

March 23, 1987
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ORDINANCE NO. 2151-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1956-X, THE 1986-87 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO COVER ADDITIONAL LEGAL AND ADMINISTRATIVE COSTS ASSOCIATED WITH THE CITY'S APPLICATION FOR DESIGNATION AS A GATEWAY FOR INTERNATIONAL SERVICE.

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

Section 1. That the sum of \$100,000 is hereby estimated to be available from the unappropriated balance of the Airport Operating Fund (7401; Pre-DBO) to cover administrative costs and legal representation for International Air Service.

Section 2. That the sum of \$100,000 is hereby appropriated to the Airport Operating Fund.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 23rd day of March, 1987, the reference having been made in Minute Book 88, and is recorded in full in Ordinance Book 35 at page 333.

Pat Sharkey
City Clerk

ORDINANCE NO. 2152

Exhibit B

ORDINANCE AMENDING CHAPTER 14 of the CHARLOTTE CITY CODE

WHEREAS, it is in the public interest to reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons using districts zoned for commercial or industrial uses; to protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles; to protect the residents of those districts from unreasonable burdens in gaining access to their residences; to preserve the character of those districts as residential districts; to promote efficiency in the maintenance of those streets in a clean and safe condition; to preserve the safety of children and other pedestrians and traffic safety, and the peace, good order, comfort, convenience and welfare of the inhabitants of the City;

WHEREAS, the public interest would be served by the implementation, in appropriate situations, of a parking permit system;

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

Section 1: That the Code of the City of Charlotte is hereby amended by adding one new section thereto so numbered and reading as follows:

Sec. 14-185 Designation of parking permit areas.

- (a) The Director of Transportation is hereby authorized to designate, by written order, roads, streets and other areas within the City in which the parking of vehicles may be restricted, in whole or in part, during certain specified times, to holders of valid parking permits issued pursuant to this section. The Director of Transportation shall consider the institution of a parking permit system upon receipt of a letter of interest from the residents of a given area as provided herein. The authority granted herein shall be in addition to, and may be exercised in conjunction with, any other authority the Director of Transportation may have to regulate the times and conditions of motor vehicle parking.
- (b) Letter of Interest. In order to initiate studies required for determination of a parking permit area, applicants must submit a "Letter of Interest" indicating the problem area, nature of the problem, and any additional details that permit proper analysis. Except as otherwise provided, Letters of Interest will only be accepted from

Exhibit B-2

neighborhood associations, their boards, or from the official contact person, as identified in "Neighborhood Organizations" issued by the Charlotte-Mecklenburg Planning Commission. In the absence of an identifiable neighborhood organization or contact person, Letters of Interest will be accepted from un-affiliated persons.

(c) Studies. The designation of a parking permit area shall take into account, among other things:

(1) The effect on the safety of residents of the area under consideration from intensive use by non-residents for parking of vehicles.

(2) The need of the residents of the area to obtain adequate on-street parking adjacent to or close by their place of residence.

(3) The difficulty or inability of residents of the area to secure adequate on-street parking adjacent to or close by their places of residence because of widespread use of available parking spaces in that area by non-resident transient motorists.

(4) The impact of major public facilities and programs on the health, safety, and welfare of the residents of the area and any unreasonable burdens placed on those residents in securing adequate on-street parking and gaining access to their places of residence by virtue of such facilities and programs.

(5) The likelihood of alleviating, by use of a parking permit system, any problem of non-availability of residential parking spaces.

(6) The desire of the residents in the area for the institution of a parking permit system and the willingness of those residents to bear the administrative costs incidental to the issuance of permits authorized by this section.

(7) The fact that the residents of a contemplated parking permit area have contributed to the cost of construction and/or improvement of streets and roads in such area either by the direct assessment of costs or indirectly to the extent such costs are reflected in purchase or rental prices paid by those residents.

(8) The need for some parking spaces to be available in the area under consideration for use by visitors and the general public.

Exhibit B-3

(9) Such other factors as the Director of Transportation shall deem relevant.

(d) Public hearing.

(1) Following the completion of studies to determine the fulfillment of the specified standards for residential parking permit areas, the Director of Transportation or his designee shall conduct, prior to the designation of parking permit area, or prior to the withdrawal of such designation once it is established, a public hearing at which time any interested person shall be entitled to appear and be heard. Such hearing shall be held only after due notice has been given by posting as appropriate notices or signs within the area of concern of the proposal.

(2) Within 45 days following the close of the public hearing, the Director of Transportation shall decide, based on the record of that hearing, and studies authorized by him, whether or not to designate the area under consideration as a parking permit area or to remove the designation in the case of an established parking permit area.

(e) Petition.

(1) After designation of the parking permit zone by the Director of Transportation, residents within a particular district or a distinct portion of a district in which residential uses are permitted may petition the Director of Transportation for the establishment of an on-street permit parking district. Such petitions shall be on forms prepared and promulgated by the Director of Transportation, or his designee. Petitions shall be submitted to the Director of Transportation, or his designee, who shall determine their sufficiency. Any insufficient petition shall be remanded to the individual submitting it, with instructions for correction of deficiencies.

(2) No petition shall be deemed sufficient unless the same be signed by representatives of 75 percent of the households within the proposed parking district for implementation of restrictions.

(f) Action of petition. When a petition has been found to be sufficient by the Director of Transportation, or his designee, the appropriate parking restrictions will be installed.

Exhibit B-4

- (g) Designation of parking permit area. Following the designation of a parking permit area by the Director of Transportation, he shall cause to be posted parking signs in the area, indicating the times, locations and conditions under which parking shall be by permit only.
- (h) Decals. The Director of Transportation shall have authority to promulgate regulations necessary to the administration of this program including but not limited to the issuance, display, renewal, revocation, and replacement of decals, and the establishment of reasonable fees for the users of the program.
- (i) Enforcement. Governmental enforcement of parking regulations shall not be effective until thirty days after signs delineating the parking restrictions have been posted. Emergency and service vehicles when on a call or delivery shall be exempt. Purchase of a parking decal or display of one will not guarantee the holder of a parking place nor exempt a vehicle operator from any City code regulation governing parking on City streets.
- (j) Violations and penalties. No person shall park any vehicle or use any parking permit in a manner contrary to the provisions of this ordinance or any regulations promulgated pursuant to this ordinance and any person parked in violation of any regulation or sign in any district shall pay a civil penalty as provided in 14-81, and any motor vehicle so parked may be towed by or at the direction of any City personnel authorized to do so by the Chief of Police or Director of Transportation.

Section 2. - That the Code of the City of Charlotte is hereby amended by adding one new subsection to Section 14-81 (a) thereto so numbered and reading as follows:

(20) Violating restrictions in neighborhood parking permit area.....\$15.00.

Section 3. - That this ordinance shall take effect from and after the date of adoption by Council.

Henry W. Underhill Jr.
Approved as to form:

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of March, 1987, the reference having been made in Minute Book 88, and is recorded in full in Ordinance Book 35 at pages 334-337.

Pat Sharkey
City Clerk

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ORDINANCE NO. 2153-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1956-X, THE 1986-87 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS TO PROVIDE FOR THE CORRECTION OF TRYON STREET MALL DEFICIENCIES.

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

Section 1. That the sum of \$50,000 is hereby transferred from General Capital Improvement Fund - Contingency and appropriated to General Capital Improvement Fund 2020; 480.53 - Tryon Street Mall Corrective Repairs. This appropriation will provide funding for the identification of electrical deficiencies and professional fees for settlement of negotiations with the paver manufacturer.

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
Heura A. Kratt
Asst. City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 23rd day of March, 1987, the reference having been made in Minute Book 88, and is recorded in full in Ordinance Book 35 at page 338.

Pat Sharkey
City Clerk

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ORDINANCE NO. 2154-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT
1816 Luther 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 T. Phillip Tappy & Wife, Lisa T. RESIDING AT
4800 Rockview Court, Charlotte, N.C.

WHEREAS, the dwelling located at 1816 Luther Street in the
City of Charlotte has been found by the Director of the Community Develop-
ment 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 10/27/86 and 12/22/86 :
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 locate
at 1816 Luther 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:

Gaura A. Krall
CITY ATTORNEY

Read, approved and adopted by the City Council of the City of
Charlotte, North Carolina, in regular session convened on the 23rd day of
March, 1987, the reference having been made in Minute Book 88,
and is recorded in full in Ordinance Book 35, at Page 339.

Pat Sharkey
City Clerk

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 2033 E. Fifth Street IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF Sandra C. Lukens RESIDING AT 5501 Warewhip Lane Charlotte, North Carolina 28210

WHEREAS, the dwelling located at 2033 E. Fifth 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 #24, 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 October 8, 1986; 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) 11-53-C & 11-58-b1

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 2033 E. Fifth Street in the City of Charlotte to be repaired, altered

or improved as provided in the Order of the Directed dated 10/8/86 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 provision of Section 160A-443 of the North Carolina General Statutes and Sections 11-28 and 11-31 of the Charlotte City Code.

PROVIDED, if, prior to the vacating and closing of said unit pursuant to this Ordinance, it shall be determined by the Director of the Community Development Department that the unit has been repaired and meets the Minimum Housing Standards of the Housing Code and Chapter 160A of the North Carolina General Statutes, and there is no longer a need for the vacating and closing of the dwelling; then this Ordinance shall be vacated upon the recording in the Mecklenburg County Register of Deeds' Office of an Affidavit by the Director of the Community Development Department certifying such compliance with the Minimum Housing Standards, without any further action being taken by this body.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION.

Approved as to form:
Henry W. Chamberlain Jr.
City Attorney

Read, approved, and adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 23rd day of March 19 87, the reference having been made in Minute Book 88, and is recorded in full in Ordinance Book 35, at Page 340.

Pat Sharkey
City Clerk

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ORDINANCE 2156

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 a lowered speed limit on certain streets of the City of Charlotte is not inappropriate; 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. Autumnwood Lane between Rockland Drive and cul-de-sac	25
2. Blue Rock Drive between Rockland Drive and end-of-circle (400 block)	25
3. Briarfield Drive between Pierson Drive and Greenbrook Drive	25
4. Castlebar Road between Kelford Lane and Kilcullen Drive	25
5. Cornwallis Lane between Ritter Drive and cul-de-sac	25
6. Creekstone Place between Owen Boulevard and Blue Rock Drive	25
7. Dollar Circle between Castlebar Road and cul-de-sac	25
8. Dougherty Drive between cul-de-sac and end-of-street 760' north of Owen Boulevard	25
9. Falkirk Place between Kilcullen Drive and cul-de-sac	25

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10. Kelford Lane between Ritter Drive and end-of-street 150' north of Kilcullen Drive	25
11. Kilcullen Drive between Kelford Lane and end-of- street 446' south of Castlebar Road	25
12. Leaves Lane between Autumnwood Lane and cul-de-sac	25
13. Limerick Drive between Kelford Lane and Kilcullen Drive	25
14. London Circle between Ritter Drive (7300 block) and Ritter Drive (8000 block)	25
15. Old North Court between Ritter Drive and cul-de-sac	25
16. O'Shanta Court between Ritter Drive and cul-de-sac	25
17. Ritter Drive between Sardis Road North (200 block) and Sardis Road North (300 block)	25
18. Rockland Drive between Rocky River Road West and end-of-street 548' south of Autumnwood Lane	25
19. Selkirk Place between Limerick Drive and cul-de-sac	25
20. Spring Fall Court between Leaves Lane and cul-de-sac	25
21. Summer Place between Autumnwood Lane and cul-de-sac	25
22. Toby Court between Autumnwood Lane and cul-de-sac	25
23. Winterwind Court between Leaves Lane and cul-de-sac	25
24. Woodsman Court between Leaves Lane and cul-de-sac	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:

Harvey W. Underhill City Attorney

Read, approved and adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on the 23rd day of March, 1987 the reference having been made in Minute Book 88, and is recorded in full in Ordinance Book 35 at pages 341-342.

Pat Sharkey
City Clerk