AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

ORDIDNANCE NO. 3140-X

WHEREAS, the City Council of the City of Charlotte, North Carolina, has been petitioned under G.S. 160A-31, as amended, to annex the area described herein, and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held 600 E. Fourth Street, Charlotte, NC at 7:00 o'clock P.M., on the 8th day of April _____, 1991, and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and made part of the City of Charlotte, as the <u>8th</u> day of April, 1991.

Beginning at a point at end of the southwesterly right-of-way of Ford Street being the common corner of the property of Don Thomas Upton and wife Jeannie G. as recorded in Deed Book 3960 Page 510 and the property of Eldora Taylor Byrum as recorded in Deed Book 2803 Page 471, said beginning point being located S 23-55-00 E, 170.0 feet along the southwesterly right-of-way of Ford Street from the southerly right-of-way of an unnamed street(formerly Hill Street); thence following the existing City Limits line crossing the end of the right-of-way of Ford Street N 23-29-06 E, 81.51 feet to a point in the southeasterly right-of-way of Ford Street, being the common corner of the property of Lula C. Upton as recorded in Deed Book 3970 Page 328 and the property of Helen M. Todd as recorded in Deed Book 4105 Page 885; thence in a southeasterly direction along the proposed right-of-way of Ford Street(the westerly line of the Helen M. Todd property) and with the existing City Limits line S 23-55-00 E, 125.0 feet to the common corner of Helen M. Todd and the property of W. Lewis Byrum and wife Eldora T. Byrum as recorded in Deed Book 5307 Page 968; thence continuing along the existing City Limits line and the common lot line of Helen M. Todd and W. Lewis Byrum N 66-05-00 E, 204.58 feet to a point in the line of Sidney W Earp and wife Helen E. as recorded in Deed Book 2628 Page 312; thence continuing with the existing City Limits line along the Sidney W. Earp lot line and continuing along the lot line of W. Lewis Byrum and Marvin H. Johnson as recorded in Deed Book 5502 Page 493 S 23-55-00 E, 200.0 feet to a

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> point, the common corner of W. Lewis Byrum with the property of Eldora Taylor Byrum as recorded in Deed Book 2803 Page 471; thence with the W. Lewis Byrum property and the Eldora Taylor Byrum property and the proposed City Limits line S 66-05-00 W, 204.58 feet to a point in the proposed southeasterly right-of-way of Ford Street; thence with the terminus of the right-of-way of Ford Street along the Eldora Taylor property S 66-05-00 W, 60.0 feet to a point in the southwesterly proposed right-of-way of Ford Street; thence along the southwesterly proposed right-of-way of Ford Street with the property of Eldora Taylor Byrum, N 23-55-00 W, 269.83 feet to the point and place of beginning. Said Proposed Annexation area contains 1.349 Ac.(0.41 Ac. of which is proposed right-of-way of Ford Street) as shown on a survey by R. Dennis Smith, NCRLS 1482, dated 13 September, 1990.

Section 2. Upon and after the <u>8th</u> date of <u>April</u>, 1991, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to muncipal taxes in accordance with G.S. 160A-58.10.

Section 3. The Mayor of the City of Charlotte shall cause to be recorded in the Office of the Registerof Deeds of Mecklenburg County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

Adopted this <u>8th</u> date of <u>April</u>, 1991.

Attest:

City Clerk

Jue Morrill

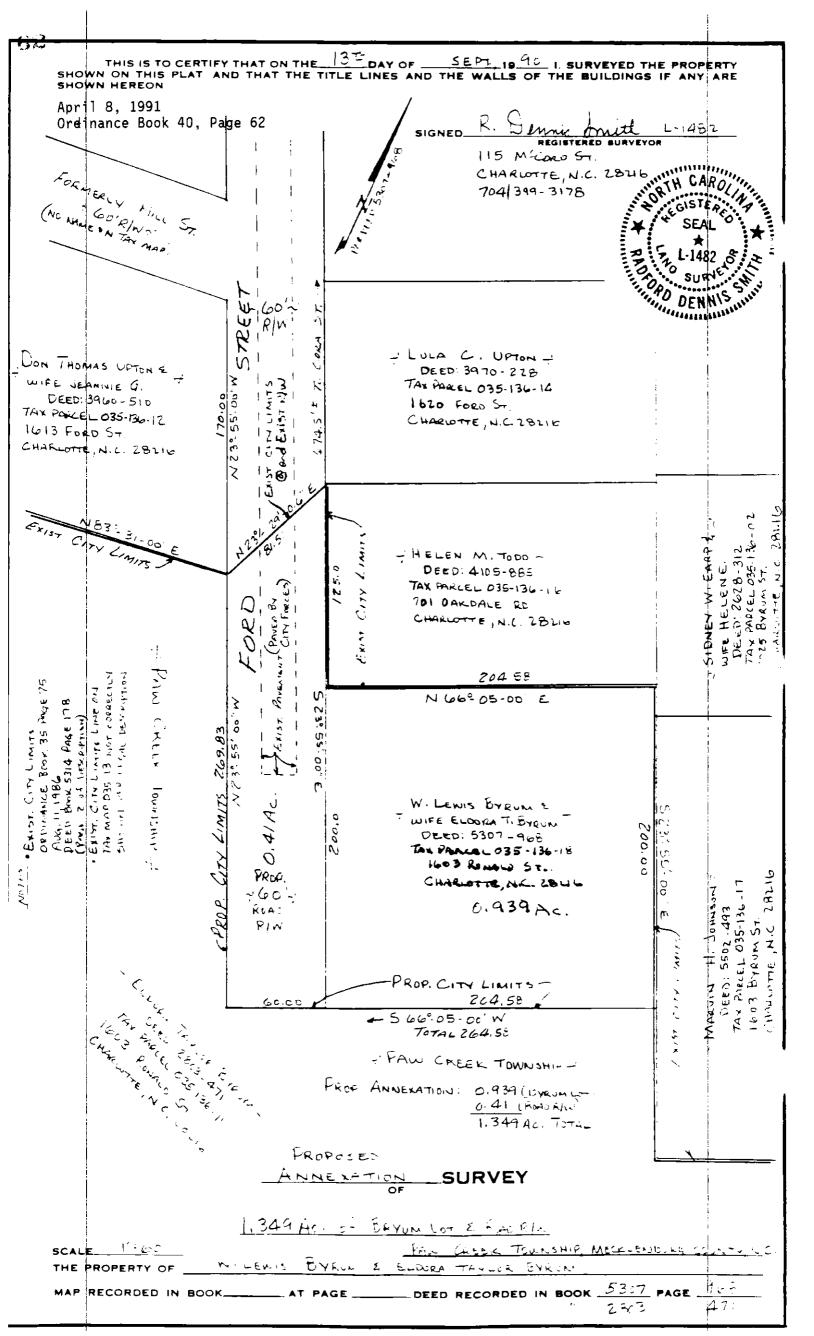
APPROVED AS TO FORM: City Attorney

CERTIFICATION

I, Brenda R. Freeze, Deputy 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 8th day of April, 1991, the reference having been made in Minute Book <u>98</u>, and recorded in full in Ordinance Book <u>40</u>, at Page(s) <u>59-62</u>.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the <u>11th</u> day of <u>April</u>, 1991.

Brenda R. Freeze, Deputy City Clerk



ORDINANCE NO. <u>3141-X</u>

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE CONVENTION CENTER CAPITAL ACCOUNT TO COVER LAND AND FINANCIAL CONSULTANT COSTS.

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

Section 1. That the sum of \$303,087 is hereby estimated to be available from the 3% Occupancy Tax (Fund 5104).

<u>Section 2</u>. That the sum of \$303,087 is hereby appropriated to General Capital Improvement Fund 2010; 371.00 Convention Center.

Section 3. That upon arrangement of permanent financing for the Convention Center, project appropriation from the 3% Occupancy Tax shall revert to the Debt Service Fund (5104).

Section 4. All ordinances or parts of ordinances of conflict herewith are hereby repealed.

<u>Section 5</u>. This ordinance shall become effective upon its adoption.

Approved as to form: W. Unferhill City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 63.

> Brenda Freeze, Deputy City Clerk

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ORDINANCE NO. <u>3142-X</u>

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, APPROPRIATING ADDITIONAL FUNDS TO THE POLICE DEPARTMENT FOR THE PURCHASE OF EQUIPMENT.

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

<u>Section 1</u>: That the sum of \$474,274 is hereby available from the General Fund fund balance - Reserve for Drug Assets Forfeiture Funds (0101; 115; 5692).

<u>Section 2</u>: That the sum of \$474,274 is hereby appropriated to the General Fund, Police Department Operating Budget (0101; 401.55 - Planning and Research).

<u>Section 3</u>: That the project may extend beyond FY91 and shall remain in effect until the completion of the project.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 5</u>: This ordinance shall become effective upon its adoption.

Approved as to form: Henny W. Underhill fr.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 64.

ORDINANCE NO. 3143-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE CONSTRUCTION OF AN OUTFALL LIFT STATION AND FORCE MAIN ALONG BACK CREEK.

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

Section 1: That the sum of \$500,000 is available from Water and Sewer Capital Improvement Fund Account 2071;632.35 - Mallard Creek Outfall to Eastfield Road/East.

Section 2: That the sum of \$500,000 is hereby appropriated to the Water and Sewer Capital Improvement Fund Account 2071;632.36 - Back Creek Lift Station, Outfall and Force Main from available funds in Water and Sewer Capital Improvement Fund Account 2071;632.35 - Mallard Creek Outfall to Eastfield Road/East.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 4</u>: This ordinance shall become effective upon its adoption.

Approved as to form:

Herry W. Charleshill fr.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 65.

GG April 8, 1991
Ordinance Book 40, Page 66 ORDINANCE NO. <u>3144</u> AMENDING CHAPTER 15
AN ORDINANCE AMENDING CHAPTER 15, "OFFENSES AND MISCELLANEOUS PROVISIONS", 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. Chapter 15 shall be amended by adding a new Code § 15-25.1 entitled "Littering from a vehicle", to read as follows:
"\$ 15-25.1 Littering from a vehicle.
(a) It shall be unlawful for any person, firm, organization, private corporation, or governing body, to throw, scatter, drop, or otherwise dispose of any cigarette butts, cigars, drink containers, gum or candy wrapper paper or plastic products, discarded fruit, or other such similar items from a vehicle or any other mode of transportation upon any public street, public property, public median, or private property not owned by that person.
(b) <u>Presumption</u> . When any such item is thrown, scattered, spilled, dropped or otherwise dis- posed of from a vehicle, the operator thereof shall be presumed to have committed such offense.
(c) <u>Citation and civil penalty</u> . A citation for a civil penalty of \$10.00 shall be issued for a violation of this section. The citation shall be subject to a delinquent penalty of \$10.00 if the cita- tion is not paid after the 15th day from the issuance of the citation. The citation shall be subject to the same process described in Code \$ 14-81, "Schedule of civil penalties".
(d) <u>Enforcement</u> . This section shall be enforced by any law enforcement officers of the City of Charlotte, any park rangers of the City of Char- lotte, and any airport police officers. Nothing in this section shall be construed to prevent such law enforcement officers from enforcing any other provi- sions of this City Code or from exercising any of their authority as law enforcement officers."
Section 2. This ordinance shall become effective ninety (90) days after adoption.
Approved as to form:
Herry W. UnDerfile fr.
Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 66.

April 8, 1991 Ordinance Book 40, Page 67 ORDINANCE NO. <u>3145</u> AMENDING CHAPTER 14 AN ORDINANCE AMENDING CHAPTER 14, "MOTOR VEHICLES AND TRAFFIC", <u>OF THE CITY CODE OF THE CITY OF CHARLOTTE.</u> BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that: <u>Section 1.</u> § 14-81, "Schedule of civil penalties", (a), shall be amended by adding a new "(21)" to read as follows: "(21) Littering from a vehicle......10.00". <u>Sec. 2.</u> This ordinance shall become effective thirty (30) days after adoption. Approved as to form: <u>Utum W. Lablabile</u>.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 67.

ORDINANCE 3146

AMENDING CHAPTER 23

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AN ORDINANCE AMENDING CHAPTER 23 OF THE CITY CODE WITH REGARD TO DELINQUENT FEES AND CHARGES.

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

North Carolina that:

Section 1. Section 23-5 of Chapter 23 shall be deleted in

its entirety and the following be substituted in lieu thereof:

"Sec. 23-5. Delinquent fees and charges; conditions; notice; appeals; water service termination actions.

(a) Current charges are due when billed and are considered delinquent if not paid within twenty-five (25) days of the billing date.

- (b) If, at the time of next billing, the account has an unpaid balance:
- (1) A one and one-half percent (1.5%) late charge will be assessed against the unpaid balance. This charge shall be called a late payment-variable charge.
- (2) If the customer does not inform the revenue division of any complaint concerning accuracy of the bill(s) constituting the pastdue balance, and if the customer does not pay the past-due balance within ten (10) days from the most recent billing date, the account is delinquent and water service is subject to termination.
- (3) Notice of delinquency and of the CMUD's intent to terminate service will be given on the bill and/or on an enclosure with the bill and/or on a separately mailed notice.

(c) If payment of the past-due balance is not received by the deadline specified in the notice(s), a charge will be assessed to cover the costs of identifying the account as delinquent and of initiating the appropriate termination procedure. This charge shall be called a late payment-fixed charge.

(d) If full payment of the past-due balance is received between the specified deadline and the close of business on the workday preceding scheduled termination, a charge will be levied to recover costs associated with identifying the late payment and cancelling the termination order. This charge shall be called a delinquent processing charge and must be paid before the turn-off order will be rescinded.

(e) If the meter is turned off for non-payment, service will not be restored until payment of the following charges and/or fees is received by the revenue division; past-due water and sewer charges, past due service charges, late payment charges (variable and fixed), delinquent fee to cover the costs of turning the meter off and on.

> (f) If the account carries a past-due balance representing two (2) or more months' bills, and if the meter was turned off during the previous delinquent cut-off cycle because of nonpayment, the meter may be removed and the account may be finalized just as though the customer requested discontinuance of service; any existing security deposit may be applied against the final bill. To have service restored, the customer must pay the following: all outstanding water and sewer bills, all outstanding service charges, late payment charges (variable and fixed), meter turn off fee, meter removal and installation fee, new security deposit.

> (g) Delinquent charges shall accrue for each occurrence and must be paid in addition to any outstanding amounts which may include, but are not limited to, the following: water and sewer bills, service charges, late payment charges (variable and fixed), meter turn off/turn on delinquent fee, meter removal and installation fee, new security deposit.

(h) In cases where a customer has vacated the premises, leaving bills and/or charges unpaid, that customer will not be furnished water or sewer service elsewhere until all outstanding bills, charges and fees have been paid.

(i) The CMUD is authorized to take other termination actions as necessary and to charge fees to recover the costs of such actions:

- (1) Meter removal. The physical removal of a meter following unauthorized turn-on by a customer.
- (2) Unauthorized meter. The physical removal of a meter assigned to a designated service location in the system but found in another service location.
- (3) Unauthorized device. The physical removal of any unauthorized device used to obtain water service along with the yoke.
- (4) Turn-off at the main. The disconnection of the service connection at the main to prevent the customer from installing unauthorized yokes, meters, pipes and other devices in order to obtain water services.

(j) The late payment charges (variable and fixed), the delinquent processing charge, the meter turn-off/turn-on fee, the meter removal and installation fee, as well as those fees applicable to the unauthorized obtainment of service described in subsection (i), are set forth in the schedule of current rates, fees and charges; said charges may be reviewed and adjusted as necessary.

- (k) For sewer-service-only customers:
- (1) Charges will be billed in the same manner as water charges or water and sewer charges. They shall be subject to the same time limit for payment as water charges in addition to any and all penalties provided by law, including late payment charges (variable and fixed).

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- (2) The CMUD may cut off sewer service to the property for failure to pay sewer charges.
- (3) If service is discontinued, a delinquent fee shall be calculated which represents the actual cost of disconnection and the estimated cost of reconnection. This fee shall be called a delinquent sewer fee.
- (4) To have service restored, the customer must pay all outstanding charges and the delinquent sewer fee."

Section 2. This ordinance will become effective upon adoption.

Approved as to form:

W. Clodehill for torney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 68-70.

Ordinance Book 40, Page 71 April 8, 1991 ORDINANCE NO. 3147-X

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 1237 HARRILL STREET IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF ARNOLD NELSON RESIDING AT 5716 SLOPING OAKS CIRCLE, #101, CHARLOTTE, NORTH CAROLINA, 28212.

WHEREAS, the dwelling located at 1237 Harrill Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation;

WHEREAS, said dwelling was occupied/unoccupied 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 8, a depressed 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 said dwelling; and

WHEREAS, the owner(s) of said dwelling has failed to comply with said order to repair, alter or improve said dwelling; served upon them by advertisement on August 7 1990; and

WHEREAS, among the Housing Code violations existing in and upon said dwelling is a violation of Section(s) 11-58 & 11-59.

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 at 1237 Harrill Street in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated August 1, 1990 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 cost incurred in making such repairs, alterations or improvement 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 prdinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Kenny W. theshill fr. CITY ATTORNEY

CERTIFICATION OF

I, Brenda R. Precze, Deputy 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 8th day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 71

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 11th day of April, 1991.

Freeze, Deputy City Clerk

AN ORDINANCE ORDERING THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT TO CAUSE THE DWELLING LOCATED AT 1008 E. 17TH STREET IN THE CITY OF CHARLOTTE TO BE REPAIRED, ALTERED OR IMPROVED, SAID BUILDING BEING THE PROPERTY OF WILLIAM C. DOUGLAS & W/IOLA RESIDING AT 2014-B STATESVILLE AVENUE, CHARLOTTE, NORTH CAROLINA, 28205.

WHEREAS, the dwelling located at 1008 E. 17th Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation;

WHEREAS, said dwelling was occupied/unoccupied 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 8, a depressed 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 said dwelling; and

WHEREAS, the owner(s) of said dwelling has failed to comply with said order to repair, alter or improve said dwelling; served upon them by advertisement on November 11, 1990; and

WHEREAS, among the Housing Code violations existing in and upon said dwelling is a violation of Section(s) 11-58 & 11-59.

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 at 1008 E. 17th Street in the City of Charlotte to be repaired, altered or improved as provided in the Order of the Director dated November 21, 1990 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 cost incurred in making such repairs, alterations or improvement 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:

ken Willseler. ATTORNEY

CERTIFICATION

I, Brenda R. Freeze, Deputy 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 <u>8th</u> day of <u>April</u>, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book <u>40</u>, at Page(s) <u>72</u>.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 11th day of April, 1991.

Brunda R. Freque Freeze, Deputy City Clerk

April 8, 1991 Ordinance Book 40, Page 73 ORDINANCE 3149 Amending Chapter 14 AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "MOTOR VEHICLES", 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 14, Section 131, Subsection (c) shall be amended by repealing and deleting only those City speed limit ordinances in Schedule X, which Schedule X is incorporated by reference in Section 14-131(c), as listed below, that pertain to the specific City speed limits on the following City system street: Sharon Road West between Park Road and South Boulevard . . 35 MPH Section 1 of this ordinance shall become effective Section 2. upon adoption by the City Council and after existing signs are

Section 3. This ordinance shall become effective upon adoption.

Approved as to form: IV CALLA City Attorney

removed.

ead, approved and adopted by the City Council of the City of Charlotte, North arolina, in regular session convened on the 8th day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(\$) 73.

> Brenda Freeze, Deputy City Clerk