operating permit holder to whom the medallion was issued."

(C) Subsection (b) of Section 19-30 shall be rewritten to read as follows:

"(b) Who has been convicted within five years immediately prior to the date of application of:

(1) A felony (provided, the inspector shall not issue a driver's permit to any convicted felon who has not had his or her citizenship rights restored as provided by the law of North Carolina, regardless of when the conviction occurred.);

(2) Any crime involving the driving of a motor vehicle resulting in an incapacitating Class A injury as determined on the North

July 9, 1984
Ordinance Book 33 - Page 162

Carolina Traffic Accident Report, or death of a person;

(3) Impaired driving under the law of North Carolina or any comparable provision of the law of any other state;

(4) A violation of any city, county, state, or federal law relating to the use, possession, or sale of alcoholic beverages or substances regulated by the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act; or

(5) A violation of any city, county, state, or federal law relating to prostitution or gambling;"

(D) Subsection (a) of Section 19-31 shall be amended by the deletion of the period at the end thereof and by the addition, at the end thereof, of the following:

" , and, upon the termination of a driver's agreement to drive for said operating permit holder, the driver shall surrender his permit to the inspector within 48 hours."

(E) Section 19-33 shall be amended as follows:

The first line of subsection (a) shall be rewritten to read:

"(a) Found by the inspector to have committed any of the following:"

Subparagraph (5) of subsection (a) shall be amended by inserting the word "or" at the end thereof.

Subparagraph (6) of subsection (a) shall be rewritten to read:

"(6) Any criminal assault involving the operation of a taxicab;"

Subsection (e) shall be rewritten to read: "(e) Found by the inspector to have had his driver's permit suspended three times in any five year period."

July 9, 1984
Ordinance Book 33 - Page 163

(F) Section 13-34 shall be amended by deleting the second and third sentences thereof and by substituting therefor the following:

" Such suspension shall not exceed thirty days."

(G) Subsection (a) of Section 19-35 shall be amended by inserting the word "or" at the end of subparagraph (2).

(H) Subsection (d) of Section 19-35.1 shall be rewritten to read as follows:

"(d) A decision by the inspector to suspend or revoke a driver's permit shall not become final until ten (10) days after the decision is rendered. If an appeal is filed within the allowed time, the inspector's decision shall be stayed pending the final decision of the taxicab review board. If no appeal is filed within the allowed time, the holder of the driver's permit shall immediately surrender the permit to the inspector, and the period of suspension shall not begin until the inspector receives the permit. The inspector, upon taking any action from which there is a right to appeal, shall give the driver, applicant, or operating permit holder, as appropriate, notice of the right to appeal."

(I) Subsection (b) of Section 19-40 shall be amended by rewriting the first sentence thereof to read as follows:

"(b) If a hearing is determined to be warranted, the chairman of the taxicab review board shall fix a reasonable time, within 30 working days after receipt of the appeal, for the hearing of an appeal and shall give notice to all parties of the time and place for the hearing."

(J) Section 19-51 shall be amended by rewriting the entire section thereof

July 9, 1984
Ordinance Book 33 - Page 164

to read as follows:

"Each driver shall wear in plain view a tag containing his name and the name of his company. The size, lettering, and other features of the name tag shall be approved by the inspector. In addition, each driver shall be dressed in a way so as to convey a neat and clean appearance. Short pants are not permitted."

(K) Section 19-52 shall be amended by deleting therefrom the words and punctuation "which result in death or Class A personal injury,"

(L) Subsection (b) of Section 19-55 shall be amended as follows:

The introductory paragraph shall be rewritten to read:

"(b) Schedule of taxicab rates. Except as provided in subdivision (7) of this subsection, no restriction is imposed on the actual amounts charged by any driver hereunder, provided the maximum charges assessed shall be determined as follows:"

Subdivision (7) shall be rewritten to read:

"(7) The fare for service from the municipal airport to the central area of the City of Charlotte, as defined by the Charlotte Department of Transportation and shown on a map on file with the inspector, shall be Ten Dollars (\$10.00). Additional charges for waiting time and baggage may be imposed as provided in this subsection."

Subdivision (8) shall be rewritten to read:

"Nothing in the schedule of rates shall be construed to require a taxicab driver to collect fares for waiting time, additional passengers, or luggage, if the operating permit holder should desire not to impose such fares. Except for charges for waiting time, excess baggage,

and additional passengers, and except as provided in subdivision (7) of this subsection, the fare charged shall not exceed the fare showing on the meter; however, the driver may charge less than the fare showing on the meter."

(M) Section 19-62 shall be rewritten to read as follows:

"Sec. 19-62. Equipment Required.

Every vehicle used as a taxicab shall meet the requirements of this section. If the inspector finds that a vehicle does not meet these requirements, he may order that such vehicle be removed from taxicab service.

(a) The vehicle body shall conform to the general specifications of the manufacturer.

(b) All exterior paint work shall be maintained in good condition, free of substantial scratches, chips, and abrasions.

(c) The springs or other material used to support the seating areas of the passengers shall be maintained to assure an elastic coefficient of at least ninety (90) percent of the manufacturer's specifications.

(d) All suspension components affecting the ride and safety of the vehicle shall be maintained such that they comply with the manufacturer's specifications.

(e) All windshield and window glass shall be maintained free from cracks, scratches, pitting, abrasions, or any other condition that reduces clarity of vision below the level specified by the manufacturer.

(f) The vehicle must meet North Carolina vehicle safety inspection requirements at all times."

July 9, 1984
Ordinance Book 33 - Page 166

(N) Section 19-64 shall be amended by adding a new subsection thereto, to be denominated subsection (d) and to read as follows:

"(d) No person shall operate a vehicle that is identified as a taxicab unless use of the vehicle as a taxicab has been authorized pursuant to this chapter. No person shall operate a taxicab containing a taxicab company's color scheme or identification without authorization from said taxicab company."

(O) Section 19-66 shall be amended by inserting, between "radio" and "in," the words "or a television."

(P) Subsection (b) of Section 19-69 shall be amended by the addition, at the end thereof, of the following:

"It shall be unlawful for any person who owns or is in control of a taxicab to refuse, upon the inspector's request, to present the taxicab to the inspector for the purpose of inspection or the removal of the medallion."

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 9th day of July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at Pages 161-166.

Menta C. Detwiler
Deputy City Clerk

CHAPTER 20

ORDINANCE 1558

AN ORDINANCE AMENDING CHAPTER 20, "TRAFFIC", OF THE CITY CODE INCREASING THE INSURANCE REQUIREMENTS FOR ZONE WRECKERS.

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

Section 1. Section 20-136 of Chapter 20 of the City Code shall be deleted in its entirety, and rewritten in the following manner:

"Sec. 20-136. Insurance policies required.

(a) No license shall be issued to an applicant for a zone wrecker license until he has deposited with the chief of police, certificates of insurance showing that he has purchased the following insurance policies:

- (1) Garage keeper's policy. A garage keeper's legal liability policy covering, but not limited to, fire, theft, windstorm, explosion and vandalism and malicious mischief in the minimum amounts of one hundred thousand dollars (\$100,000.00), with each accident deemed a separate claim.
- (2) Garage liability policy. A garage liability policy, including contractual liability, covering the operation of applicant's business, equipment or other vehicles, for any bodily injury, or property damage. This policy shall be in the amount of not less than five hundred thousand dollars (\$500,000.00) for any one occurrence bodily injury and one hundred thousand dollars(\$100,000.00) for property damage.
- (3) Workmen's compensation. A policy meeting the statutory requirements of the State of North Carolina, including Employers Liability Insurance for an amount of not less than one hundred thousand dollars (\$100,000.00).

July 9, 1984
Ordinance Book 33 - Page 168

-2-

(b) Each policy shall contain the provision that thirty (30) days prior to any material change or cancellation of any policy required herein, written notice of such change or cancellation must be given to the chief of police by the zone wrecker or his insurance carrier."

Sec. 2. 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 9th day of July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Pages 167-168.

Menta C. Detwiler
Deputy City Clerk

July 9, 1984
Ordinance Book 33 - Page 169

ORDINANCE NO. 1559-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-1985 BUDGET ORDINANCE, TRANSFERRING FUNDS TO THE POLICE DEPARTMENT TO FUND A CONTRACT WITH THE HOUSING AUTHORITY FOR A CRIME PREVENTION PROGRAM.

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

Section 1. That the sum of \$75,000 is hereby transferred from the General Fund Non-Departmental Account to the General Fund Police Department (0101;401.47.199) for the purpose of contracting with the Housing Authority for a crime prevention program in public housing developments.

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 July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Page 169.

Menta C. Detwiler
Deputy City Clerk

July 9, 1984
Ordinance Book 33 - Page 170

ORDINANCE NO. 1560-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-1985 BUDGET ORDINANCE, TO PROVIDE AN ADVANCE OF FUNDS FROM THE UNAPPROPRIATED UTILITY OPERATING FUND BALANCE FOR THE DESIGN CONTRACT FOR IMPROVEMENTS TO THE MCALPINE CREEK WASTEWATER TREATMENT PLANT.

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

Section 1. That the sum of \$344,696 is available from 1983 Sewer Bonds for the design contract for improvements to the McAlpine Creek Wastewater Treatment Plant.

Section 2. That the account, 2071;636.25, is hereby revised as follows:

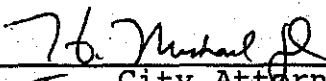
	<u>BUDGET</u>	<u>SUPPLEMENTAL APPROPRIATION</u>	<u>REVISED</u>
McAlpine Creek Wastewater Treatment Plant Improvements	\$1,300,000	\$344,696	\$1,644,696

Section 3. That the Finance Director or his designee is hereby authorized to lend the sum of \$1,644,696 from the Utility Operating Fund Balance to account 2071;636.25 until the 1983 Sewer Bonds authorized for this project are issued. Upon issuance of these bonds, the funds will be repaid to the Utility Operating Fund Balance.

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:



Deputy 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 July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Page 170.

Menta C. Detwiler
Deputy City Clerk

July 9, 1984
Ordinance Book 33 - Page 171

ORDINANCE NO. 1561-X

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 1908-10 Gibbs Street IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF William F. Puckett and Wife, Doris W. RESIDING AT Route 9, Box 231, Charlotte, N.C.

WHEREAS, the dwelling located at 1908-10 Gibbs Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation; and

WHEREAS, said dwelling was occupied at the time of the initial inspection in which violations of the Housing Code of the City of Charlotte were found to exist; and

WHEREAS, said dwelling is located in Census Tract #50, A Depressed Area under the current Housing Assistance Plan; and

WHEREAS, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Section 10A-12 of the Housing Code of the City of Charlotte, the owner (s) of said dwelling have been ordered by the Director of the Community Development Department to repair, alter or improve or to vacate and close said dwelling; and

WHEREAS, the owner (s) of said dwelling has failed to comply with said order to repair, alter or improve or to vacate and close said dwelling; served upon them by Certified Mail on 6/20/83; and

WHEREAS, the cost of repairs necessary to bring said dwelling into compliance with requirements of the Housing Code is less than 65% of the fair market value of the dwelling; and

WHEREAS, among the Housing Code violations existing in and upon said dwelling is a violation of Section (s) 10A-8-7, A-7 and 10A8-1-0.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Charlotte, North Carolina that the Director of the Community Development Department is hereby ORDERED to cause the dwelling located at 1908-10 Gibbs Street in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated 6/20/83, and all other repairs necessary to bring said dwelling into compliance with the Housing Code of the City of Charlotte, and to cause a lien in the amount of the cost incurred in making such repairs, alterations or improvements to be placed against the real property at said location, pursuant to the provisions of Section 160A-443 of the North Carolina General Statutes and Sections 10A-12 and 10A-15 of the Charlotte City Code.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

D. J. [Signature]
H. [Signature]
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 July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at Page 171.

Pat Sharkey