

May 13, 1985

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ORDINANCE NO. 1713

AN ORDINANCE AMENDING CHAPTER 8, SECTION 8 PROHIBITING SMOKING  
IN THE COLISEUM.

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

Section 1. Section 8-8(a) of the City Code is hereby amended by adding a new subsection 4 to read as follows:

"(4) Coliseum. Smoking is prohibited on the floor area and seating area of the facility. Provided, however, this prohibition shall not be applicable to private parties, events or functions which: (a) are attended by personal invitation, or (b) are not open to the general public upon purchase of a ticket."

Section 2. Section 8-8(b) of the City Code is hereby repealed and by redesignating subsequent subsections accordingly.

Section 3. Section 8-8(d) of the City Code is hereby amended by rewriting said subsection to read as follows:

"(d) Sign removal prohibited. No person shall remove any placard required to be erected by or under the authority of this section."

Section 4. This ordinance shall become effective August 1, 1985.

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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 466.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1714-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, TO AMEND THE TABLE OF ORGANIZATION TO ESTABLISH AN ECONOMIC DEVELOPMENT DIVISION WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT.

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

Section 1. That the table of organization is hereby amended to reflect the transfer from the Engineering Department, the Central Area Development Coordinator position, to the Community Development Department.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 467.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1715-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 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 amounts in the General Fund Column one, 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 two.

	<u>Column 1</u>		<u>Column 2</u>
City Clerk	\$ 5,000	Police	\$226,500
General Services	200,000		
Special Projects	6,500		
Purchasing	<u>15,000</u>		
	\$226,500		

Section 2: That the Print Shop budgetary account and departmental charges are hereby revised as follows:

	<u>Budget</u>	<u>Revised</u>	<u>Difference</u>
515.00 Budgetary Account	\$324,384	\$328,384	\$4,000
515.00.960 Departmental Charges	\$324,384-	\$328,384-	\$4,000-

Section 3: That the General Services Department budgetary account and departmental charges are hereby revised as follows:

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	<u>Budget</u>	<u>Revised</u>	<u>Difference</u>
406.00 - Budgetary Account	\$2,308,066	\$2,528,066	\$220,000
406.00.960 - Departmental Charges	\$1,078,007-	\$1,298,007-	\$220,000-

Section 4: That the revenue estimate, budgetary account, and departmental charges for funds to support the Unified Planning Work Program funded by State Grant Income are hereby revised as follows:

<u>Revenue From:</u>	<u>Budget</u>	<u>Revised</u>	<u>Difference</u>
5471 - State Grant Income- Section 112	\$ 50,000	\$ 75,000	\$ 25,000

<u>Appropriation To:</u>			
530.23 - Section 112	\$ 50,000	\$ 75,000	\$ 25,000

<u>Departmental Charges</u>			
522.02.960 - Department of Transportation	\$ 60,000	\$ 85,000	\$ 25,000

<u>Budgetary Account</u>			
522.02 - Department of Transportation	\$378,901	\$403,901	\$ 25,000

Section 5: That ordinance number 1632-X, amending ordinance number 1542-X, advancing funds from the unappropriated balance of the debt service fund for Tyvola Road design is hereby amended to revise the estimated source of revenue and the authorization for advance from \$2,200,000 to \$2,000,000.

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Section 6: That the sum of \$2,592 is hereby transferred from General Capital Improvement Fund account 2010;262.00 - Animal Shelter Expansion to General Capital Improvement Fund account 2010; 486.00 - Works of Art - Public Buildings.

Section 7: That the Employment and Training Fund - Summer Youth Employment Program revenue estimate and appropriation for Title II-B are hereby increased from \$603,139 to \$742,385.

Section 8: That the source of funding for a \$135,000 advance for the construction of Fire Station No. 2 contained in Ordinance No. 1037-X (General Capital Improvement Fund Account 2010;483.00 - Fire Station No. 9 Relocation) is hereby revised from the unappropriated balance General Revenue Sharing Fund to the unappropriated General Fund Fund Balance, which shall be permanent financing.

Section 9: 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	\$3,250,000
2078 Public Transportation Capital Improvement Fund	200,000
Transfer to Municipal Debt Service Fund	<u>\$3,450,000</u>

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<u>Transfer From:</u>	<u>Amount</u>
2071 Water and Sewer Capital Improvements Fund	\$3,150,000
2075 County Water/Sewer Capital Improvements Fund	<u>900,000</u>
Transfer to Utilities Debt Service Fund	\$4,050,000

<u>Transfer From:</u>	<u>Amount:</u>
2073 Airport Capital Improvements Fund	\$2,400,000
7403 Airport Construction Fund	<u>250,000</u>
Transfer to Airport Debt Service Fund	\$2,650,000

Section 10: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Zunderle 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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Pages 468-471.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1716-X

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF CHARLOTTE, NORTH CAROLINA; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. That the Code of Ordinances, consisting of Chapters 1 to 22, each inclusive, is hereby adopted and enacted as the "Code of the City of Charlotte," which Code shall supersede all general and permanent ordinances of the City passed before Ordinance No. 1624, to the extent provided in Section 2 hereof.

Section 2. All provisions of the Code shall be in full force and effect from and after May 13, 1985, and all ordinances of a general and permanent nature of the City of Charlotte enacted on final passage on or before Ordinance No. 1624, and not included in the Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of the Code.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, a violation of any provision of such Code shall be punished as provided in North Carolina General Statutes, Section 14-4.

Section 5. Any and all additions and amendments to the Code, when passed in the form as to indicate the intention of the Council to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code shall be understood and intended to include the additions and amendments.

Section 6. In case of the amendment of any section of the Code for which a penalty is not provided, the general penalty as provided in Section 4 of this ordinance shall apply to the section as amended, or in case the amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in the other section shall be held to relate to the section so amended, unless the penalty is specifically repealed therein.

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Section 7. Any ordinance adopted after Ordinance No. 1624 which amends or refers to ordinances which have been codified in such Code, shall be construed as if they amend or refer to like provisions of such Code.

Section 8. This ordinance and the Code adopted hereby, shall become effective upon adoption.

Approved as to form:

Henry W. Zinderhill 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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Pages 472-473.

Pat Sharkey  
City Clerk



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ORDINANCE NO. 1717

AN ORDINANCE AMENDING CHAPTER 23 OF THE REVISED CODE TO ADD SOME CLARIFYING PHRASES AND DELETING INCORRECT REFERENCES.

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

Section 1. Section 23-17 shall be amended by changing the period "(.)" at the end of the first sentence to a comma "(,)" and adding the following words:

"hereinafter referred to as CMUD."

Section 2. Section 23-66 shall be amended by deleting the word "division" in the fourth line, and substituting the word "chapter".

Section 3. Section 23-82 shall be amended by deleting the phrase "hereinafter referred to as CMUD" at the end of the section.

Section 4. Section 23-84(b) shall be amended by deleting the word "hereinafter" in the second sentence and substituting in lieu thereof the phrase "in this chapter" at the end of that sentence. In the fourth sentence of this same section, the word "hereinafter" shall also be deleted and the phrase "in this chapter" shall be substituted at the end of the sentence.

Section 5. Section 23-96 shall be amended by deleting the section number "23-93" on the third line, and substituting in lieu thereof, the numbers "23-84".

Section 6. 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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 474.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1718-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, TO TRANSFER FUNDS FROM THE LONG CREEK OUTFALL PROJECT AND TO APPROPRIATE THOSE FUNDS TO THE PUMP STATION ELIMINATION PROGRAM.

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

Section 1. That the sum of \$170,000 is hereby transferred from the Water and Sewer Capital Improvement Fund 2071, account 631.36--Long Creek Outfall, and appropriated to Water and Sewer Capital Improvement Fund 2071, account 633.60--Pump Station Elimination Program, for the elimination of the Rockbrook Pump Station.

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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 475.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1719-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, APPROPRIATING FUNDS TO RETIRE THE PRINCIPAL OF THE SEWER REVENUE BOND ANTICIPATION NOTE.

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

Section 1. That the sum of \$1,500,000 is hereby available from the following sources to retire the principal of the Sewer Revenue Bond Anticipation Note:

Sewer Revenue Bond Anticipation Note Fund Balance (Center No. 4211)	510,972.81
1983 Sewer Bonds, Series 1985	989,027.19
	<u>\$1,500,000.00</u>

Section 2. That the sum of \$1,500,000 is hereby appropriated from the above listed sources to the Water and Sewer Debt Service Fund to retire the 1979 Sewer Revenue Bond Anticipation Note.

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. Thorell 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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 476.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1720-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, APPROPRIATING FUNDS TO RETIRE THE PRINCIPAL OF THE WATER REVENUE BOND ANTICIPATION NOTE.

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

Section 1. That the sum of \$500,000 is hereby available from the following sources to retire the principal of the Water Revenue Bond Anticipation Note:

Water Revenue Bond Anticipation Note Fund Balance (Center No. 4210)	\$309,083.31
1983 Water Bonds, Series 1985	<u>190,916.69</u>
	<u>\$500,000.00</u>

Section 2. That the sum of \$500,000 is hereby appropriated from the above listed sources to the Water and Sewer Debt Service Fund to retire the 1979 Water Revenue Bond Anticipation Note.

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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 477.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1721-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, TO APPROPRIATE FUNDS FROM 1966 REDEVELOPMENT BONDS FOR THE ACQUISITION OF LAND IN ACCORDANCE WITH THE FIVE POINTS REDEVELOPMENT PLAN.

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

Section 1. That the sum of \$96,035 is available from the unappropriated unrestricted balance of Redevelopment Bond Center No. 4172, the 1966 Redevelopment Bonds for the acquisition and improvement of land in designated redevelopment areas.

Section 2. That the sum of \$96,035 is hereby appropriated to the Five Points Target Area account (6911; 190.81) for the acquisition of property in accordance with the Five Points Redevelopment Plan, as amended October 11, 1982.

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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 478.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1722-X

AN ORDINANCE AMENDING ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM GENERAL FUND CONTINGENCY TO THE SAFE DRIVE COMMITTEE.

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

Section 1. That \$15,000 is hereby transferred from the General Fund Contingency to account 530.38 - Safe Drive Committee. These funds will provide for a contribution to Mecklenburg County from the City for the establishment of a safe drive program for Charlotte-Mecklenburg.

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 13th day of May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 479.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1723-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR CONSTRUCTION OF THE GOVERNMENT CENTER PARKING STRUCTURE.

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

Section 1. That the sum of \$5,406,325 is hereby available from 1984 Public Building Bonds for award of contracts to construct the Government Center Parking Structure.

Section 2. That the sum of \$5,406,325 is hereby appropriated to General Capital Improvement Fund account 2010; 274.00--Construction of New Office Building.

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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Page 480.

Pat Sharkey  
City Clerk

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ORDINANCE 1724

AN ORDINANCE AMENDING CHAPTER 20, SECTION 86 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 20, Section 86(c) of the Charlotte City Code,

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

SECTION 1: That Schedule 10 referred to in Chapter 20-86(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. Arborway between Sharon Lane and Fairview Road	25
2. Forest Park Drive between Lilac Road and Princeton Avenue	25
3. Painted Tree Road (10700-10800 blocks) between Painted Tree Road (11000 block) and Carmel Road (7500 block)	25
4. Painted Tree Road (10900-11000 blocks) between Tifton Road (8200 block) and Carmel Road (7300 block)	25
5. State Street between Trade Street and Turner Avenue	25
6. Tifton Road between Johnston Road and Painted Tree Road (8400 block)	25




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7. Willow Oak Road between Hillside Avenue  
and Princeton 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:

 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 May, 1985, the reference having been made in Minute Book 84, and is recorded in full in Ordinance Book 33 at Pages 481-482.

Pat Sharkey  
City Clerk