

ORDINANCE NO. 2441-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1124 MONA DR. 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 WILHELMINA WHITE, 3313 DURHAM LN., CHARLOTTE, N.C. 28269

WHEREAS, the dwelling located at 1124 Mona Dr. 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 owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply with said order served by hand delivery on the 30th day of May, 2002 and on the 20th day of August, 2002.

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 1124 Mona Dr. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 571.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
Ordinance Book 52, Page 572

ORDINANCE NO. 2442-X

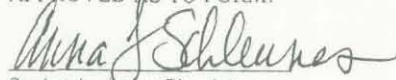
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2001 TROWBRIDGE CT PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF PIERCE CONSTRUCTION INC, 9029 LANDSBURG LN., CHARLOTTE N. C. 28210.

WHEREAS, the dwelling located at 2001 Trowbridge Ct. 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 owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply with said order served by hand delivery on the 13th day of June, 2003 and certified and regular mail on the 20th day of August, 2003.

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 2001 Trowbridge Ct. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.


APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 572.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

2443-X
ORDINANCE NO. _____

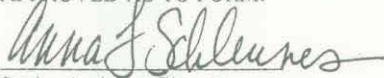
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 5061 S. TRYON St. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF D. L. BRYAN AND MARY STARNES BRYAN, 4700 JAMESVILLE DR., MATTHEWS, N C 28105.

WHEREAS, the dwelling located at 5061 S. Tryon 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 owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply with said order served by advertisement on the 15th day of July, 2002 and on the 27th day of December, 2002.

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 5061 S. Tryon St. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.


APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 573.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
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ORDINANCE NO. 2444-X

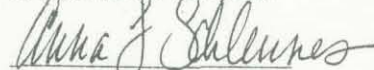
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 337 HARRISON ST. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF REGINALD TANNER, F.C.I. EDGE FIELD, P. O BOX 725, EDGE FIELD, S. C.29824

WHEREAS, the dwelling located at 337 Harrison 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 owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 3rd day of March, 2003 and on the 7th day of April, 2003.

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 337 Harrison St. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

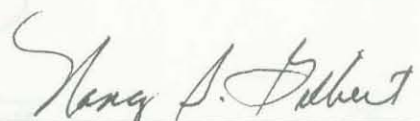
APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 574.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NO. 2445-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 924 WOODLAND LN. 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 WILLIAM SADLER, 934 WOODLAND LN., CHARLOTTE, N.C. 28214

WHEREAS, the dwelling located at 924 Woodland Ln. in the City of Charlotte jurisdictional area, 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 Owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said Owner(s) have failed to comply with said order served by certified mail on the 6th day of January, 2001 and by certified mail on the 22nd day of February, 2001.

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 924 Woodland Ln. in the City of Charlotte jurisdictional area in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

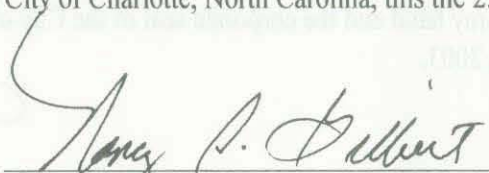
APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 575.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
Ordinance Book 52, Page 576

ORDINANCE NO. 2446-X

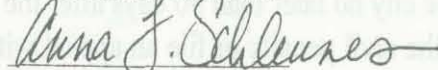
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2235 WEST BV. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF MICHAEL LEWIS GHOLSTON, 2235 WEST BV., CHARLOTTE, N.C. 28208

WHEREAS, the dwelling located at 2235 West Bv. 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 owner(s) thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 29th day of May, 2002 and on the 27th day of June, 2002.

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 2235 West Bv. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

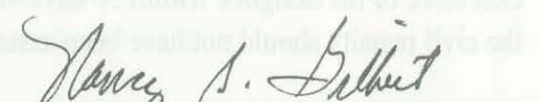
APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 576.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NUMBER: 2447

AMENDING SEVERAL CHAPTERS

ORDINANCE AMENDING THE CHARLOTTE CITY CODE

Section 1. Chapter 2 of the Charlotte City Code is amended by rewriting subsection (b) of Sec. 2-25 to read as follows:

“(b) Any person assessed a civil penalty may appeal by filing a written notice of appeal with the city within 30 days from the date of assessment. Failure to file a notice of appeal within this time period shall constitute a waiver of the right to contest the civil penalty.”

Section 2. Chapter 10 of the Charlotte City Code is amended by rewriting subsection (d) of Sec. 10-1 to read as follows:

“(d) No person shall smoke in a nonsmoking area in a city-owned or –leased building or smoke in any city-owned or –leased vehicle in violation of subsection (c) of this section. Any person who continues to smoke in any nonsmoking area or in any city-owned or –leased vehicle in violation of subsection (c) of this section following notice by the person in charge or his designee that smoking is not permitted shall be subject to a civil penalty in the amount of \$50.00. If the penalty is not paid or appealed within 30 days of its issuance, a delinquency charge of \$25.00 shall be added to the amount of the penalty. This civil penalty and delinquency charge may be recovered by the city in a civil action in the nature of a debt if the violator does not pay the full amount within 15 days after the imposition of the delinquency charge.”

Section 3. Chapter 10 of the Charlotte City Code is amended by rewriting the second paragraph of subsection (3) of Sec. 10-64 to read as follows:

“Such penalty shall be due and payable to the city no later than 30 days after the notice of assessment has been served. Failure to pay the civil penalty or file an appeal within 30 days of service of the notice assessment shall result in an additional penalty of \$50.00. The neighborhood development code enforcement division may collect civil penalties in a civil action in the nature of a debt.”

Section 4. Chapter 10 of the Charlotte City Code is amended by rewriting the third and fourth sentences of subsection (5) of Sec. 10-64 to read as follows:

“Such penalty shall be due and payable to the city no later than 30 days after the notice of assessment has been issued. Failure to pay the civil penalty or file an appeal within 30 days of the notice of assessment shall result in an additional penalty of \$50.00.”

Section 5. Chapter 10 of the Charlotte City Code is amended by rewriting the second sentence of subsection (a) of Sec. 10-66 to read as follows:

“Such request must be made in writing, filed with the neighborhood development key business executive or his designee within 30 days of the notice of assessment, and state the reasons why the civil penalty should not have been assessed.”

Section 6. Chapter 14 of the Charlotte City Code is amended by rewriting subsections (c) and (d) of Sec. 14-61 to read as follows:

“(c) An additional late fee civil penalty in the amount of \$10.00 may be assessed if the initial civil penalty is not paid or appealed within 30 days from the date of issuance.

(d) Notwithstanding subsection (c) of this section, an additional late fee civil penalty in the amount of \$50.00 may be assessed if the initial civil penalty for a photographic red light violation, as provided in section 14-188, is not paid or appealed within 30 days after notification of the violation.”

Section 7. Chapter 14 of the Charlotte City Code is amended by rewriting subsection (b) of Sec. 14-225 to read as follows:

“(b) Notwithstanding subsection (a) of this section, the registered owner of a leased or rented vehicle shall not be prima facie responsible for a violation if, within 30 days of actual notification of the issuance of a civil penalty, the owner provides sworn evidence that the vehicle was, at the time of the violation, leased or rented to another person, along with the name and address of the person who leased or rented the vehicle, in which case the person who leased or rented the vehicle shall be prima facie responsible for the violation. Furthermore, if notification was first given to the owner of a vehicle that was, at the time of the violation, leased or rented to another person, after 90 days have elapsed from the date of the violation, the owner is not required to provide the name and address of the lessee or renter, and the owner shall not be held responsible for the violation.”

Section 8. Chapter 15 of the Charlotte City Code is amended by rewriting the third sentence of subsection (e)(1) of Sec. 15-24 to read as follows:

“Failure to pay the civil penalty or file an appeal within 30 days after notification of the violation shall result in an additional penalty of \$50.00.”

Section 9. Chapter 15 of the Charlotte City Code is amended by rewriting the first sentence of subsection (f) of Sec. 15-24 to read as follows:

“A notice of appeal shall be filed within 30 days after notification of the violation.”

Section 10. Chapter 15 of the Charlotte City Code is amended by rewriting the first sentence of subsection (a) of Sec. 15-191 to read as follows:

“Assessments of civil penalties and other enforcement decisions made under this article may be appealed by filing a written notice of appeal with the city within 30 days after the date of notification of the assessment of civil penalties or other enforcement decision.”

Section 11. Chapter 21 of the Charlotte City Code is amended by rewriting subsection (b)(1) of

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Ordinance Book 52, Page 579

Section 21-126 to read as follows:

“The issuance of a notice of violation or assessment of a civil penalty by the city shall entitle the violator of this chapter (petitioner) to a public hearing before the commission if such person submits a written request for a hearing to the chair of the commission within 30 days of the receipt of the notice of violation or assessment of a civil penalty.”

Section 12. Chapter 22 of the Charlotte City Code is amended by rewriting subsection (e) of Section 22-33 to read as follows:

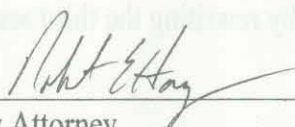
“If a person fails to pay or appeal a penalty within 30 days after the city’s mailing of the notice of violation, the passenger vehicle for hire manager may suspend or revoke the person’s company operating certificate, vehicle operating permit, driver’s and/or chauffeur’s permit in addition to any other action taken pursuant to this article.”

Section 13. Section 7 of Ordinance 2428-X adopted on November 10, 2003 is amended to read as follows:

“This ordinance shall become effective January 1, 2004.”

Section 14. Section 13 of this ordinance shall become effective upon adoption. Sections 1 through 12 of this ordinance shall become effective on January 1, 2004.

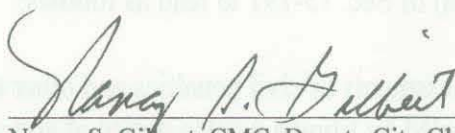
Approved as to Form:


SA Ass't. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 577-579.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
Ordinance Book 52, Page 580

ORDINANCE NUMBER: 2448-X

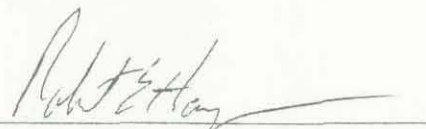
O-49

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATIONS FROM THE NORTH CAROLINA GOVERNOR'S CRIME COMMISSION

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

- Section 1. That the sum of \$49,466.96 is hereby estimated to be available from the North Carolina Governor's Crime Commission.
- Section 2. That the sum of \$49,466.96 is hereby appropriated to the Police Department's Grant Fund (0413) for an integrated ballistics investigative system technician.
- Section 3. It is the intent of this ordinance to be effective upon its adoption.

Approved as to form:


Sr. Asst. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 580.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
Ordinance Book 52, Page 581

ORDINANCE NUMBER: 2449-X

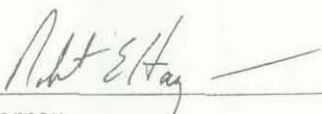
O-50

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET
ORDINANCE, PROVIDING AN APPROPRIATIONS FROM U.S. DEPARTMENT OF JUSTICE

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

- Section 1. That the sum of \$299,500 is hereby estimated to be available from the U.S. Department of Justice.
- Section 2. That the sum of \$299,500 is hereby appropriated to the Police Department's Grant Fund (0413) for the purchase of automated telephone equipment.
- Section 3. It is the intent of this ordinance to be effective upon its adoption.


Approved as to form:


Sa Ass't City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 581.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

November 24, 2003
Ordinance Book 52, Page 582

ORDINANCE NUMBER: 2450-X

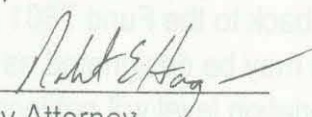
O-51

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR THE HISTORIC TROLLEY BARN AND TRANSFERRING FUNDS TO THE SOUTH CORRIDOR RIGHT-OF-WAY PROJECT.

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

- Section 1. That the sum of \$5,200,000 is hereby available from the Charlotte Area Transit System Operating Budget fund balance (7801).
- Section 2. That the sum of \$5,200,000 is hereby appropriated to Public Transportation Capital Improvement Fund 2078; 877.05 - Historic Trolley Barn.
- Section 3. That the sum of \$5,000,000 in Certificates of Participation are hereby transferred from Public Transportation Capital Improvement Fund 2078; 840.32 - Historic Trolley Barn to Rapid Transit Capital Fund 2098; 894.05 - South Corridor Right-of-Way Protection.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective immediately.

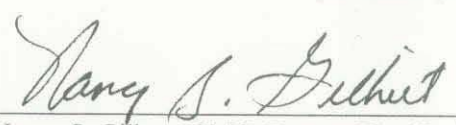
Approved as to Form:

S.R. Assr 
City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 582.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NUMBER: 2451-X

O-52

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT FUNDING AND PROVIDING AN APPROPRIATION FOR SOUTH CORRIDOR LIGHT RAIL FINAL DESIGN.

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

Section 1. That the sum of \$13,036,154 is hereby estimated to be available from the following sources:

Source	Amount
Federal Transit Administration	\$ 6,518,077
North Carolina Department of Transportation	3,259,038
CATS Operating Budget fund balance	3,259,039
Total	\$ 13,036,154

Section 2. That the sum of \$13,036,154 is hereby appropriated to Rapid Transit Capital Fund 2098; 896.00 - Final Design.

Section 3. This ordinance estimates Federal and State grant participation in Section 1, above. Upon receipt of grant assistance, the sources and levels of funding for the projects specified in Sections 1, above, may be adjusted to reflect permanent financing. Until permanent financing is achieved, the Finance Director is hereby authorized to advance funding from Fund 7801 fund balance to cover estimated grant revenues specified in Section 1, above. Upon receipt of grant revenues, funds advanced to the projects shall revert back to the Fund 7801 fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level will not increase above that specified in Section 1, unless amended by subsequent ordinance.

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

Section 5. This ordinance shall be effective immediately.

Approved as to Form:

S.R. 1155

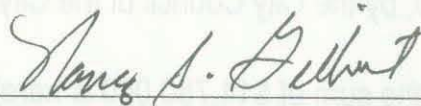
City Attorney

November 24, 2003
Ordinance Book 52, Page 584

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 583-584.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NUMBER: 2452-X O-53

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, ESTIMATING FEDERAL AND STATE GRANT FUNDING AND PROVIDING AN APPROPRIATION FOR SOUTH CORRIDOR LIGHT RAIL RIGHT-OF-WAY.

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

Section 1. That the sum of \$14,750,000 is hereby estimated to be available from the following sources:

Source	Amount
Federal Transit Administration	\$ 7,375,000
North Carolina Department of Transportation	3,687,500
CATS Operating Budget fund balance	3,687,500
Total	\$ 14,750,000

Section 2. That the sum of \$14,750,000 is hereby appropriated to Rapid Transit Capital Fund 2098; 898.03 - Norfolk Southern.

Section 3. This ordinance estimates Federal and State grant participation in Section 1, above. Upon receipt of grant assistance, the sources and levels of funding for the projects specified in Sections 1, above, may be adjusted to reflect permanent financing. Until permanent financing is achieved, the Finance Director is hereby authorized to advance funding from Fund 7801 fund balance to cover estimated grant revenues specified in Section 1, above. Upon receipt of grant revenues, funds advanced to the projects shall revert back to the Fund 7801 fund balance. If grant funding is not realized, the advance may be designated as the permanent source of funding. The total project appropriation level will not increase above that specified in Section 1, unless amended by subsequent ordinance.

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

Section 5. This ordinance shall be effective immediately.

Approved as to Form:

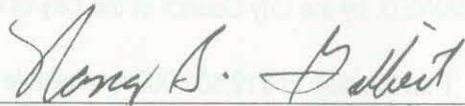
SA Assr 
City Attorney

November 24, 2003
Ordinance Book 52, Page 586

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 585-586.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NO. 2453-X

O-54

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR ELECTRICAL AND STEEL CONSTRUCTION AND FIRE PROTECTION EQUIPMENT FOR THE AIRPORT PARKING DECK

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

Section 1. That the sum of \$19,500,000 is available from Airport Discretionary Funds. These funds will be repaid from the proceeds of future General Airport Revenue Bonds.

Section 2. That the sum of \$19,500,000 is hereby appropriated to the Aviation Capital Projects Fund (2087-529.30)

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

Section 4. This ordinance shall be effective upon adoption.

Approved as to form:



Robert S. Hay
City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 587.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

Petition No. 2003-076

Petitioner: Speedway Motorsports, Inc.

Ordinance No. 2454-Z

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

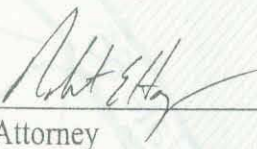
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from CC to CC.

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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


APPROVED AS TO FORM:


SA Assr. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 588-589.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2004.


Nancy S. Gilbert, CMC, Deputy City Clerk

Petition #: **2003-76**

Hearing Date: September 15, 2003

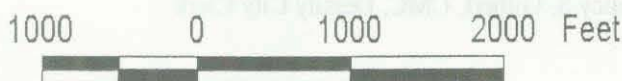
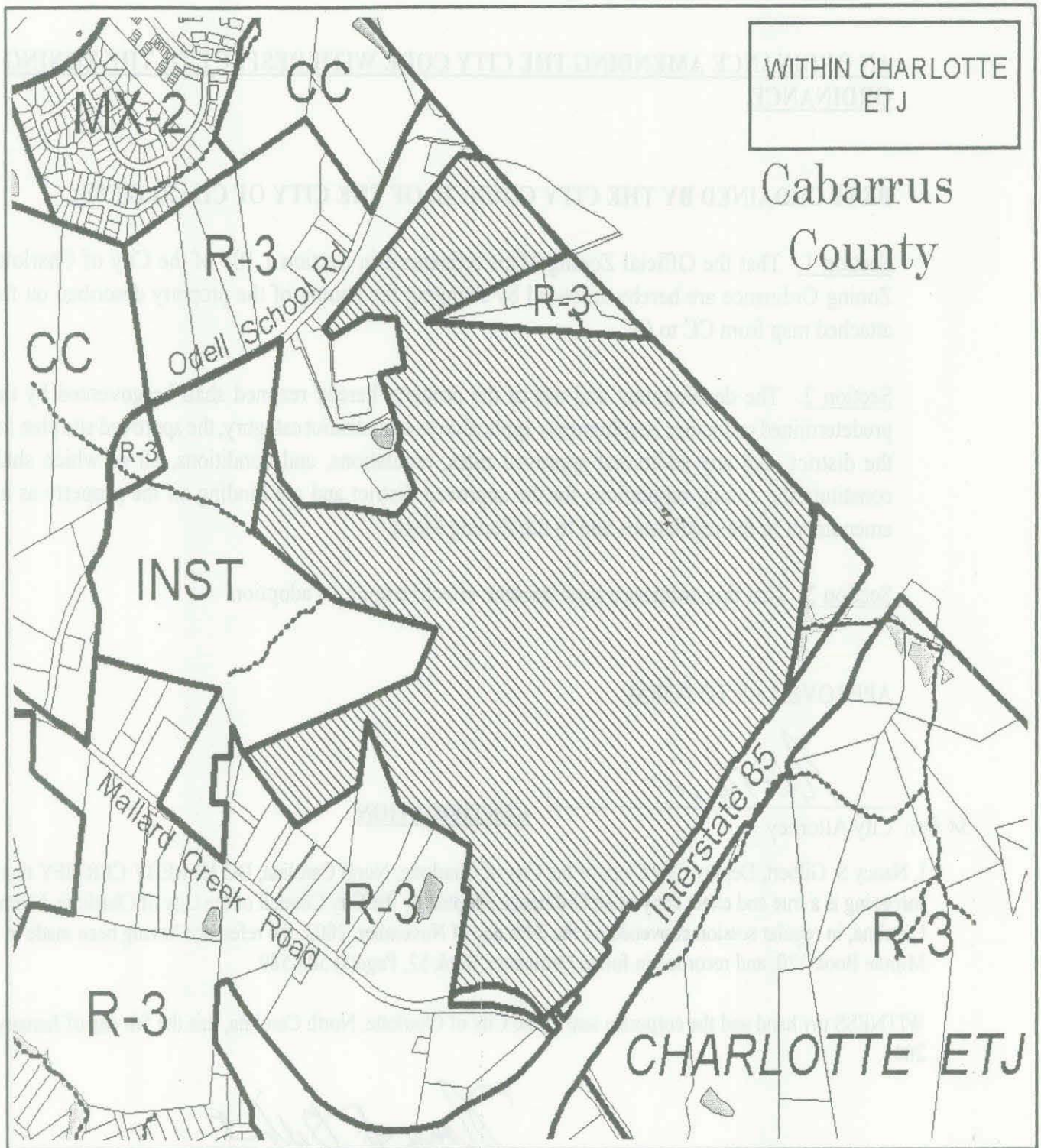
Petitioner: Speedway Motorsports, Inc.

Zoning Classification (Existing): CC Commercial Center, Conditional

Zoning Classification (Requested): CC (S.P.A.)

Commercial Center, Conditional, Site Plan Amendment

Acreage & Location: Approximately 348.8 acres located on the northwest corner of Interstate 85 (I-85) and Mallard Creek Road



Zoning Map #(s): **40, 41**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
06-24-2003



Petition No. 2003-081B-2

CITY ZONE CHANGE

Petition No. 2003-081B-2

Petitioner: Charlotte-Mecklenburg
Planning Commission.

Ordinance No. 2455-Z

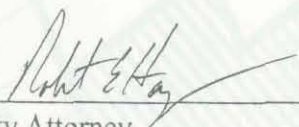
ZONING REGULATIONS

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-22MF to R-8.

Section 2. That this ordinance shall become effective upon its adoption.

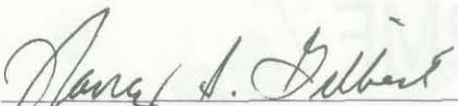
APPROVED AS TO FORM:


SR. Ass't. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 590-591.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of January, 2004.


Nancy S. Gilbert, CMC, Deputy City Clerk

Requested R-8 from R-22MF
City Council
City Clerk
City Attorney
City Manager
City Council
City Clerk
City Attorney
City Manager

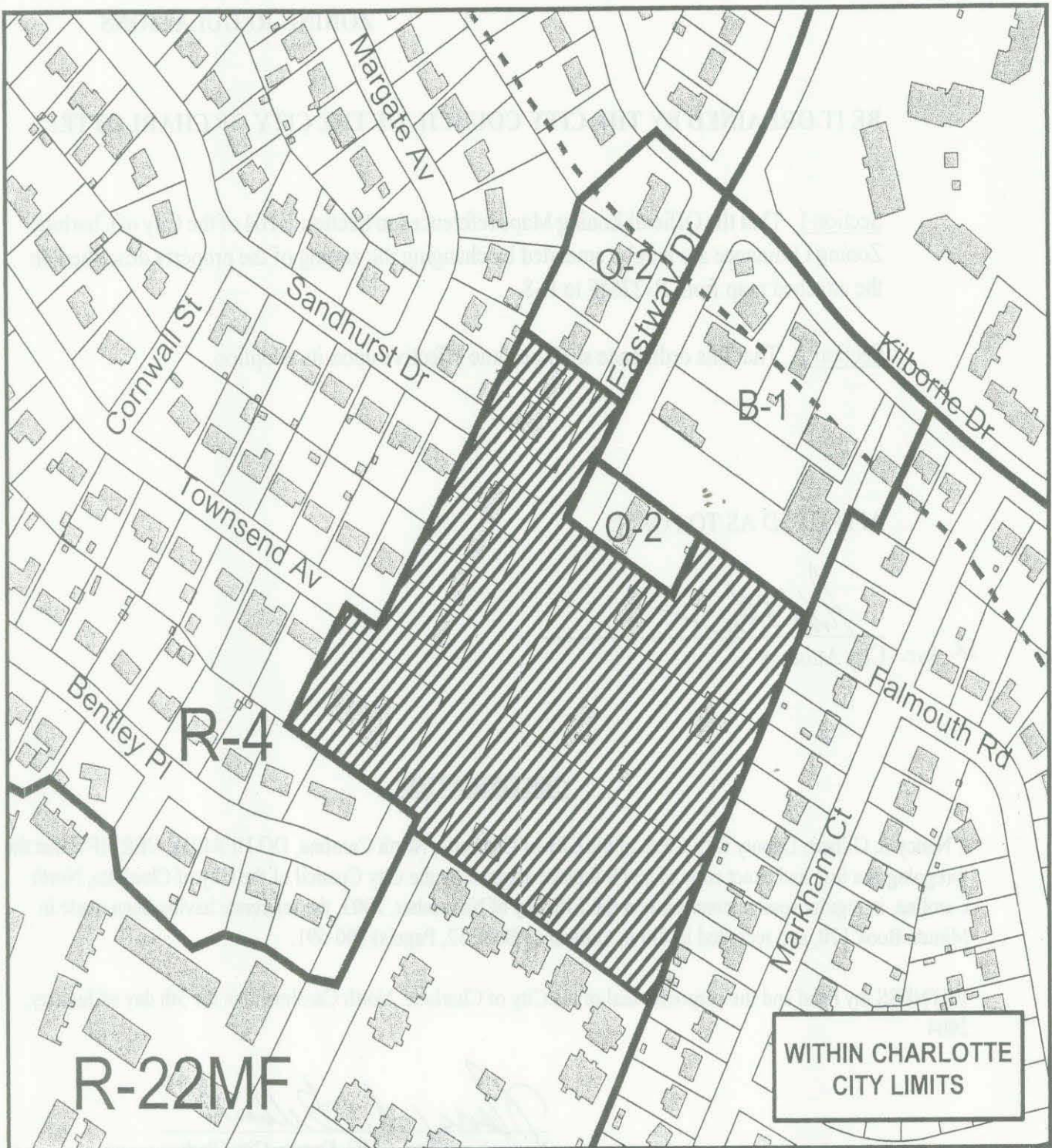
Petition #: **2003-81B2**

Petitioner: The Charlotte-Mecklenburg Planning Commission

Zoning Classification (Existing): R-22MF
(Multi-family Residential, up to 22 dwelling units per acre)

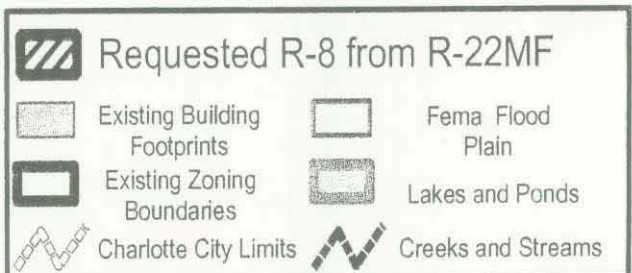
Zoning Classification (Requested): R-8
(Single-family Residential, up to 8 dwelling units per acre)

Acres & Location : Approximately 10.05 acres located on the east and west sides of Eastway Drive, north of Bentley Place and south of Kilborne Dr.



Zoning Map #(s) **100**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
11-28-2003



November 24, 2003
Ordinance Book 52, Page 592

ORDINANCE NUMBER: 2456

AMENDING CHAPTER 14

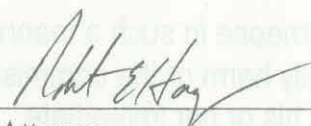
**ORDINANCE AMENDING CHAPTER 14 OF THE CHARLOTTE CITY CODE ENTITLED
"MOTOR VEHICLES AND TRAFFIC"**

Section 1. Subsection 14-216(a) of the Charlotte City Code is amended to add a new subsection (25) to read as follows:

"(25) Between the curb or edge of the pavement of a street and the front building line of a single family detached, duplex, triplex, or quadraplex dwelling unit projected to the side lot other than completely upon an improved driveway or improved parking pad. For purposes of this subsection, "improved" means surfaced with concrete, asphalt, gravel, or any other material commonly used for the parking of vehicles, but not including grass or dirt. The prohibition of this section shall not apply: (A) on lots where parking is not permitted on adjacent streets surrounding the property and the front building line of the dwelling unit is less than 20 feet from the back of the curb line or edge of pavement, or the lot width at the front building line is less than 25 feet; or (B) in conjunction with special events involving family or social gatherings provided such events do not occur more frequently than once a week."

Section 2. This ordinance shall become effective on April 1, 2004.

Approved as to Form:

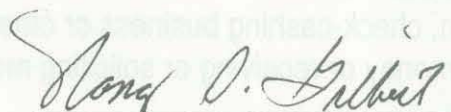


Sr. Asst. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 592.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NO: 2457

AMENDING CHAPTER 15

**ORDINANCE AMENDING CHAPTER 15 OF THE CHARLOTTE CITY CODE
ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS"**

WHEREAS, the City of Charlotte has authority pursuant to Article 8 of Chapter 160A of the North Carolina General Statutes to adopt ordinances to protect the health, safety, or welfare of its citizens and peace and dignity of the City, and pursuant to G.S. 160A-179, may by ordinance prohibit or regulate begging or otherwise canvassing the public for contributions for the private benefit of the solicitor or any other person; and

WHEREAS, the City of Charlotte has a significant governmental interest in keeping sidewalks and other pedestrian areas safe and free for use by pedestrians.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT:

Section 1. Section 15-15 of the City Code shall be rewritten to read as follows:

Sec.15-15. Public Solicitation and Begging Regulated.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Accosting means approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.

After dark means from one half hour after sunset until one half hour before sunrise. The times of sunset and sunrise will be established by the times listed in *The Charlotte Observer* or another publication of similar distribution.

Beg, solicit or panhandle includes, without limitation, use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this ordinance, the word "solicit," and its forms, includes begging and panhandling.

Financial institution means a bank, trust company, savings and loan association, credit union, check-cashing business or other entity principally engaged in the business of lending money or receiving or soliciting money on deposit.

Forcing oneself upon the company of another means:

- (1) Continuing to solicit in close proximity to the person addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication;
- (2) Blocking the passage of the person solicited; or
- (3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

(b) *Prohibited acts.* It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right of way or within a public park owned by the City of Charlotte:

- 1) By accosting another, or by forcing oneself upon the company of another;
- 2) Within 20 feet of the entrance to any financial institution or any automated teller machine, regardless of whether or not such automated teller machine is located at or near a financial institution;
- 3) Within 20 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;
- 4) Within 20 feet of any transit stop or taxi stand;
- 5) While the person being solicited is standing in line waiting to be admitted to a commercial establishment;
- 6) By touching the person being solicited without that person's consent; or
- 7) After dark by means of verbal communication.

(c) *Public transportation vehicle:* It shall be unlawful for any person to beg, solicit or panhandle on a public transportation vehicle.

(d) *Penalty.* Any person who violates any of the provisions of this section shall be guilty of a misdemeanor as provided in G.S. 14-4 and, upon conviction, shall be subject to a maximum fine of \$500.00, or imprisonment, or both."


Section 2. In the event that any provision of this section, or any part thereof, or any application thereof to any person or circumstance, is for any reason held to be

unconstitutional or otherwise invalid or ineffective by any court of competent jurisdiction on its face or as applied, such holding shall not affect the validity or effectiveness of any of the remaining provisions of this section, or any part thereof, or any application thereof to any person or circumstance or of said provision as applied to any other person or circumstance. It is hereby declared to be the legislative intent of the city council that this section would have been adopted had such unconstitutional, invalid, or ineffective provisions not been included herein.

Section 3. All ordinances and clauses of ordinances in conflict herewith are hereby repealed, to the extent of such conflict.

Section 4. This ordinance shall become effective upon adoption.

Approved As to Form:



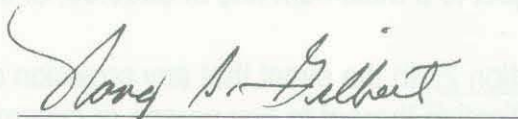
City Attorney

Deputy

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 593-595.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NO. 2458-X O-55

AN ORDINANCE TO AMEND ORDINANCE NO. 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR THE LEGACY BASKETBALL CLASSIC.

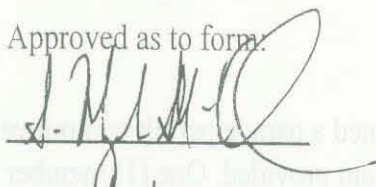
BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$15,000 is available from the City Council's Discretionary Account (0101; 530.00).

Section 2. That the sum of \$15,000 is hereby appropriated to the Legacy Basketball Classic.

Section 3. It is ~~the~~ intent of this ordinance to be effective upon its adoption.


Approved as to form:


J. M. M. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 596.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk