

December 30, 1985

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ORDINANCE NO. 1836-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS "REPRESENTATIVE SHOTGUN HOUSE A" (THE EXTERIOR AND THE INTERIOR OF THE HOUSE) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 153 WEST BLAND STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-091-01 IN THE MECKLENBURG COUNTY TAX OFFICE.

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

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 30th day of December, 1985, on the question of designating a property known as "Representative Shotgun House A" as historic property; and

WHEREAS, "Representative Shotgun House A" is one of the best-preserved examples in or near the center city of a type of house style which was once common in Charlotte; and

WHEREAS, "Representative Shotgun House A" is an example of a house style which is an important component of Afro-American culture, both in Charlotte and throughout the Southern United States; and

WHEREAS, "Representative Shotgun House A" is an example of a building form which occupies an important place in the architectural history of Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as "Representative Shotgun House A" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as "Representative Shotgun House A" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as "Representative Shotgun House A" is vested in fee simple to the City of Charlotte.

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

1. That the property known as "Representative Shotgun House A" (the exterior

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and the interior of the house) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 153 West Bland Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 073-091-01 in the Mecklenburg County Tax Office.

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

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as "Representative

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Shotgun House A" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Chas. [Signature]
City Attorney

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, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 181-183.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

PAT SHARKEY, CITY CLERK

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ORDINANCE NO. 1837-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS "REPRESENTATIVE SHOTGUN HOUSE B" (THE EXTERIOR AND THE INTERIOR OF THE HOUSE) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 155 WEST BLAND STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-091-01 IN THE MECKLENBURG COUNTY TAX OFFICE.

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

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 30th day of December, 1985, on the question of designating a property known as "Representative Shotgun House B" as historic property; and

WHEREAS, "Representative Shotgun House B" is one of the best preserved examples in or near the center city of a type of house style which was once common in Charlotte; and

WHEREAS, "Representative Shotgun House B" is an example of a house style which is an important component of Afro-American culture, both in Charlotte and throughout the Southern United States; and

WHEREAS, "Representative Shotgun House B" is an example of a building form which occupies an important place in the architectural history of Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as "Representative Shotgun House B" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as "Representative Shotgun House B" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as "Representative Shotgun House B" is vested in fee simple to the City of Charlotte.

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

1. That the property known as "Representative Shotgun House B" (the exterior

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and the interior of the house) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 155 West Bland Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 073-091-01 in the Mecklenburg County Tax Office.

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

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

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

5. That the owners and occupants of the property known as "Representative

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Shotgun House B" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form;

Henry W. Chubbick Jr.
City Attorney

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, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 184-186.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

PAT SHARKEY, CITY CLERK

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ORDINANCE NO. 1838

AMENDING CHAPTER 6

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VI, TRYON STREET MALL VENDORS, 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 6, Section 103, "Administration", shall be amended by the deletion of the last two sentences of (d) beginning with the words "The committee shall approve" and ending with the words "vendor locations".

Section 2. Chapter 6, Section 104, "Distribution and scope of permit", shall be deleted in its entirety and there shall be a new caption and a new section substituted in lieu thereof to read as follows:

"Sec. 6-104. Location of vendors.

Vendor locations shall be assigned by the City Manager or his designee either on a first-come-first-served-basis, by lottery, or in accordance with an otherwise fair procedure. A vendor shall be permitted to reapply and to retain a site location for a period not to exceed three years, after which time the site location(s) shall be assigned in accordance with the standards and impartial procedure described herein.

The assignment of vendor locations shall be compatible with the public interest and use of sidewalk areas and public rights of way and shall take into consideration the proximity of existing street furniture (e.g. bus shelters, telephone booths, truck loading zones, building entrances, etc.), proximity to other vendor locations, and the like, in order to ensure that there will not be pedestrian and street congestion or obstruction and in order to contribute as effectively as possible to the purposes of this ordinance in order to create an attractive and lively environment for pedestrians."

Section 3. Chapter 6, Section 107, "Issuance", of the City Code shall be amended by the deletion in its entirety of the second complete paragraph, designated as subsection (b).

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Section 4. Chapter 6, Section 108, "Permanent regulatory permit fee", shall be deleted in its entirety and a new section is substituted in lieu thereof to read as follows:

"Sec. 6-108. Permanent regulatory permit fee.

There shall be reasonable regulatory permit fees based upon administrative costs for reviewing applications, issuance of permits, duration of permits, and for the monitoring of vendor activities on the Mall, as approved by the City Manager or his designee."

Section 5. Chapter 6, Section 113, "Exception", shall be amended in its entirety and a new section is substituted in lieu thereof to read as follows:

"Sec. 6-113. Exception.

This article and the requirements herein and the rights or privileges granted herein shall not apply nor exist in respect to any market, festival or activity or other similar event or arts and crafts exhibit sponsored or sanctioned by the City Council."

Section 6. This ordinance shall be effective upon adoption.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney

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 30th day of December, 1985, and recorded in full in Ordinance Book 34, beginning on page 187.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1839-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, ADVANCING FUNDS FROM THE UNAPPROPRIATED UTILITY OPERATING FUND BALANCE FOR THE ENGINEERING SERVICES CONTRACT FOR THE MAJOR WATER FEED TO SOUTHEAST CHARLOTTE.

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

Section 1. That the sum of \$50,000 is hereby available from 1985 Water Bonds for the construction of a major water feed to Southeast Charlotte.

Section 2. That the sum of \$50,000 is hereby appropriated to the Water and Sewer Capital Improvement Fund 2071;636.46 - Major Water Feed to Southeast Charlotte.

Section 3. That the Finance Director or his designee is hereby authorized to advance the sum of \$50,000 from the unappropriated Utility Operating Fund Balance to the Water and Sewer Capital Improvement Fund account 2071;636.46 until 1985 Water Bonds or bond anticipation notes are issued. Upon issuance of these notes or 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:

H. Michael 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 30th day of December, 1985 the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at page 189.

Pat Sharkey, City Clerk

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AMENDING CHAPTER 14

ORDINANCE 1840

AN ORDINANCE AMENDING CHAPTER 14 "MOTOR VEHICLES AND TRAFFIC" TO ADD A SECTION DEFINING "MEDIAN" AND TO PROHIBIT VEHICLES FROM PARKING ON A MEDIAN.

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

Section 1. Section 14-1 of the City Code shall be amended by the addition of a new definition to be entitled "Median" to read as follows:

Median. That portion of a street or highway which physically separates the lanes of vehicular traffic.

Sec. 2. Section 14-179 shall be amended by the addition of a new subsection "(15)" to read as follows:

"(15) On a median, unless the vehicle is disabled or at the direction of a police officer, and then only temporarily for a period not to exceed twenty-four (24) hours.

In addition Sec. 14-179 shall be further amended by renumbering subsection "(b)" to "(c)" and adding a new subsection "(b)" to read as follows:

"(b) Exceptions. The prohibitions in this section shall not apply to emergency and public service vehicles whose operators are performing services for which they are responsible. Nor do these prohibitions apply to vehicles belonging to persons, firms or corporations under contract with the City to perform a public service. These exceptions, however, shall apply only when an emergency situation requires that such vehicles park in the prohibited areas.

Sec. 3. This ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at page 190.

Pat Sharkey, City Clerk

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ORDINANCE 1841

AN ORDINANCE AMENDING CHAPTER 15 "OFFENSES AND MISCELLANEOUS PROVISIONS" TO ADD A PROVISION PROHIBITING THE ACT OF URINATING ON DEFECATING ON PUBLIC PROPERTY OR ON PRIVATE PROPERTY WITHOUT THE CONSENT OF THE OWNER OR LESSEE.

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

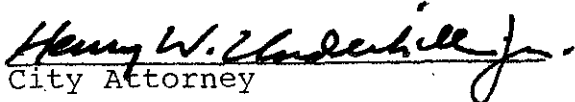
SECTION 1. Chapter 15 shall be amended by the addition of a new section "15-88" to read as follows:

"15-88. Urination and Defecation on Certain Property Prohibited.

It shall be unlawful for any person to urinate or defecate on any public place, sidewalk, street, alley-way or right of way, or in any public building except in designated water closets or toilet facilities, or on any private property. Having the written permission of the owner or person in lawful possession shall constitute an affirmative defense to the charge of urinating or defecating on private property.

SECTION 2. This ordinance shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85 and is recorded in full in Ordinance Book 34 at page 191.

Pat Sharkey
City Clerk

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ORDINANCE 1842 AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10, ENTITLED "HEALTH AND SANITATION" 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. § 10-60 of Chapter 10 of the City Code shall be amended by the addition of a new last sentence to read as follows:

"The Director of the Operations Department shall have the authority to set fees based on the preceding year for the collection of dead animals from veterinarians."

Section 2. This ordinance shall be effective February 1, 1986.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney

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 30th day of December, 1985, and recorded in full in Ordinance Book 34, beginning on page 192.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of January, 1986.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1843-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1708 Umstead 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 Alfred M. Lewis, Sr. and Wife, Shirley H. RESIDING AT 4923 Curtiswood Drive, Charlotte, N.C.

WHEREAS, the dwelling located at 1708 Umstead 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 3/13/85 and 3/27/85: 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 1708 Umstead Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Henry W. Claden, Jr.
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34, at Page 193.

Pat Sharkey
City Clerk

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ORDINANCE 1844

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. Crestmont Drive between Sudbury Road and Somerdale Drive	25
2. Flintridge Drive between Idlewild Road and end-of-street 796 feet south of Lockmont	25
3. Lockmont Drive between Flintridge Drive and end-of-street 435 feet east of Flintridge Drive	25
4. Old Bell Road between Wilby Drive and cul-de-sac (800 block)	25
5. Park Road between East Boulevard and E. 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:

Henry W. Underhill Jr City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 30th day of December, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at page 194.

Pat Sharkey
City Clerk