

CITY CD

Petition No. 99-80  
Drexel, LLC

ORDINANCE NO. 1481-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 0.94 acres located on the west side of Park Road, north of Woodlawn Road, across from Park Road Shopping Center; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan which complied with all application requirements as specified in Section 6.202 and 6.204; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on December 20, 1999; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-43MF and O-2 to MUDD(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.


Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

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

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 27th day of  
March, 2000, the reference having been made in Minute Book 114, and recorded in full in  
Ordinance Book 50, Page(s) 99-101A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
24th day of April, 2000.

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

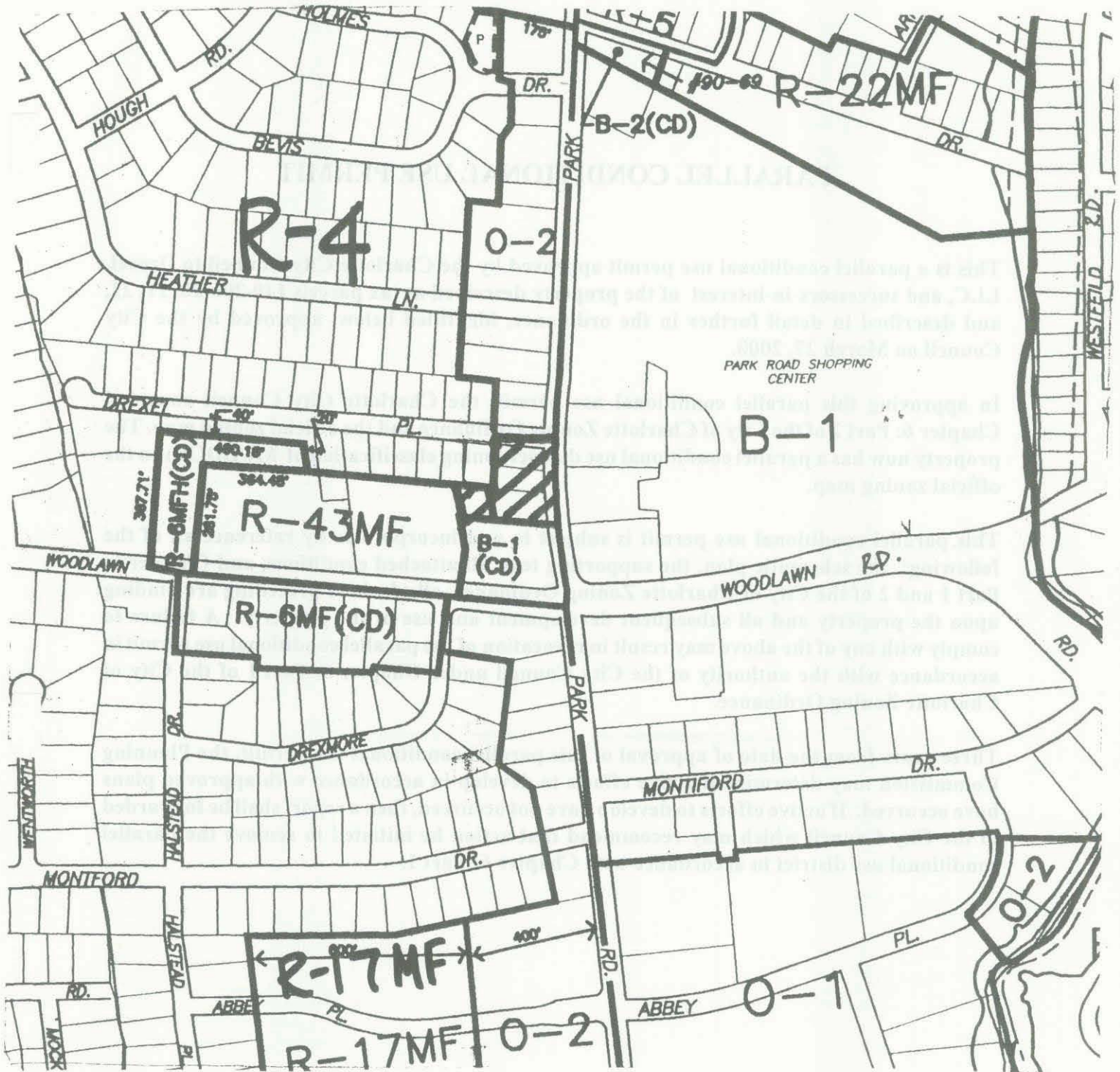
Petitioner: Drexel, LLC

Hearing Date: ~~July 19, 1999~~ December 20, 1999

Classification (Existing): R-43MF and O-2

Zoning Classification (Requested): MUDD(CD)

Location: Approximately 0.94 acres located on the west side of Park Road, north of Woodlawn Road, across from Park Road Shopping Center.



Zoning Map #(s): 125

Scale: 1" = 400'

Petition No. 99-80  
Drexel, LLC

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Drexel, LLC, and successors-in-interest of the property described as tax parcels 149-206-20, 21, 22, and described in detail further in the ordinance, identified below, approved by the City Council on March 27, 2000.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of MUDDCD) on the official zoning map.

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.

Three years from the date of approval of this parallel conditional use permit, the Planning Commission may determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.

CITY CD

Petition No. 00-18  
Argus Properties

ORDINANCE NO. 1482-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 8.7 acres located on the west side of Belhaven Boulevard, south of Mt. Holly-Huntersville Road and east of Lawing Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan which complied with all application requirements as specified in Section 6.202 and 6.204; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 21, 2000; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

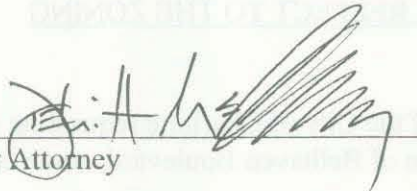
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 and B-1 to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.


Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
City Attorney

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 27th day of  
March, 2000, the reference having been made in Minute Book 114, and recorded in full in  
Ordinance Book 50, Page(s) 102-104A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
24th day of April, 2000.

  
Brenda R. Freeze, CMC, City Clerk

Petition #: 2000-18

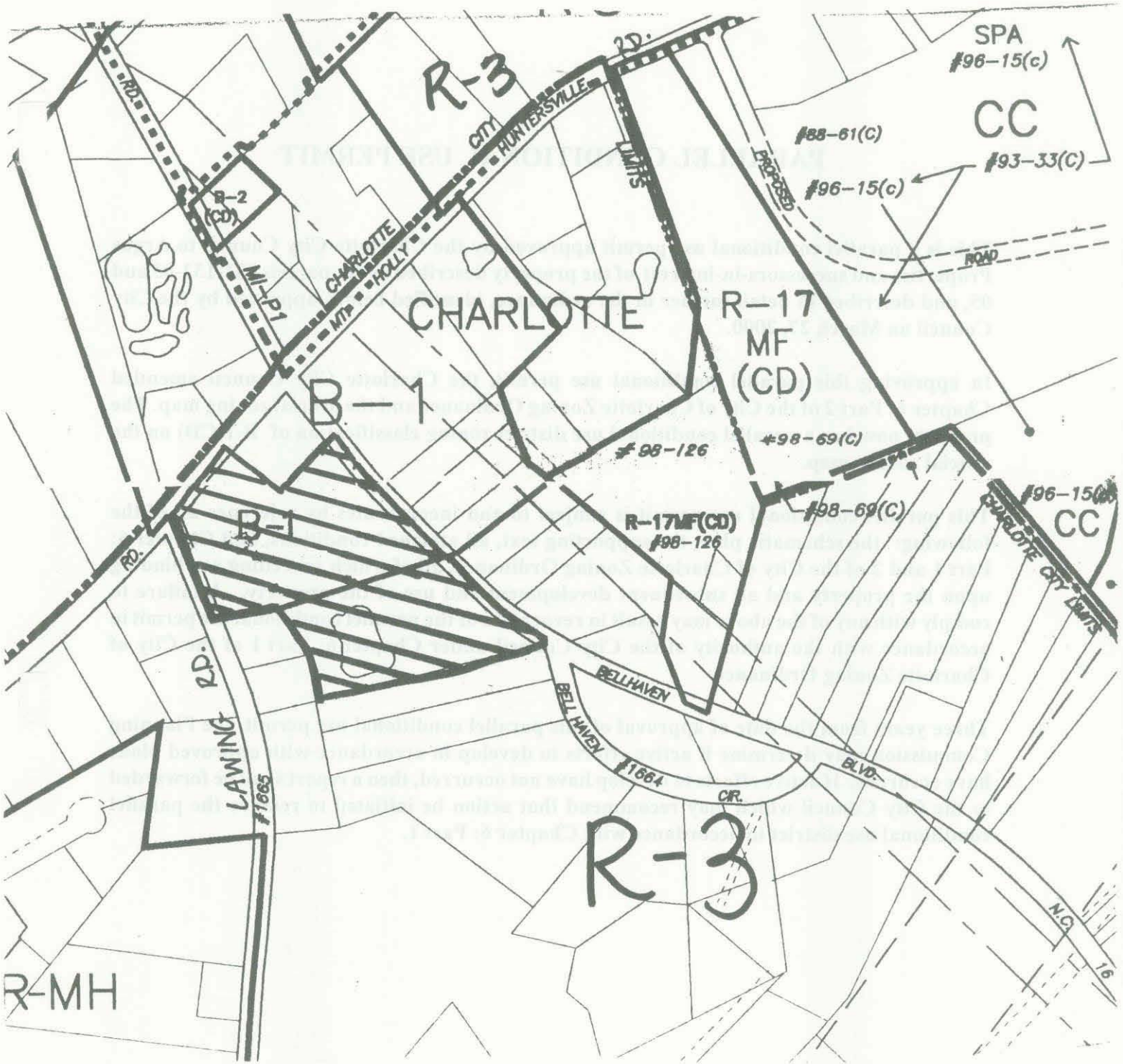
Petitioner: Argus Properties

Hearing Date: February 21, 2000

Classification (Existing): R-3, B-1

Zoning Classification (Requested): B-1 (CD)

Location: Approximately 8.7 acres located on the west side of Bellhaven Boulevard, south of Mt. Holly-Huntersville Road and east of Lawing Road.



Zoning Map #(s): 63

Scale: 1" = 400'

**Petition No. 00-18**  
**Argus Properties**

**PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Argus Properties and successors-in-interest of the property described as tax parcels 031-132-03 and 05, and described in detail further in the ordinance, identified below, approved by the City Council on March 27, 2000.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of B-1(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission may determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**



**ORDINANCE** 1483-X

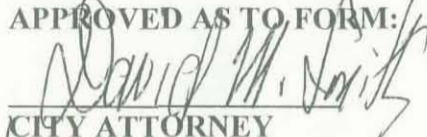
**AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 206 MILL ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JOHN L. CARPENTER, JR., RESIDING AT P.O. BOX 1552, CORNELIUS, NC 28031.**

WHEREAS, the dwelling located at 206 Mill Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte 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 owner(s) have failed to comply with said order served by Certified Mail on the 18<sup>th</sup> day of August, 1999 and the 19<sup>th</sup> day of November, 1999.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 206 Mill Road 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:  
  
CITY ATTORNEY

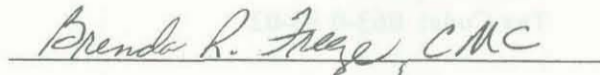
**CERTIFICATION**

I, BRENDA 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, at Page(s) 105.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of March, 2000.

BRENDA FREEZE, CITY CLERK

Case: 98-01594  
Tax Code: 069-013-27

  
Brenda R. Freeze, CMC

ORDINANCE 1484-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4516 WILLARD 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 CHARLES FRANKLIN PICKELSIMER RESIDING AT 1113 LIGHTWOOD DRIVE, MATTHEWS, NC 28105.

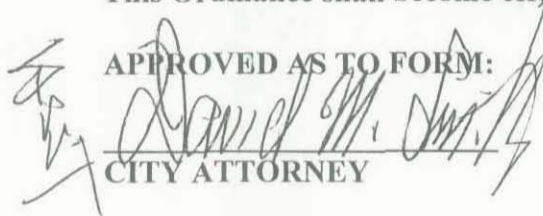
WHEREAS, the dwelling located at 4516 Willard Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Hand Delivery on the 12<sup>th</sup> day of January, 1999 and the 12<sup>th</sup> day of March, 1999.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 4516 Willard 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:



CITY ATTORNEY

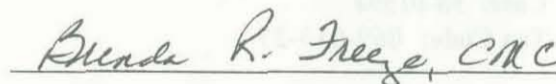
CERTIFICATION

I, BRENDA 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, at Page(s) 106.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

BRENDA FREEZE, CITY CLERK

Case: 98-02279  
Tax Code: 063-0 83-02



BRENDA R. FREEZE, CMC

ORDINANCE 1485-X

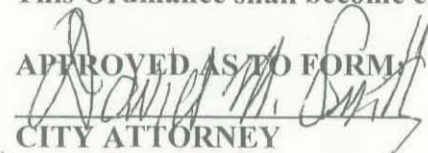
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE STRUCTURE AT 3627 JESSIE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF COLONIAL FIXTURE MANUFACTURING CO., 2133 SOUTH BLVD., CHARLOTTE, NC. 28203.

WHEREAS, the structure located at 3627 Jessie St. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte 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 owner(s) have failed to comply with said order served by Certified Mail the 20<sup>th</sup> day of October, 1999 and advertisement in the Mecklenburg Times & Charlotte Post on the 14<sup>th</sup> and 16<sup>th</sup> day of December, 1999.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the structure located at 3627 Jessie 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM  
  
CITY ATTORNEY

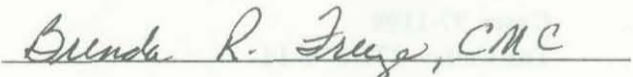
CERTIFICATION

I, BRENDA 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, at Page(s) 107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

BRENDA FREEZE, CITY CLERK

Case: 99-1576  
Tax Code: 077-054-01

  
BRENDA R. FREEZE, CMC

ORDINANCE 1486-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1001 JUSTICE AVE. 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 SUSIE E. LEE RESIDING AT 3936 HUBBARD RD., CHARLOTTE, NC 28269.

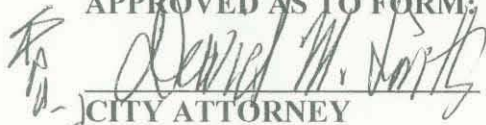
WHEREAS, the dwelling located at 1001 Justice Ave. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Sheriff delivery on the 3rd day of February, 1999 and 9<sup>th</sup> day of March, 1999.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1001 Justice Ave. 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
CITY ATTORNEY

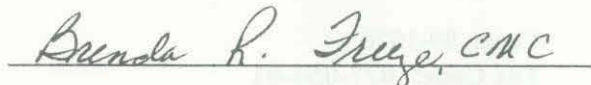
CERTIFICATION

I, BRENDA 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, at Page(s) 108.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

BRENDA FREEZE, CITY CLERK

Case: 97-1198  
Tax Code: 077-071-11

  
BRENDA R. FREEZE, CMC

ORDINANCE 1487-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3211 HAWKINS PLACE 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 BRIAN B. MAYES RESIDING AT 2520 SARDIS RD., SUITE 215, CHARLOTTE, NC 28227.

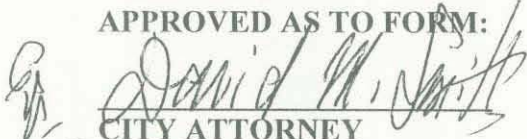
WHEREAS, the dwelling located at 3211 Hawkins Place in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Sheriff delivery on the 12<sup>th</sup> day of July, 1999 and by advertisement on the 13<sup>th</sup> day of September, 1999.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3211 Hawkins Place 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
CITY ATTORNEY

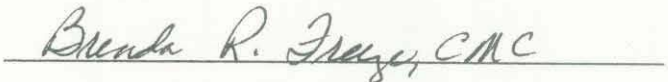
CERTIFICATION

I, BRENDA 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, at Page(s) 109.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

BRENDA FREEZE, CITY CLERK

Case: 99-0065  
Tax Code: 043-124-04



ORDINANCE NO. 1488-X

0-43

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE MCDOWELL CREEK BASIN PROJECT**

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

- Section 1. That the sum of \$350,000 is available from the Water and Sewer Capital Project Fund (2071) - Regional Plant Facilities Study (632.02).
- Section 2. That the sum of \$350,000 is hereby appropriated to Water and Sewer Capital Project Fund (2071) - McDowell Creek Basin (631.50).
- Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective upon adoption.

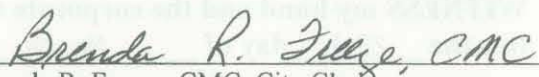
Approved as to form:

  
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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 110.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1489

AMENDING SECTION 12-73 OF ARTICLE IV  
OF CHAPTER 12 OF THE CITY CODE

AN ORDINANCE DEFINING "HOUSING FOR OLDER PERSONS" FOR  
FAIR HOUSING PURPOSES

---

Section 1. Section 12-73(6) of the City Code shall be rewritten to read:

"(6) a. With respect to discrimination based upon familial status, nothing in this article limits the applicability of any reasonable city, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit; nor does any provision in this article regarding familial status apply with respect to housing for older persons.

~~b. As used in this section, *housing for older persons* means housing:~~

~~1. Provided under any federal, state or local government program that is specifically designed and operated to assist older persons as defined in the state, federal or local government program; or~~

~~2. Intended for and solely occupied by persons sixty-two (62) years of age or older. Housing satisfies the requirements of this paragraph even though:~~

~~(i) There were persons residing in such housing on September 13, 1988, who were under sixty-two (62) years of age provided that all new occupants since that date were sixty-two (62) years of age or older on the date of occupancy.~~

~~(ii) There are unoccupied units provided that such units are reserved for occupancy by persons sixty-two (62) years of age or older.~~

~~(iii) There are units occupied by employees of the housing facility (and family members residing in the same unit) who are under sixty-two (62) years of age provided that they perform substantial duties directly related to the management or maintenance of the housing facility.~~

~~3. Intended and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per unit provided that:~~

~~(i) The housing facility has significant facilities and services specifically designed to meet the physical or social needs of older persons. These include but are not limited to social and recreational programs, continuing education, information and counseling, recreational, homemaker, outside maintenance and referral services, an accessible physical environment, emergency and preventive health-care~~

~~programs, congregate dining facilities, transportation to facilitate access to social services and services designed to encourage and assist residents to use the services and facilities available to them (the housing facility need not have all of these features to qualify for the exemption under this subparagraph); or~~

- ~~(ii) It is not practicable to provide such facilities and services, and the housing facility is necessary to provide important housing opportunities for older persons. In order to satisfy this paragraph, the owner or manager of the housing facility must demonstrate through credible and objective evidence that the provision of significant facilities and services designed to meet the physical or social needs of older persons would result in depriving older persons in the relevant geographic area of needed and desired housing. The following factors, among others, are relevant in meeting these requirements:~~
  - ~~(a) Whether the owner or manager of the housing facility has endeavored to provide significant facilities and services designed to meet the physical or social needs of older persons either by the owner or by some other entity. Demonstrating that such services and facilities are expensive to provide is not alone sufficient to demonstrate that the provision of such services is not practicable.~~
  - ~~(b) The amount of rent charged if the dwellings are rented or the price of the dwellings if they are offered for sale.~~
  - ~~(c) The income range of the residents of the housing facility.~~
  - ~~(d) The demand for housing for older persons in the relevant geographic area.~~
  - ~~(e) The range of housing choices for older persons within the relevant geographic area.~~
  - ~~(f) The availability of other similarly priced housing for older persons in the relevant geographic area. If similarly priced housing for older persons with significant facilities and services is reasonably available in the relevant geographic area, then the housing facility does not meet the requirements of this paragraph.~~
  - ~~(g) The vacancy rate of the housing facility.~~
- ~~(iii) At least eighty (80) percent of the units in the housing facility are occupied by at least one (1) person fifty five (55) years of age or older per unit; except that a newly constructed housing facility for first occupancy after March 12, 1989, need not comply with this paragraph~~



(I) provide for verification by reliable surveys and affidavits; and  
(II) include examples of the types of policies and procedures  
relevant to a determination of compliance with the requirement of  
clause (ii). Such surveys and affidavits shall be admissible in  
administrative and judicial proceedings for the purposes of such  
verification.

2. Housing shall not fail to meet the requirements for housing for older persons  
by reason of:

(A) persons residing in such housing as of December 28, 1995, who do not  
meet the age requirements of subsections 1.(B) or 1.(C): Provided, That new  
occupants of such housing meet the age requirements of subsections 1.(B) or  
1.(C); or

(B) unoccupied units: Provided, That such units are reserved for occupancy  
by persons who meet the age requirements of subsections 1.(B) or 1.(C)

3. Nothing in this Article prohibits conduct against a person because such person  
has been convicted by any court of competent jurisdiction of the illegal  
manufacture or distribution of a controlled substance as defined in section 102  
of the Controlled Substance Act (21 U.S.C. 802).

4. (A) A person shall not be held personally liable for monetary damages for a  
violation of this Article if such person reasonably relied, in good faith, on the  
application of the exemption under this subsection relating to housing for older  
persons.

(B) For the purposes of this paragraph, a person may show good faith reliance  
on the application of the exemption only by showing that -

(i) such person has no actual knowledge that the facility or community is  
not, or will not be, eligible for such exemption; and -

(ii) the facility or community has stated formally, in writing, that the  
facility or community complies with the requirements of such exemption.

c. Housing satisfies the requirements of this section even though:

1. On September 13, 1988, under eighty (80) percent of the occupied units in the  
housing facility were occupied by at least one (1) person fifty-five (55) years  
of age or older per unit provided that at least eight (80) percent of the units that  
are occupied by new occupants after September 13, 1988, are occupied by at  
least one (1) person fifty-five (55) years of age or older.

~~until twenty five (25) percent of the units in the facility are occupied;  
and~~

~~(iv) The owner or manager of a housing facility publishes and adheres to policies and procedures which demonstrate and intent by the owner or manager to provide housing for persons fifty five (55) years of age or older. The following factors, among others, are relevant in determining whether the owner or manager of a housing facility has complied with the requirements of this paragraph:~~

~~(a) The manner in which the housing facility is described to prospective residents.~~

~~(b) The nature of any advertising designed to attract prospective residents.~~

~~(c) Age verification procedures.~~

~~(d) Lease provisions.~~

~~(e) Written rules and regulations.~~

~~(f) Actual practices of the owner or manager in enforcing relevant lease provisions and relevant rules or regulations.~~

b. 1. As used in this section, *housing for older persons* means housing—

(A) provided under any local, State, or Federal program that the United States Secretary of Housing and Urban Development determines is specifically designed and operated to assist elderly persons (as defined in the local, State, or Federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by persons 55 years of age or older, and —

(i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;


(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subparagraph; and

(iii) the housing facility or community complies with rules issued by the United States Secretary of Housing and Urban Development for verification of occupancy, which shall—

- ~~2. There are unoccupied units, provided that at least eighty (80) percent of such units are reserved for occupancy by at least one (1) person fifty-five (55) years of age or older.~~
- ~~3. There are units occupied by employees of the housing facility (and family members residing in the same unit) who are under fifty-five (55) years of age provided they perform substantial duties directly related to the management or maintenance of the housing facility."~~

Section 2. This ordinance shall be effective upon adoption.

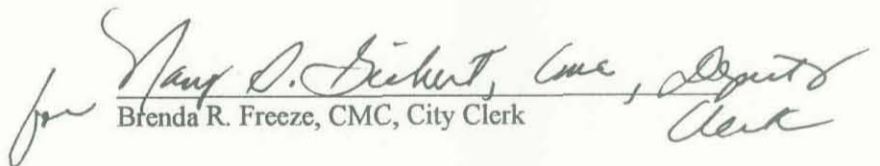
Approved as to form:

  
\_\_\_\_\_  
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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 111-115.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

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



ORDINANCE NUMBER: 1490-X

0-44

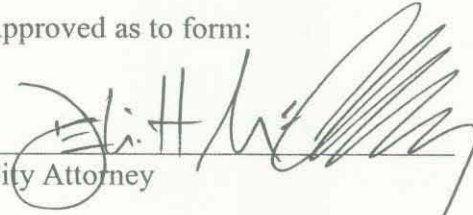
AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET  
ORDINANCE, PROVIDING AN APPROPRIATION FOR EXPANSION OF A CARGO FACILITY

---

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

- Section 1. That the sum of \$285,000 is hereby estimated to be available from the Airport Excluded Center (fund 7404) to expand a cargo facility.
- Section 2. That the sum of \$285,000 is hereby appropriated to the Airport Capital Projects Fund 2073, center 56315.
- Section 3. That the existence of this program may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.
- Section 4. It is the intent of this ordinance to be effective upon its adoption.

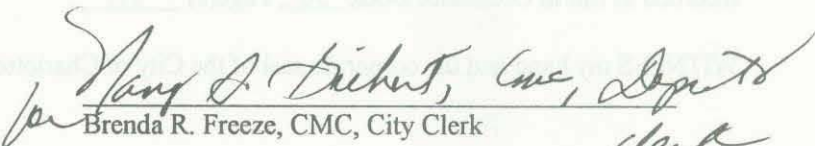
Approved as to form:

  
\_\_\_\_\_  
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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 116.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

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

ORDINANCE NUMBER: 1491-X

0-45

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET  
ORDINANCE, PROVIDING AN APPROPRIATION FOR RAMP E CONSTRUCTION

---

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

- Section 1. That the sum of \$9,079,868 is hereby estimated to be available from the Airport Discretionary Fund Balance (7408) for Ramp E construction.
- Section 2. That the sum of \$9,079,868 is hereby appropriated to the Airport Capital Project Fund 2083, Center 52829. These discretionary funds will be replaced by future federal and State grants.
- Section 3. That the existence of this program may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.
- Section 4. It is the intent of this ordinance to be effective upon its 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 117.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 1492-X

0-46

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT FUNDING AND PROVIDING AN APPROPRIATION FOR A JOB ACCESS AND REVERSE COMMUTE PROGRAM.

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

Section 1. That the sum of \$500,000 is hereby estimated to be available from the following sources of revenue:

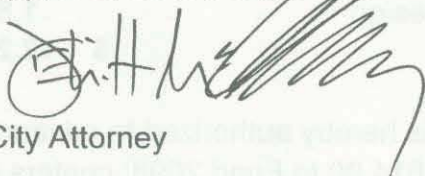
| <b>Source</b>                                       | <b>Amount</b>    |
|---|------------------|
| Federal Transit Administration                      | \$250,000        |
| Transfer from Fund 7801; 814.00 Contribution to CIP | 250,000          |
| <b>Total</b>  | <b>\$500,000</b> |

Section 2. That the sum of \$500,000 is hereby appropriated to the Rapid Transit Capital Projects Fund 2098; 894.50 - Job Access/Reverse Commute.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 118.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 1493-X

0-47

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT REVENUES AND PROVIDING APPROPRIATIONS FOR TRANSIT CORRIDOR PLANNING AND ENGINEERING.

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

Section 1. That the sum of \$12,233,200 is hereby estimated to be available from the following sources:

| Source  | Amount               |
|---|----------------------|
| Federal Transportation Administration                 | \$ 5,300,000         |
| NC Department of Transportation                       | 3,466,600            |
| Transfer from Fund 7801; 814.00 - Contribution to CIP | 3,466,600            |
| <b>Total</b>  | <b>\$ 12,233,200</b> |

Section 2. That the sum of \$12,233,200 is hereby appropriated to the Rapid Transit Capital Project Fund (2098) as follows:

| Center/Project Title                                   | Amount               |
|--|----------------------|
| 894.11 - South Transit Corridor Planning/Design        | \$ 4,689,200         |
| 894.12 - North Transit Corridor Planning/Design        | 1,886,000            |
| 894.13 - University Transit Corridor Planning/Design   | 1,886,000            |
| 894.14 - Independence Transit Corridor Planning/Design | 1,886,000            |
| 894.15 - Airport Transit Corridor Planning/Design      | 1,886,000            |
| <b>Total</b>   | <b>\$ 12,233,200</b> |

Section 3. That the Finance Director, or his designee, is hereby authorized to advance the sum of \$8,766,600 from Fund 7801; center 814.00 to Fund 2098; centers 894.11, 894.12, 894.13, 894.14 and 894.15 until such time that the Federal and State grants are received at which time the advance shall be returned to its original source.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective immediately.

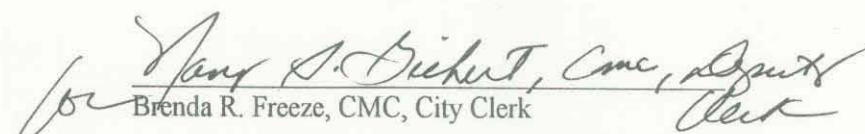
Approved as to Form:

  
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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 119.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
Brenda R. Freeze, CMC, City Clerk



ORDINANCE NO. 1494

AMENDING CHAPTER 9

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY CODE, ENTITLED "FLOODWAY REGULATIONS", TO ADOPT AND INCORPORATE THE MCDOWELL, LONG, MALLARD/AND FOUR MILE CREEK WATERSHED FLOODPLAIN MAPS REFERENCED IN THE FLOODWAY REGULATIONS.


---

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

Section 1. Chapter 9, entitled "Floodway Regulations", of the Code of the City of Charlotte shall be amended by adopting and incorporating the McDowell, Long, Mallard and Four Mile Creek Watershed Floodplain Maps for use to regulate floodplains in accordance with Chapter 9 of the Code of the City of Charlotte. Said maps are maintained and on file in the City's Engineering and Property Management Department.

Section 2. This ordinance shall become effective upon adoption.

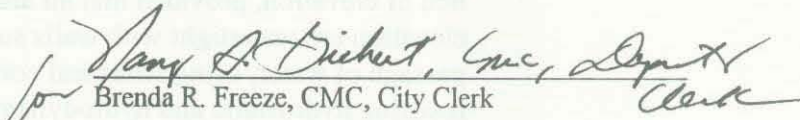
Approved as to form:

  
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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 120.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
for Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1495

AMENDING CHAPTER 9

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY CODE, ENTITLED  
"FLOODWAY REGULATIONS", TO REVISE REFERENCES TO PREVIOUS  
SPECIFIC WATERSHED STUDIES

---

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

Section 1. Chapter 9, Section 9-8, of the Charlotte City Code entitled "Basis for establishing the areas of special flood hazards" shall be amended by deleting the last sentence so the new section reads as follows:

Sec. 9-8. Basis for establishing the areas of special flood hazards.

The areas of special flood hazard, identified by the Federal Emergency Management Agency in its FIRM maps and the City of Charlotte in its Official Flood Areas Map Series, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this ordinance.

Section 2. Chapter 9, Section 9-21, of the Charlotte City Code entitled "Specific Standards" shall be amended by deleting all but the first and last sentences from Section 9-21(1), so the new subsection (1) reads as follows:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, and attached garages elevated no lower than one foot above the FLUM base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided.


Section 3. Chapter 9, Section 9-21 of the Charlotte City Code entitled "Specific Standards" shall be amended by deleting the second sentence from Section 9-21(2) so the new subsection (2) reads as follows:

- (2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial or nonresidential structure shall have the lowest floor, including basement, elevated no lower than one foot above the level of the FLUM base flood elevation. Structures located in the floodway-fringe or the floodway may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the

standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article IV, Section 9-16(5).

Section 4. This ordinance is effective on 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 121-122.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

  
Brenda R. Freeze, CMC, City Clerk

Ordinance No. 1496-X

0-48

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR AN ADDITIONAL POSITION AND OPERATING COSTS ASSOCIATED WITH THE POSITION IN THE CITY MANAGER'S OFFICE TO SUPPORT CITY COUNCIL.

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

- Section 1. That the sum of \$17,500 is available in the General Fund in the Council Contingency Fund
- Section 2. That the sum of \$17,500 is hereby appropriated to City Manager's departmental budget in the General Fund
- Section 3. That the existence of this position may extend through the duration of this fiscal year.
- Section 4. It is the intent of this ordinance to be effective upon its 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 123.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

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

ORDINANCE NUMBER: 1497

AMENDING CHAPTER 14

**ORDINANCE AMENDING CHAPTER 14 OF THE CHARLOTTE CITY CODE  
ENTITLED "MOTOR VEHICLES AND TRAFFIC"**

Section 1. Sec. 14-182(b) of the Charlotte City Code is rewritten to read as follows:

**Sec. 14-182. Standing for loading only.**

- (b) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials within the block and any place marked as a loading zone during the hours when the provisions applicable to loading zones are in effect. In no case shall a stop for loading and unloading of materials exceed the posted time limit, which time shall be no more than 30 minutes as determined and posted by the director of transportation or his designee.

Section 2. This ordinance shall become 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 27th day of March, 2000, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 50, Page(s) 124.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of March, 2000.

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