

October 6, 1986  
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ORDINANCE NO. 2052-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1956-X, THE 1986-87 BUDGET ORDINANCE, PROVIDING FOR TRANSFERS OF FUNDS ASSOCIATED WITH CAPITAL RESERVE AND UDAG REVENUES AND CAPITAL FACILITIES LEASE PURCHASE PAYMENTS.

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

Section 1. That the sum of \$4,108,000 is hereby estimated to be available from the General Fund Fund Balance and is appropriated to the General Capital Improvement Fund. These funds are to be used as the revenue source for Capital Reserve as stated in Ordinance No. 1956-X.

Section 2. That the sum of \$2,419,234 is hereby estimated to be available from the General Fund Fund Balance and is appropriated to the General Capital Improvement Fund. These funds are to be used as the revenue source for UDAG Program Income as stated in Ordinance No. 1956-X.

Section 3. That the sum of \$449,525 is hereby transferred from the General Capital Improvement Fund to the Municipal Debt Service Fund and appropriated to Capital Facilities Lease Purchase Payments.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

Henry W. Chandler, Jr.  
City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 6th day of October, 1986, the reference having been made in Minute Book 87, and is recorded in full in Ordinance Book 35 at page 183.

Pat Sharkey  
City Clerk

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Ordinance No. 2053

Amending Chapter 19

AN ORDINANCE AMENDING CHAPTER 19, ENTITLED "STREETS AND SIDEWALKS,"  
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 19, Section 143, "Sidewalk and Drainage Construction - When Required," of the City Code shall be amended by adding subparagraph (g) as follows:

- (g) In cases where the City Engineer determines that the new construction is temporary and will be removed within 18 months of the date of issuance of the building permit, the City Engineer may accept a letter of credit or bond in an amount necessary to construct the improvement otherwise required by this Chapter at their estimated cost 18 months from the date of issuance of the building permit in lieu of requiring immediate installation of the improvements. If after 18 months from the date of issuance of the building permit, the improvements have been constructed or the building has been removed from the property, the bond or letter of credit shall be returned upon request of the entity which posted it. If after 18 months from the date of issuance of the building permit, the improvements have not been constructed and the building has not been removed from the property, the bond or letter of credit shall be forfeited to the City for construction of the improvements. It shall be the responsibility of the applicant which desires to post such bond or letter of credit in lieu of constructing improvements to request and supply information sufficient to support such request.

Section 2. Chapter 19, Section 146, "Sidewalk and Drainage Construction - Variance," of the City Code shall be amended by renumbering current paragraphs (d) and (e) as (e) and (f), respectively, and adding subparagraph (d) as follows:

- (d) In cases where the City Engineer determines that the new construction is being undertaken solely to replace or restore a building destroyed by fire, flood, wind or other disaster, that such new construction will be completed within one year of the destruction and that such new construction will not attract or generate levels of pedestrian or vehicular traffic substantially in excess of that attracted or generated prior to such destruction, the City Engineer may vary the requirements set forth herein. It shall be the responsibility of the applicant for waiver to request and supply information, sufficient to support such a waiver.

Section 3. This ordinance shall be effective upon its adoption, but may be made retroactive, upon application, in appropriate cases.

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 6th day of October, 1986, the reference having been made in Minute Book 87, and is recorded in full in Ordinance Book 35 at page 184.

Pat Sharkey  
City Clerk

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