

ORDINANCE 585

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 miles per hour speed limit on non-thoroughfare residential streets; 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,

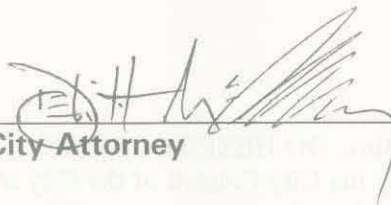
NOW THEREFORE BE IT ORDAINED by the City Council of the City of Charlotte,

SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring a speed limit on the following City System streets as described below:

Rice Planters Road from Antebellum Drive to Red Hickory Lane 25 MPH

**SECTION 2: Section 1 shall become effective upon adoption by Charlotte City Council and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.**

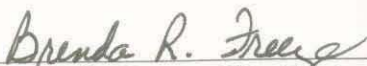
Approved as to form:

  
\_\_\_\_\_  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 407.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

1996-97 BUDGET ORDINANCE NO. 586-X  
ADOPTED JUNE 10, 1996

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

**Section L.** The following amounts are hereby appropriated for the operation of the City government and its activities for the fiscal year beginning July 1, 1996 and ending June 30, 1997 according to the following schedules:

<b>SCHEDULE A. GENERAL FUND (0101)</b>	
TOTAL GENERAL FUND	240,164,500
<b>SCHEDULE B. WATER AND SEWER OPERATING FUND (7101)</b>	
TOTAL WATER AND SEWER OPERATING FUND	101,451,861
<b>SCHEDULE C. AVIATION OPERATING FUND (7402)</b>	
TOTAL AVIATION OPERATING FUND	57,053,957
<b>SCHEDULE D. EMPLOYMENT AND TRAINING FUND (6345)</b>	
TOTAL EMPLOYMENT AND TRAINING FUND	3,075,556
<b>SCHEDULE E. PUBLIC TRANSPORTATION FUND (7801)</b>	
TOTAL PUBLIC TRANSPORTATION FUND	26,414,878
<b>SCHEDULE F. CITYFAIR OPERATING FUND (0131)</b>	
TOTAL CITYFAIR OPERATING FUND	595,800
<b>SCHEDULE G. POWELL BILL FUND (0120)</b>	
TOTAL POWELL BILL FUND	16,375,212
<b>SCHEDULE H. COMMUNITY DEVELOPMENT FUND (6806)</b>	
TOTAL COMMUNITY DEVELOPMENT FUND	3,858,025
<b>SCHEDULE I. COMMUNITY DEVELOPMENT FUND (6911)</b>	
TOTAL COMMUNITY DEVELOPMENT FUND	7,389,767
<b>SCHEDULE J. INSURANCE AND RISK MANAGEMENT FUND (6302)</b>	
TOTAL INSURANCE AND RISK MANAGEMENT FUND	1,221,790
<b>SCHEDULE K. CONVENTION CENTER TAX FUND (0132)</b>	
TOTAL CONVENTION CENTER TAX FUND	15,835,543
<b>SCHEDULE L. MUNICIPAL DEBT SERVICE FUND (5101)</b>	
TOTAL MUNICIPAL DEBT SERVICE FUND	48,362,819
<b>SCHEDULE M. WATER AND SEWER DEBT SERVICE FUND (5501)</b>	
TOTAL WATER AND SEWER DEBT SERVICE FUND	49,264,625

**SCHEDULE N. AVIATION DEBT SERVICE FUNDS - CONSOLIDATED**

TOTAL AVIATION DEBT SERVICE FUNDS 46,263,881

**SCHEDULE O. CONVENTION CENTER DEBT SERVICE FUND (5104)**

TOTAL CONVENTION CENTER DEBT SERVICE FUND 13,048,263

**SCHEDULE P. STORM WATER FUND (7701)**

TOTAL STORM WATER FUND 16,888,262

**SCHEDULE Q. AVIATION DISCRETIONARY FUND (7408)**

TOTAL AVIATION DISCRETIONARY FUND 7,000,000

**SCHEDULE R. CITY HOUSING FUND (0141)**

TOTAL CITY HOUSING FUND 160,000

**Section 2.** The following amounts are hereby appropriated for capital projects construction by City Government and its activities for the fiscal year beginning July 1, 1996 according to the following Schedules:

**SCHEDULE A. HOME GRANT FUND (6910)**

Home Grant Projects	2,315,200
<b>TOTAL HOME GRANT FUND</b>	<b>2,315,200</b>

**SCHEDULE B. PAY AS YOU GO FUND (2011)**

Contribution to General Capital Projects Fund	4,163,647
Contribution to HOME Grant Fund	473,200
<b>TOTAL PAY AS YOU GO FUND</b>	<b>4,636,847</b>

**SCHEDULE C. GENERAL CAPITAL PROJECTS FUND (2010)**

York Road Landfill	350.00	90,500
Underground Storage Tank Program	470.00	4,025,000
Transitway Right-Of-Way	237.00	4,600,000
Bridge Repair and Replacement Program	248.00	500,000
Innovative Housing Program	380.00	3,257,987
In Rem Remedy	377.10	200,000
Building Maintenance Program	480.40	1,143,189
Americans With Disabilities Act	388.00	167,000
Parking Lot Repair Program	485.00	200,000
Defensive Driving Pad	292.00	750,000
Radio Communications Tower	243.09	801,500
Annexation Fire Stations	367.00	450,000
Development and Revitalization Fund	369.00	152,110
Business Corridor Revitalization	493.00	300,000
<b>TOTAL CAPITAL PROJECTS FUND</b>		<b>16,637,286</b>



SCHEDULE D. STORM WATER CAPITAL PROJECT FUND (2701)

Storm Water Repairs	359.00	3,892,570
Storm Water Neighborhood Fund	359.20	1,500,000
Storm Water Channel Program	359.40	1,190,000
Storm Water Construction	358.00	7,217,430
TOTAL STORM WATER CAPITAL PROJECTS FUND		13,800,000

SCHEDULE E. UTILITIES CAPITAL PROJECTS FUND (2071)

Neighborhood Reinvestment in Sewer	636.44	2,000,000
Minor Sanitary Sewer Line Rehabilitation	636.14	800,000
Street and Minor Sewer Main Extension	633.90	4,300,000
Sewer In Streets to be Widened	633.24	451,500
Steele Creek Outfall from Westinghouse to Lift Station	632.26	464,200
Four Mile Creek Relief Sewer (Control: 636.00)	636.03	2,771,000
Stewart Creek Parallel Outfall	636.01	432,000
Six Mile Creek Outfall to Weddington Rd.	632.25	1,296,000
North Tributary of Caldwell Creek	632.64	575,120
Sewer Outfall Along Torrence Creek Tributary #1	632.28	854,280
Performance Drive Lift Station, Force Main and Gravity Sewer	632.65	1,011,000
Rocky River Outfall	633.72	375,000
Sugar Creek WWTP Odor Control	632.66	500,000
Mallard Creek WWTP Expansion (Control: 633.81)	632.67	4,500,000
Sewer Trunks to Serve 1997 Annexation Areas	632.68	2,000,000
Walker Branch Outfall Phase II	636.02	45,400
McDowell Creek Trunk	636.04	52,000
Outfall from Back Creek Lift Station to Back Creek Church Rd	636.06	52,000
Neighborhood Reinvestment in Water Mains	635.38	3,097,500
Street and Minor Water Main Extension	635.09	6,574,750
Elevated Water Storage Tank Rehabilitation	637.25	1,885,000
Water Main Relocation /Installation for Street Improvemts	635.29	1,898,000
CMUD Underground Storage Tanks	637.24	400,000
Land Acquisition for Watershed Protection	637.28	300,000
North Meck Elevated Storage Tank-Mallard Creek	637.41	3,000,000
Safety Upgrades for OSHA Compliance - Water	637.22	701,000
Catawba Pump Stn Rehab/Upgrades FY96-2000 (Control: 635.43)	635.44	520,000
Vest Plant Rehab and Upgrades FY96-2000 (Control: 635.43)	635.45	650,000
Franklin Plant Rehab and Upgrades FY96-2000 (Control: 635.43)	635.46	3,000,000
Relocation of N Tryon Tank to Hickory Grove	635.42	1,500,000
Southwest Elevated Storage Tank	635.41	1,500,000
Diesel Generators for Repump Facilities	637.49	760,000
Acquisition of Private Water Systems	637.29	5,130,000
Pressure Reducing Valves	635.52	170,000
Water Main (WM) Along Huntersville-Concord Road	634.13	2,073,500
WM Along Tyvola Road: South Tryon to Nations Ford Rd.	637.50	287,500
WM Along N.C. 115: Gilead Road to Sam Furr Road	634.11	1,647,360
WM Along Asbury Chapel Road	634.12	2,354,000
WM W T Harris/Albemarle-Idlewild to Hickory Grove	635.58	2,047,500
WM Along Tyvola Road West	635.49	412,500
WM Along Nantz Road	635.55	290,000
WM Along Crestdale	635.57	122,040
WM Along Prosperity Church Road	634.14	860,745
WM Along W.T. Harris Boulevard	636.27	825,000
WM Along Catawba Street NC21 - NC115	635.50	315,000
WM Along Mallard Creek Church Road to Old Concord Road	635.53	5,381,760
WM Along Providence Road West	635.54	970,000
WM Along Shopton Road West	637.07	520,000
WM Along Hood Road	637.51	148,000

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WM Along Robinson Church Road to Hood Road	637.52	113,100
Water Mains to Serve 1997 Annexation Areas	637.53	500,000
WM Along Proposed Rea Road Extension	637.54	76,500
WM Along Sam Wilson Road	637.55	40,560
WM Along N.C. 115: Sam Furr to Washam Potts	635.59	114,750
WM Along Mallard Creek and Salome Church Road	637.56	105,300
WM Along Plaza Road Extension to Hood Road	637.57	81,900

TOTAL UTILITIES CAPITAL PROJECTS FUND 72,852,765

**SCHEDULE F. SMALL TOWN UTILITIES CAPITAL PROJECTS FUND (2072)**

Mint Hill Gravity Sewer System	640.99	5,500,000
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TOTAL SMALL TOWN UTILITIES CIP FUND 5,500,000

**Section 3.** It is estimated that the following revenues will be available during the fiscal year beginning on July 1, 1996 and ending on

June 30, 1997 to meet the appropriations shown in Section 1 according to the following schedules:

**SCHEDULE A. GENERAL FUND (0101)**

Taxes		
Property Tax		128,431,150
Intangible Property Tax		4,976,546
Sales Tax		26,968,460
Occupancy Tax		1,875,000
Licenses and Permits		10,841,208
Fines, Forfeits and Penalties		753,500
State-Shared Revenue		25,054,821
Intragovernmental Revenue		8,085,421
Contribution from Other Funds		711,654
Charges for Current Services		8,079,647
Miscellaneous Revenue		4,410,380
Grants and Participation Agreements		14,976,713
Unappropriated Fund Balance		5,000,000
<b>TOTAL GENERAL FUND</b>		<b>240,164,500</b>

**SCHEDULE B. WATER AND SEWER OPERATING FUND (7101)**

Water Revenues		39,984,262
Sewer Revenues		55,044,959
Specific Service Revenues		4,029,640
Industrial Waste Surcharge		1,113,000
Other Revenues		1,280,000
<b>TOTAL WATER AND SEWER OPERATING FUND</b>		<b>101,451,861</b>

**SCHEDULE C. AVIATION OPERATING FUND (7402)**

Terminal and Airfield Usage		25,880,486
Parking		9,597,792
Concessions		11,723,128
Interest on Investments		2,664,000
Cargo Area and Ground Rents		4,567,147
Other		2,621,404
<b>TOTAL AVIATION OPERATING FUND</b>		<b>57,053,957</b>

**SCHEDULE D. EMPLOYMENT AND TRAINING FUND (6345)**

JTPA Grants	1,632,865
HUD Grant	75,000
State Worker Trust Fund	102,536
Contribution from the General Fund	1,107,655
One Stop Implementation Grant	157,500
<b>TOTAL EMPLOYMENT AND TRAINING FUND</b>	<b>3,075,556</b>

**SCHEDULE E. PUBLIC TRANSPORTATION FUND (7801)**

Bus System Operating Revenue	6,200,000
Grants (Federal/State/County)	3,070,640
Sales Tax	7,252,939
Auto Tax	7,600,000
Other Revenue	138,000
Interest on Investments	145,000
Fund Balance	2,008,299
<b>TOTAL PUBLIC TRANSPORTATION FUND</b>	<b>26,414,878</b>

**SCHEDULE F. CITYFAIR OPERATING FUND (0131)**

Operating Revenues	500,000
Owner Installment	100,000
Contribution from Mecklenburg County	121,635
Interest on Investments	35,000
<b>TOTAL CITYFAIR OPERATING FUND</b>	<b>756,635</b>

**SCHEDULE G. POWELL BILL FUND (0120)**

State Gas Tax Refund	13,600,200
Interest on Investments	960,000
Fund Balance	1,815,012
<b>TOTAL POWELL BILL FUND</b>	<b>16,375,212</b>

**SCHEDULE H. COMMUNITY DEVELOPMENT FUND (6806)**

Contribution from General Fund	2,813,539
Transfers from Other Funds	711,538
Contribution from General CIP Fund 2010	110,000
HUD Emergency Shelter Grant	121,000
Other Revenue	101,948
<b>TOTAL COMMUNITY DEVELOPMENT FUND</b>	<b>3,858,025</b>

**SCHEDULE I. COMMUNITY DEVELOPMENT FUND (6911)**

Community Development Block Grant	4,746,000
Community Development Program Income	691,600
Fund Balance	1,952,167
<b>TOTAL COMMUNITY DEVELOPMENT FUND</b>	<b>7,389,767</b>



**SCHEDULE J. INSURANCE AND RISK MANAGEMENT FUND (6302)**

Contribution from General Fund	408,243
Contribution from Other Funds	239,542
Contribution from Mecklenburg County and Other Agencies	574,005
<b>TOTAL INSURANCE AND RISK MANAGEMENT FUND</b>	<b>1,221,790</b>

**SCHEDULE K. CONVENTION CENTER TAX FUND (0132)**

Taxes	15,600,000
Interest on Investments	906,250
<b>TOTAL CONVENTION CENTER TAX FUND</b>	<b>16,506,250</b>

**SCHEDULE L. MUNICIPAL DEBT SERVICE FUND (5101)**

Taxes	30,492,054
State Reimbursements	735,000
Interest on Investments	960,000
Contribution from Mecklenburg County	1,416,586
Contribution from the General Fund	11,414,570
Contribution from Powell Bill	800,000
Contribution from CityFair Operating Fund	330,800
Contribution from Storm Water Fund	310,000
Interest Transferred from Other Funds	2,455,000
Other Revenues	1,849,194
<b>TOTAL MUNICIPAL DEBT SERVICE FUND</b>	<b>50,763,204</b>

**SCHEDULE M. WATER AND SEWER DEBT SERVICE FUND (5501)**

Contribution from Water and Sewer Operating Fund	41,189,025
Interest Transferred from Other Funds	8,075,600
<b>TOTAL WATER AND SEWER DEBT SERVICE FUND</b>	<b>49,264,625</b>

**SCHEDULE N. AVIATION DEBT SERVICE FUNDS  
CONSOLIDATED**

Contribution from Aviation Operating Fund	20,839,162
Contribution from Airlines	7,881,163
Interest on Investments	1,960,750
Prior Year Restrictions	1,471,500
Fund Balance - Unappropriated	14,111,306
<b>TOTAL AVIATION DEBT SERVICE FUNDS</b>	<b>46,263,881</b>

**SCHEDULE O. CONVENTION CENTER DEBT SERVICE FUND (5104)**

Contribution from Other Funds	13,048,263
<b>TOTAL CONVENTION CENTER DEBT SERVICE FUND</b>	<b>13,048,263</b>

**SCHEDULE P. STORM WATER OPERATING FUND (7701)**

Storm Water Fees	11,220,000
Property Taxes	2,930,000
County Storm Water Payment	450,000
Interest Income	500,000
Fund Balance- Unappropriated	1,788,262
<b>TOTAL STORM WATER OPERATING FUND</b>	<b>16,888,262</b>

**SCHEDULE Q. AVIATION DISCRETIONARY FUND (7408)**

Transfer from Aviation Operating	7,000,000
<b>TOTAL AVIATION DISCRETIONARY FUND</b>	<b>7,000,000</b>

**SCHEDULE R. CITY HOUSING FUND (0141)**

Fund Balance-Unappropriated	160,000
<b>TOTAL CITY HOUSING FUND</b>	<b>160,000</b>

**Section 4.** It is estimated that the following revenues will be available during the fiscal year beginning July 1, 1996 and ending on June 30, 1997 to meet the appropriations shown in Section 2 according to the following Schedules:

**SCHEDULE A. HOME GRANT FUND (6910)**

HUD HOME Grant	1,842,000
Contribution from Pay As You Go Fund	473,200
<b>TOTAL HOME GRANT FUND</b>	<b>2,315,200</b>

**SCHEDULE B. PAY AS YOU GO FUND (2011)**

Property Tax	4,292,743
Inventory Reimbursement	212,518
Interest on Investments	163,138
<b>TOTAL PAY AS YOU GO FUND</b>	<b>4,668,399</b>

**SCHEDULE C. GENERAL CAPITAL PROJECTS FUND (2010)**

Contribution from Pay As You Go Fund	4,163,647
Contribution from Other Funds -	
UDAG Repayments	152,110
Innovative Housing Loan Repayments	44,340
Asset Management	5,401,500
Capital Reserve	2,007,500
Powell Bill	500,000
Environmental Protection Bonds	4,025,000
Two Thirds Bonds	343,189
<b>TOTAL CAPITAL PROJECTS FUND</b>	<b>16,637,286</b>

**SCHEDULE D. STORM WATER CAPITAL PROJECT FUND (2701)**

Contribution from Storm Water Operating Fund (7701)	7,702,343
Storm Water Bonds	6,097,657
<b>TOTAL STORM WATER CAPITAL FUND</b>	<b>13,800,000</b>

**SCHEDULE E. UTILITIES CAPITAL PROJECTS FUND (2071)**

Water Revenue Bonds	31,598,615
Sewer Revenue Bonds	12,311,000
Prior Water Bonds	16,554,650
Prior Sewer Bonds	8,917,000
Contribution from Water and Sewer Operating Fund	3,471,500
<b>TOTAL UTILITIES CAPITAL PROJECTS FUND</b>	<b>72,852,765</b>



**SCHEDULE F. SMALL TOWN UTILITIES CAPITAL PROJECTS FUND (2072)**

Prior Sewer Bonds	5,500,000
<b>TOTAL SMALL TOWN UTILITIES CIP FUND</b>	<b>5,500,000</b>

**Section 5.** That the sum of \$5,375,000 is estimated to be available from the proceeds of the FY97 Installment Payment Contract (Lease/Purchase) and is hereby appropriated to the funds listed below. Interest earnings on these lease purchase proceeds are hereby appropriated to the respective funds' Control Centers for allocation for future capital equipment needs in the current and future years until the funds are depleted.

General Capital Equipment Fund	4,250,000
Water & Sewer Capital Equipment Fund	1,000,000
Municipal Debt Service (5101)- Issuance Expense	125,000
<b>Total</b>	<b>5,375,000</b>

**Section 6.** The following rates of tax are hereby levied on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 1996, for the purpose of raising the revenue from property taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations:

General Fund (for the general expenses incidental to the proper government of the City)	0.4325
Municipal Debt Service Fund (for the payment of interest and principal on outstanding debt)	0.0675
Pay As You Go Levy (for dedication to the General Capital Projects Fund for capital improvements)	0.0150
Storm Water Levy (for dedication to the Storm Water Fund for Storm Water maintenance and improvements)	0.0100
<b>TOTAL RATE PER \$100 VALUATION OF TAXABLE PROPERTY</b>	<b>0.5250</b>

Such rates of tax are based on an estimated total appraised valuation of property for the purpose of taxation of \$29,900,000,000 and an estimated rate of collection of ninety-eight percent (98%).

**Section 7.** That the sum of \$481,900 is hereby appropriated to the Municipal Service District 1; that the sum of \$128,881 is hereby appropriated to the Municipal Service District 2; and that the sum of \$329,544 is hereby appropriated to Municipal Service District 3. These funds will provide for downtown planning, promotion, and revitalization activities within the designated Municipal Service Districts for the period beginning July 1, 1996 and ending June 30, 1997.

**Section 8.** That it is estimated that revenues will be available from the following sources to finance the operations of the Municipal Service Districts:

**SCHEDULE A. MUNICIPAL SERVICE DISTRICT 1 (0130)**

Property Taxes	470,735
State Rebate	10,200
Interest on Investments	1,000
<b>TOTAL DISTRICT 1</b>	<b>481,935</b>

**SCHEDULE B. MUNICIPAL SERVICE DISTRICT 2 (0130)**

Property Taxes	107,481
State Rebate	1,300
Contributions/Donations from Private Sources	20,000
Interest on Investments	100
<b>TOTAL DISTRICT 2</b>	<b>128,881</b>

**SCHEDULE C. MUNICIPAL SERVICE DISTRICT 3 (0130)**

Property Taxes	305,944
State Rebate	2,400
Contributions/Donations from Private Sources	20,000
Interest on Investments	1,200
<b>TOTAL DISTRICT 3</b>	<b>329,544</b>

**Section 9.** Rates of tax are hereby levied on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 1996, for the purpose of raising the revenue from property taxes to finance the foregoing appropriations in the Municipal Service District Fund as follows:

Municipal Service District 1	\$0.0208
Municipal Service District 2	\$0.0150
Municipal Service District 3	\$0.0300

Such rates of taxes are based on estimated total appraised valuations at collection rates as follows:

	Valuation	Collection Rate
District 1	\$2,333,143,585	0.9800
District 2	729,305,460	0.9800
District 3	1,043,286,673	0.9800

**Section 10.** That interest earnings in the amount of \$2,455,000 are hereby estimated to be available in the following funds and are hereby appropriated to Transfer to Municipal Debt Service Fund.

Fund	Amount
General Capital Projects Fund (2010)	1,280,000
Post 1986 Bond Funds (400X)	1,175,000
<b>TOTAL</b>	<b>2,455,000</b>

**Section 11.** That interest earnings in the amount of \$6,795,600 are hereby estimated to be available in the Post 1986 Bond Funds (400X) and are hereby appropriated to Transfer to Water and Sewer Debt Service Fund.

**Section 12.** That the sum of \$483,982 is available from the General Capital Improvements Fund 2010 and is hereby appropriated for transfer to the General Fund.

**Section 13.** That the sum of \$100,000 is available from the General Fund Fund Balance and is hereby appropriated for transfer to the General Capital Investment Fund 2010; 399.00- Reserve for Future Annexations.

**Section 14.** That the sum of \$50,000 is hereby estimated to be available from the Airport Operating Fund fund balance and is hereby transferred and appropriated to Airport Capital Project Fund 2073; 562.27 - Airport Art Program.

**Section 15.** That the sum of \$33,565 is estimated to be available from a State of North Carolina grant for FY 97 and is hereby appropriated to the General Fund-Fire/ Emergency Management Division. This grant will extend beyond FY 97 and therefore will remain in effect for the duration of the project.

**Section 16.** That the FY 97 Duke Power Fixed Nuclear Grant appropriated to the General Fund- Fire/ Emergency Management Division is anticipated to extend beyond FY 97 and therefore will remain in effect for the duration of the project.

**Section 17.** That the Community Enterprise Grant, appropriated to the FY 96 Community Development Fund (6806), is anticipated to extend beyond FY 96 and therefore will remain in effect for the duration of the Grant.

**Section 18.** That the sum of \$10,200,000 is available from the General Fund Fund Balance and is hereby appropriated for transfer to the General Capital Projects Fund 2010.

**Section 19.** That the sum of \$762,420.53 is estimated to be available from the following sources and is hereby appropriated to the General Capital Improvement Fund 2010; 472.00- NFL Stadium.

Source	Amount
Sale of Land	\$33,865.40
Mecklenburg County	476,471.95
Rental Income	252,083.18
<b>TOTAL</b>	<b>\$762,420.53</b>

**Section 20.** That the sum of \$200,000 is estimated to be available from the Pay As You Go Fund fund balance and is hereby appropriated for transfer to the General Capital Improvement Fund 2010; 377.10- In Rem Remedy.

**Section 21.** That the sum of \$6,000 is estimated to be available from a grant from the Justice Research and Statistics Association and is hereby appropriated to the General Fund- CMPD. This grant will extend beyond FY 96 and therefore will remain in effect for the duration of the project.

**Section 22.** That the sum of \$2,110,475 is available in Park Bond funds and is hereby appropriated to the General Capital Improvement Fund 2010; 701.00- Park Improvements.

**Section 23.** That the sum of \$112,120 is available in Park Bond funds in General Capital Improvement Fund 2010; 340.00- Park Land Acquisition and is hereby transferred to General Capital Improvement Fund 2010; 701.00- Park Improvements.

**Section 24.** That the sum of \$1,000,000 is available in Storm Water Capital Improvement Fund 2701; 358.00- Construction Program and is transferred temporarily to the Storm Water Capital Improvement Fund 2701; 359.00- Repair Program. This transfer will be reversed effective July 1, 1996.

**Section 25.** That the Finance Director or his designee is hereby authorized to advance cash from the General Capital Project equity of the City's cash pool account to general capital projects that are bond financed (unissued) and that have City Council authorized appropriations. Upon issuance of permanent financing, the funds will be repaid to the General Capital Project equity of the City's cash pool account.



**Section 26.** That the Finance Director or his designee is hereby authorized to advance cash from the Utilities equity of the City's cash pool account to water and sewer projects that are bond financed (unissued) and that have City Council authorized appropriations. Upon issuance of permanent financing, the funds will be repaid to the Utilities equity of the City's cash pool account.

**Section 27.** That the Finance Director or his designee is hereby authorized to transfer interest earnings from the City's various operating and capital funds to the appropriate debt service funds according to Council policy, except where specific exceptions have been authorized.

**Section 28.** That the Finance Director or his designee is hereby authorized to transfer revenues from the Convention Center Tax Fund to the Coliseum Authority as stipulated in State of North Carolina General Statutes.

**Section 29.** That occupancy and prepared food tax revenues are hereby available and are authorized to be appropriated in the amounts needed to make payments to the Charlotte Convention and Visitors Bureau and the Auditorium-Coliseum-Convention Center Authority as specified in Council- authorized agreements.

**Section 30.** Copies of this ordinance shall be furnished to the Director of Finance, City Treasurer, and Chief Accountant to be kept on file by them for their direction in the disbursement of City funds.

**Section 31.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 32.** It is the intent of this ordinance to be effective July 1, 1996, except for Sections 18 through 24, which are to be effective upon adoption.

Approved as to form:

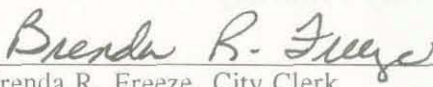


Asst. City Attorney

#### CERTIFICATION

I, Brenda R. Freeze, 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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 408-418.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
Brenda R. Freeze, City Clerk

ORDINANCE NO. 587 ORDINANCE PROVIDING THAT THE CITY MANAGER SHALL REQUEST MECKLENBURG COUNTY TO ESTABLISH STORM WATER FEES IN ACCORDANCE WITH AN APPROVED METHODOLOGY

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CHARLOTTE TO PROVIDE THAT THE CITY MANAGER SHALL REQUEST MECKLENBURG COUNTY TO ESTABLISH STORM WATER FEES IN ACCORDANCE WITH AN APPROVED METHODOLOGY


Section 1. Subsection (a) of Section 18-4 of the Charlotte City Code is rewritten to read as follows:

"(a) Pursuant to an Interlocal Agreement entitled "Agreement for Operation of a Single Storm Water System within Mecklenburg County," which became effective January 1, 1994, the City Manager shall request Mecklenburg County to set and revise, from time to time, the service rate charge in accordance with the "Storm Water Rate Methodology" dated May 13, 1996, a copy of which is on file in the Office of the City Clerk. Upon the expiration or termination of the above-referenced Interlocal Agreement, the city council shall establish the service rate charge and base rate charge."

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance is effective upon adoption.


Approved as to form:

  
\_\_\_\_\_  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 419.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1996.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk



ORDINANCE NO. 588  
AMENDING CHAPTER 10, ARTICLE 2, OF THE CHARLOTTE CITY CODE

An ordinance allowing the City to impose residential solid waste disposal fees for the use of solid waste disposal facilities provided by the City and to bill such fees with property taxes in accordance with North Carolina General Statute, Chapter, 160A Section 317(c).

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina that Chapter 10, Article II, of the Charlotte City Code shall be amended as follows:

Section 1. Section 10-17 of the Code of the City of Charlotte shall be amended by the addition thereto, at the appropriate alphabetical position of the following:

(1) "Residence"- property used or, if vacant, designed to be used as a residential dwelling for one or more persons, whether or not the property is also used for other non-dwelling purposes. The term includes mobile homes, single family, multifamily, and other structures used or designed to be used as residential dwellings. There can be multiple residences within a single structure, such as apartments, duplexes, town houses, or condominiums. The term does not include hotels, motels, inns, tourist camps, or other similar places that are required to collect a room occupancy tax.

(2) "Mobile Home"- a structure, transportable in one or more sections, which, in the traveling mode, is 8 feet or more in width or is 40 feet or more in length, or, when erected on site, is more than 320 square feet, and which is built on a permanent chassis and used or designed for use as a residence, with or without a permanent foundation, when connected to the required utilities.

(3) "Fee"- the Residential Solid Waste Fee imposed by the Charlotte City Council which is adopted from time to time.

(4) "Tax Administrator"- the Mecklenburg County Tax Administrator and any persons designated by him to levy and collect the Fee and administer the terms of this Ordinance.

(5) "Levy" or "levied"- the act of determining what property is subject to the Fee and the assessment and billing of the Fee by the Tax Administrator.

Section 2. Chapter 10, Article II of the Charlotte City Code shall be amended by adding Section 10-47, entitled "Residential Solid Waste Disposal Fee" as follows:

A. Relationship to Machinery Act - The Fee shall be billed with property taxes, payable in the same manner as property taxes, and collected in any manner by which delinquent personal or real property taxes can be collected, all as provided in Subchapter II, Chapter 105, of the North Carolina General Statutes.

B. Administration. The Mecklenburg County Tax Administrator will levy and collect the Fee and may promulgate additional rules and regulations necessary for the implementation of



this Ordinance not inconsistent with the specific provisions set forth herein.

C. Property Affected. The Fee is imposed upon all property in the City of Charlotte which is a residence. The Fee is imposed on each separate residence.

D. Date as of Which Ownership and Eligibility for Imposition of the Fee is to be Determined. The ownership of property subject to the Fee shall be determined as of January 1, 1996, for the fiscal year beginning July 1, 1996, and as of January 1 of each year thereafter for each successive fiscal year for which the Fee is imposed. If any property subject to the Fee as of January 1 is destroyed, demolished, removed, become uninhabitable, or otherwise loses its eligibility for the Fee prior to July 1 and remains as such as of July 1 of that calendar year, the property will not be subject to the Fee. A change of ownership of the property between January 1 and July 1 will not cause the property to lose its eligibility for imposition of the fee. A residence which is vacant due to being partially completed as of January 1 shall not be subject to the Fee, even though it is fully completed as of July 1. A residence which is vacant due to being renovated as of January 1 shall be subject to the Fee, provided the residence is occupied or available for occupancy as of July 1.

E. Exclusion of the Fee. For the first fiscal year in which the Fee is imposed (July 1, 1996, through June 30, 1997), the Fee shall not be imposed on any residence which, at all times from July 1, 1996, through December 31, 1996, (i) has its waste collected by a private contractor who disposes of the solid waste at a solid waste facility provided by the private contractor and (ii) does not use any of the County's solid waste services (including landfills, incinerators, yard waste sites, or recycling facilities, including drop sites). For subsequent fiscal years, the Fee shall not be imposed on any residence which, at all times from January 1 of the calendar year in which the fiscal year opens through December 31 of said calendar year, meets the same requirements as set forth in (i) and (ii) of this paragraph.

F. Assessment Procedure. The Tax Administrator shall determine on which properties the Fee shall be levied and shall include the amount of the Fee on the tax bill of the owner of the property as of January 1. The Fee imposed on a residence which is not assessed for property taxes by the Tax Administrator in connection with or as a part of a specific parcel of land shall be billed by a separate bill to the owner of the residence. Residences which are exempt from property taxation, but which are subject to the Fee shall be billed by a separate bill to the owner of the residence.

G. Late Levy of the Fee. If the Tax Administrator fails to levy the Fee on one or more residences in the City during the normal billing period due to inadvertence or other good reason, the Fee may be levied at any time during the applicable fiscal year or the next succeeding fiscal year. For purposes of determining the due date and applicability of interest, the late levy shall be deemed to be a Fee for the fiscal year beginning on July 1 of the calendar year in which the Fee is levied.

H. Due Dates: Interest for Nonpayment. The Fee is due September 1, 1997, and September 1 of each successive year for which the Fee is imposed. The Fee is payable at par if



paid before January 6 following the opening of the fiscal year. Any portion of the Fee not paid on or before January 6 is delinquent and interest will accrue as follows: For the period January 6 to February 1, interest accrues at the rate of two percent (2.0%); and for the period February 1 until the principal amount of the Fee and the accrued interest is paid, interest accrues at the rate of three-fourths of one percent (3/4%) of a month or fraction thereof.

I. Appeals. The owner of property upon which a Fee is levied by the Tax Administrator shall have the right to file a notice of exception with the Tax Administrator at any time prior to the date the Fee becomes delinquent, unless the notice of the Fee is mailed less than thirty (30) days prior to the delinquent date, in which event the owner shall have thirty (30) days after the date of mailing in which to file a notice of exception. Upon receipt of a timely exception, the Tax Administrator shall arrange a conference with the owner to afford him an opportunity to present any evidence or argument he may have regarding the Fee and the Tax Administrator shall have the authority to authorize a rebate or refund of the Fee if he concludes the Fee is not owed. Within fifteen (15) days after the conference, the Tax Administrator shall give written notice to the owner of his final decision. In a case in which an agreement is not reached, the owner shall have fifteen (15) days from the date the notice is mailed to appeal the Tax Administrator's decision to the Mecklenburg County Waste Management Advisory Board ("Board"). The Board shall have the right to appoint a special committee consisting of at least five persons from the Board to hear the appeals. Notwithstanding any pending exceptions by the owner to the Tax Administrator or appeal to the Board, the owner shall pay the Fee prior to the date interest accrues, subject to a refund, without interest, if the final appeal is decided in the owner's favor. If a Fee is refunded, the City Finance Director shall issue the refund.

J. Liens. The Fee shall be a lien on real and personal property under the same rules as set forth in N.C.G.S. §§105-355, and other sections of The Machinery Act.

K. Partial Payments. The Tax Administrator shall be entitled to collect partial payments of the Fee. If a bill from the Tax Administrator includes a combination of property taxes or other assessments with the Fee, the Tax Administrator shall apply any partial payments in the order in which such payments are now applied under the hierarchy utilized by the office of the Tax Administrator, with the Fee to be applied at the lowest priority of the hierarchy existing as of the date of this Ordinance.

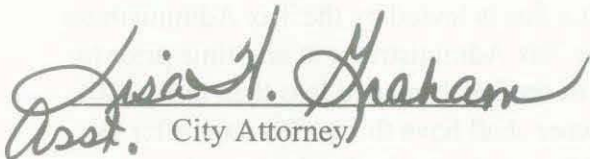
L. Imposition of Fee Against Property Owned and Listed by Multiple Owners. If there are multiple owners of property on which the Fee is imposed and such multiple owners are assessed separately for the property taxes, the Fee shall be levied on a ratable basis in accordance with the percentage of interest owned by the multiple owners.

M. Adjustment of Fee. In the event that the City Council determines that a Fee has been levied against a type or types of residence(s) in an amount which is in excess of the Fee which should have been levied, the City Council shall have the authority to direct the Mecklenburg County Tax Administrator and/or the City Finance Director to refund, rebate, or credit an appropriate amount to the affected property owners either in the fiscal year for which the Fee was levied or in the next fiscal year. If a portion of a Fee is refunded, rebated, or credited, the

levied or in the next fiscal year. If a portion of a Fee is refunded, rebated, or credited, the adjustment of the Fee shall be from funds administered by the City's Finance Director.

Section 3. Effective Date. This Ordinance is effective for the fiscal year beginning July 1, 1996.

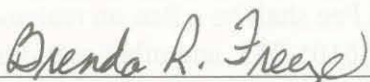
Approved As to Form:

  
Asst. City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 10th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 420-423.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of July, 1996.

  
Brenda R. Freeze, City Clerk