

ORDINANCE NO. 1755

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, § 3-1, "Definitions", shall have the definition of "Vicious animals" deleted in its entirety.

Section 2. Chapter 3, § 3-1, "Definitions", of the City Code shall be amended by adding a new definition entitled "Dangerous animal" which shall be inserted between the definition of "Computation of time, and the definition of "Division" and shall read as follows:

"Dangerous animal: Any animal whose behavior constitutes a reasonable risk of injuring a human or animal or damaging personal or real property. That behavior includes, but is not limited to, an animal's biting or attacking or attempting to attack, etc., a human or another animal. However, this definition shall not apply to any animal that bites, attacks, or attempts to attack any person or animal unlawfully upon its owner's or keeper's premises or which is provoked to attack."

Section 3. Chapter 3, § 3-10, "Vicious animals prohibited" of the City Code shall be deleted in its entirety and a new section is substituted in lieu thereof to read as follows:

"Sec. 3-10. Dangerous animals prohibited.

(a) It shall be unlawful for any person to own or in any way maintain or harbor any animal which is dangerous as defined in § 3-1.

(b) If the Superintendent has determined that an animal is dangerous, then the Superintendent shall notify the owner immediately in writing, if the owner is known and after reasonable efforts to notify the owner. The owner shall turn the animal over to the Division immediately after such notification. The Superintendent shall have the discretion to dispose of an animal in one of only two specific ways: (i) by the humane destruction of the animal, or (ii) by giving the

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animal to an individual or an organization, subject to the protective and inspection conditions required by the Superintendent for the well-being of the animal and for the protection of the public, for the purpose of preserving and taking care of the animal. An animal declared to be a dangerous animal by the Superintendent shall not be disposed of for research or experimental purposes.

(c) Any person who owns an animal that has been declared dangerous by the Superintendent shall have the right to appeal this decision to the City Manager. The owner of an animal declared dangerous shall have the right to request a hearing about that decision by submitting a written request to the Office of the City Manager within five (5) working days after the Superintendent's determination that the animal is dangerous.

(d) The City Manager or his designee shall conduct a hearing to determine if the Superintendent's determination that the animal is dangerous is correct or incorrect. If the animal is judged not to be dangerous, it shall be returned to the owner. If the City Manager or his designee determines the animal to be dangerous, then the Superintendent shall dispose of the animal only in the manner described above in (b). In the event of an appeal to the courts from the City Manager's or his representative's decision, pending the appeal, the animal shall be confined at the animal shelter."

Section 4. Chapter 3 of the City Code shall be amended by adding thereto a new § 3-10.1, entitled "Special protective measure for children seven years or younger", to read as follows:

"Sec. 3-10.1. Special protective measure for children seven years or younger.

(a) Circumstances requiring special protective measure. The Superintendent or an Animal Control Officer shall have the authority to require the owner or custodian of a dog to have the special protective measure, as described below in section (b), for the protection of children seven years or younger, under the following circumstances:

1. The dog is kept outside on the premises for extended periods of time on an almost daily basis; and

2. There is a residential structure on a lot directly abutting the property occupied by the dog and a child seven years of age or younger resides on a permanent basis in that residential structure; and

3. The child has direct, uninterrupted access to the dog. There is no intervening fence, natural impenetrable barrier, creek, dog run or pen or other similar circumstance between the residential structure occupied by the child and the dog; and

4. The owner of the dog knows or reasonably ought to have known that a youngster seven years or younger lives in a residential structure on an abutting lot; and

5. The dog has bitten an individual as confirmed by an affidavit signed by that individual and presented to the animal control division; or the Superintendent of the Animal Control Division has determined that there is a reasonable likelihood that the dog could harm a child seven years or younger.

(b) Protective measures. If any owner or custodian of a dog keeps such dog outside in the circumstances described in section (a) above, then the owner or custodian must have a fence, which is of a type and at a height [minimum of four (4) feet], approved by the Superintendent of the Animal Control Division, around the dog in order to prevent access to the dog by a child seven years of age or younger, or must have some other protective measure that has been specifically approved by the Superintendent of Animal Control Division.

(c) Investigations. The Animal Control Division shall enforce this section by responding to complaints or requests from citizens that such a dog is outside in the circumstances described in section (a) above and that § 3-10.1 is applicable and a protective measure as described in section (b) is necessary.

(d) Violation and enforcement. It shall be unlawful to keep a dog outside in the circumstances described in section (a) above without also maintaining a fence around the dog as provided in section (b) above. In addition to the remedies of § 3-23, the penalty for violation of this section shall be \$50.00.

If the superintendent is of the opinion that there is a dog in a situation as described in section (a) who is dangerous or prejudicial to the safety of the child or children on abutting lots, then the superintendent shall have the authority to summarily remove the dog to the animal control shelter if immediate action is necessary to summarily remove that danger for the safety of a child. If the occupant of the premises is

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not present to be told the basis of the seizure of the animal, then a written notice shall be left on the structure to so inform the occupant. The occupant or owner of the dog shall also be notified by mail of the basis of the immediate seizure of the animal. The animal shall be returned only to the owner of the animal at the time of the seizure of the animal, after payment of any applicable costs under this Code to the shelter, and only after the owner demonstrates that the owner can comply with the protective measure required by section (b) as approved by the superintendent."

Section 5. Chapter 3 of the City Code shall be amended by adding thereto a new § 3-13.1, entitled "Guard dogs", to read as follows:

"Sec. 3-31.1. Guard dogs.

(a) Purposes: Guard dogs are guard, security or watch dogs ('security dogs') on premises specifically for the purpose of protecting the premises from any intruder and for attacking a person coming in the vicinity of the security dog. Security dogs are expected to attack human beings and are especially dangerous if they succeed in getting off the premises thereby endangering any member of the public. The purpose of this section is to provide regulatory requirements that will enable the division to have knowledge about any security dogs in the City. It also applies to such security dogs brought into the City from outside of the City.

(b) Regulations: The owner of a security dog shall comply with the following requirements ---

1. Identification: It shall be unlawful for a security dog in the City not to have a current license tag or a tag as described hereafter. A dog brought into the City that does not have a current City license tag must obtain a current security dog identification tag from the division which would include the same kind of the information on a City license tag. Before such a tag can be issued, there must be proof of rabies inoculation of the dog.

2. Registration: The owner of any security dogs not licensed in the City but brought into the City to be used as security dogs in the City must register all of those dogs with the division.

3. Signs: The owner of any security dogs or the owner of the premises employing the dogs must have posted on the premises a sign that identifies the name, address, and telephone number of the owner of the security dogs.

(c) Escaping dog: If a guard dog escapes and bites someone from the general public who is not a trespasser, then the Superintendent shall have the authority to prohibit that dog from serving as a guard dog within the City of Charlotte. It shall be unlawful to use such a dog, as a guard dog, after the Superintendent has ordered that the dog not be used within the City as a guard dog.

(d) Enforcement: In addition to using any and all enforcement remedies stated in § 3-23, the division shall also have the additional authority in respect to security dogs:

1. If any security dog is seized running-at-large, then the dog shall not be returned to the owner until the owner has registered that dog and any other security dogs used or to be used in the City in accordance with section (b), above, secured identification tags if necessary, and had complete compliance with all requirements of the section.

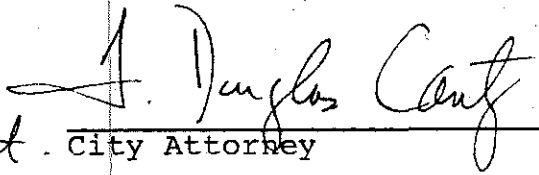
2. If a security dog is found on the premises without complying with section (b), then the division shall have the authority to issue a notice of prohibition letter that will prohibit the use of that dog as a security dog within the City, unless there is compliance with all of section (b) within 48 hours.

Such a notice of prohibition shall at the same time be given to the owner of the premises upon which the security dog is utilized. The owner of the premises shall be informed that the continued use of such a security dog on the premises is an unlawful act on the part of the owner in violation of this section.

After the 48 hours, if such a dog remains on the premises it shall be an unlawful act on the part of the owner of the dog and on the part of the owner of the premises and a citation shall be issued to either or both of those individuals and the amount of the citation shall be \$50."

Section 6. These amendments to Chapter 3 shall be effective upon adoption.

Approved as to form:


A. Douglas Cant
City Attorney

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CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an ordinance adopted by the City Council of the City of Charlotte, in meeting held on the 12th day of August, 1985, and recorded in full in Ordinance Book 34, beginning on page 45-50.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of August, 1985.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1756-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TO PROVIDE FUNDING FOR A CONTRACT WITH THE NATIONAL DEVELOPMENT COUNCIL.

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

Section 1. That the sum of \$60,000 is hereby transferred from the unappropriated unrestricted balance of the Municipal Debt Service Fund to the following capital project accounts to provide funding for a contract with the National Development Council:

<u>Project</u>	<u>Account Number</u>	<u>Amount</u>
Uptown Marketplace	(2010; 337.00)	\$30,000
Coliseum Area Development	(2010; 352.00)	<u>30,000</u>
Total		\$60,000

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 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 51.

Pat Sharkey
City Clerk

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AMENDING CHAPTER 19

ORDINANCE 1757AN ORDINANCE AMENDING CHAPTER 19 OF THE CITY CODE RELATING TO THE THE NAMING AND RENAMING OF STREETS

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

SECTION 1. Section 19-7 of the City Code is hereby deleted in its entirety, and the following shall be substituted in lieu thereof:

"Section 19-7. It shall be unlawful for any person to change the name of any street in the City without the approval of the Charlotte-Mecklenburg Planning Commission. Any person dissatisfied with a decision of the Planning Commission may appeal to the City Council. In the event of an appeal, City Council may affirm, modify, or overturn the decision of the Planning Commission. The decision of the City Council on appeal shall be final. It shall also be unlawful for any person to give any name to any new street that has already been given to any other street in the City, and the naming of all streets in the City hereafter laid out or established, shall first be approved by the Charlotte-Mecklenburg Planning Commission before the names of such streets are placed thereon."

SECTION 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 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 52.

Pat Sharkey
City Clerk

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ORDINANCE 1758 AMENDING CHAPTER 14
AN ORDINANCE AMENDING CHAPTER 14, ENTITLED, "MOTOR VEHICLES AND TRAFFIC," OF THE CODE OF THE CITY OF CHARLOTTE.

WHEREAS, the City of Charlotte Superintendent of the Streets Division has found that large commercial vehicles damage the pavement of residential streets because residential streets are not designed to support said vehicles; and

WHEREAS, it is in the public interest of the City of Charlotte to regulate the use of residential streets in order to provide for maintenance of the streets and the health, safety and welfare of residents.

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

Section 1. Chapter 14 shall be amended by the addition of a new section 14-183.1, entitled "Pavement damage by large commercial vehicles to residential streets prohibited," to read as follows:

"Sec. 14-183.1. Pavement damage by large commercial vehicles to residential streets prohibited.

(a) It shall be unlawful for any person to drive a vehicle upon any street in a residentially zoned district that (1) exceeds 30 feet in length or 80 inches in width, and (2) has a commercial license plate as required by the North Carolina Department of Motor Vehicles, and (3) has three or more axles, and (4) is a property-carrying vehicle licensed for a gross vehicle weight of 32,000 pounds or more.

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(b) This shall not apply to a vehicle that enters upon such a street for the sole and exclusive purpose of loading or unloading of materials, performing work of a temporary nature, or gaining access to other streets in the area for the same purposes, or to a vehicle that is in fact actively engaged at the time in a governmental or public purpose in carrying out its activities. This shall not apply to any thoroughfare, as designated by the Charlotte-Mecklenburg Thoroughfare Plan, in a residentially-zoned district.

(c) In addition to the remedies provided in N.C.G.S. § 160A-175, police officers of the City of Charlotte shall have the authority to issue a \$20 citation for each day of a violation of this section in City Code § 14-81. This shall not preclude the issuance of an arrest warrant, when appropriate nor preclude any other lawful enforcement action."

Section 2. This ordinance shall become effective October 1, 1985.

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 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Pages 53-54.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1759-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS FOR THE CONSTRUCTION OF A CLEARWELL AT THE FRANKLIN WATER TREATMENT PLANT.

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

Section 1. That the sum of \$100,000 is hereby transferred from Water and Sewer Capital Improvement Program Fund account 2071; 635.49 - Beam Road - 30" Main - York Road to Wilmont Road to Water and Sewer Capital Improvement Program Fund account 2071; 634.02 - Walter M. Franklin Water Treatment Plant. This transfer is necessary to cover higher than anticipated construction costs for the project.

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:

Durant on Escott
assistant City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 55.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1760-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1733-X, THE 1985-86 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS TO REPAIR A CLEAR WATER RESERVOIR AT THE VEST WATER TREATMENT PLANT.

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

Section 1. That the sum of \$400,000 is hereby transferred from Water and Sewer Capital Improvement Fund account 2071; 635.16 - I-85 Main to Water and Sewer Capital Improvement Fund account 2071; 634.05 - Rehabilitate Vest Plant. This transfer is necessary to award a construction contract to Crowder Construction Company for repair to a clear water reservoir at the Vest Water Treatment Plant.

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. Clendenhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 56.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1761-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS FOR THE FRANKLIN WATER TREATMENT PLANT RAW WATER BY-PASS AND TRANSMISSION MAIN.

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

Section 1. That the sum of \$165,000 is hereby transferred from Water and Sewer Capital Improvement Program Fund account 2071; 635.49 - Beam Road - 30" Main - York Road to Wilmont Road to Water and Sewer Capital Improvement Program Fund account 2071; 634.08 - Franklin Raw Water By-Pass. This transfer is necessary to cover a construction contract change order and engineering costs.

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:

Edward A. Scott
assistant City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 57.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1762-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS FOR THE MANAGEMENT AND MAINTENANCE OF HOUSING PROPERTIES AND FOR THE PAYMENT OF HOUSING SERVICES.

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

Section 1. That the sum of \$600 is hereby appropriated from the unappropriated unrestricted balance of the Cherry Housing Fund (0140) to the Cherry Community Housing Account (0140; 590.00) for the management and maintenance of housing units in the Cherry community.

Section 2. That the sum of \$248,868 is hereby appropriated from the unappropriated unrestricted balance of the City Housing Fund (0141) to the following accounts:

<u>Account No.</u>	<u>Title</u>	<u>Amount</u>
570.00	Scattered Site Housing	\$ 27,048
570.01	First Ward Housing Units - Rental	183,036
570.02	Five Points/Third Ward Rental Subsidies	12,360
570.03	Coliseum Drive Rental Subsidies	<u>26,424</u>
	Total	\$248,868

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:

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 12th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, Page 58.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1763-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS TO PROVIDE SCREENING FOR EAST THIRD STREET.

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

Section 1. That the sum of \$40,000 in General Revenue Sharing funds are hereby transferred from General Capital Improvement Fund account 2010; 277.00 - McDowell Street Widening to General Capital Improvement Fund account 480.52 - Third Street Widening. This transfer will provide fencing, planters and landscaping in accordance with a Right-of-Way Agreement with First Union National Bank.

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 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 59.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1764-X

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 1513-15 Norris Ave. IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF George W. C. Moreland, Jr. RESIDING AT 1801 Patton Avenue, Charlotte, N. C.

WHEREAS, the dwelling located at 1513-15 Norris Ave. 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 #51, A Marginal 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 11-28 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 3/7/85; 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) 11-59-A-2 and 11-57-a

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 1513-15 Norris Ave. in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated 3/7/85 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 11-28 and 11-31 of the Charlotte City Code.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

John Marshall Jr.
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the August 12, 1985 the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at Page 60.

Pat Sharkey

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ORDINANCE NO. 1766-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2220 Carmine 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 Kerley and Edwards, Company, Inc., RESIDING AT 3721 Statesville Avenue, Charlotte, N. C.

WHEREAS, the dwelling located at 2220 Carmine 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 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 2/19/85 and 3/13/85 :
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 demolition and removal of the dwelling located at 2220 Carmine 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:

76 [Signature]
Deputy CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34, at Page 62.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1767-X

AN ORDINANCE ORDERING THE DWELLING AT 114 South Clarkson 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 Robert R. Rhyne, Sr.
Agent , RESIDING AT 2526 Hampton Ave., Charlotte, N. C. 28207

WHEREAS, the dwelling located at 114 South Clarkson 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 3/15/85 and 4/3/85.

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 114 South Clarkson 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:

[Signature]
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, in regular session convened on the August 12, 1985,
the reference having been made in Minute Book 84, and is recorded in
full in Ordinance Book 34, at Page 63.

Pat Sharkey
City Clerk

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ORDINANCE 1768

AN ORDINANCE AMENDING CHAPTER 14, SECTION 131 OF THE CHARLOTTE CITY CODE

WHEREAS, on May 14, 1984, the Charlotte City Council approved a policy to provide for a 25 mile per hour speed limit on non-thoroughfare residential streets; and

WHEREAS, the residents of certain streets have submitted a petition signed by at least 75 percent of the residents of the streets affected; and

WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that the speed limit on certain streets of the City of Charlotte should be established; and

WHEREAS, G. S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c) of the Charlotte City Code,

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

SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring speed limits on the following City System streets as described below:

<u>STREET AND DESCRIPTION</u>	<u>SPEED LIMIT</u>
1. Brynwood Drive between Summerlin Place and Wessynton Drive	25
2. Champaign Street between Sharon Road and end-of-street (2900 block)	25
3. Hillingdon Road between Carmel Road and Morrowick Road	25
4. Kerrybrook Circle between Starnes Road (2900 block) and Starnes Road (3000 block)	25
5. Marvin Road between Wendover Road and cul-de-sac (3300 block)	25
6. Valleybrook Road between Sardis Lane and cul-de-sac (7500 block)	25
7. Winthrop Avenue between East Boulevard and Park Avenue	25

SECTION 2: Section 1 shall become effective upon adoption and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.

Approved as to form:

W. Marshall Jr. Deputy City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 64.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1769

AN ORDINANCE AMENDING CHAPTER 14, SECTION 131 OF THE CHARLOTTE CITY CODE.

WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that the speed limit on a certain street of the City of Charlotte, should be established, and

WHEREAS, G.S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c), of the Charlotte City Code,

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

SECTION 1: That Schedule X referred to in Chapter 14, Section 131(c) of the Charlotte City Code be amended by repealing and deleting the speed limit on the following City System street as described below:

<u>STREET AND DESCRIPTION</u>	<u>SPEED LIMIT</u>
Moore's Chapel Road from Freedom Drive to City Limits approximately 490 feet west of Hawley Street.	45

SECTION 2: Section 1 of this ordinance shall become effective upon adoption of the City Council and after signs are erected giving notice of the speed limits as required by N.C.G.S. Section 20-141 and as hereafter amended.

Approved as to form:

L. Quainton Escott Assistant City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985 the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 34 at Page 65.

Pat Sharkey
City Clerk

August 12, 1985
Ordinance Book 34 - Page 66

Petition No. 85-32
La Quinta Motor Inns, Inc.

ORDINANCE NO. 1770-2

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 a 2.42 acre site at the southwest corner of Nations Ford Road and Greenwood Drive from 0-15 to 0-6(CD) and B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on May 20, 1985; 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 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from 0-15 to 0-6(CD) and B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the southwest corner thence N.1-56-30E. 250 feet to a point; thence S.88-03-10E. 353 feet to a point; thence S.43-01-33E. 59.77 feet to a point; thence S.12-41-27E. 192.75 feet to a point; thence N.88-03-10W. 465.15 feet to the point and 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.

August 12, 1985
Ordinance Book 34 - Page 67

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of August, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, beginning on Page 66-67

Pat Sharkey
City Clerk