

ORDINANCE NO. 2567-X

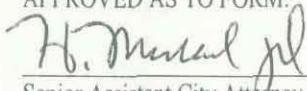
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4535 A&B ASHLEY CR. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF STEPHEN T. MOTLEY AND WIFE JOYCE J. MOTLEY, 9416 SARDIS GLEN DR, MATTHEWS, N.C. 28105

WHEREAS, the dwelling located at 4535 A&B Ashley Cr. 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; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 3rd day of July, 2003 and on the 26th day of November, 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 4535 A&B Ashley Cr. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

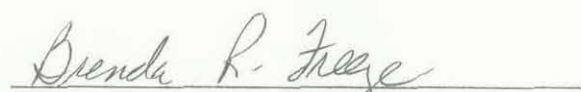
APPROVED AS TO FORM:


Senior Assistant City Attorney
Deputy

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 764.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

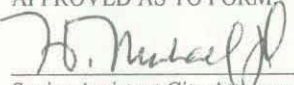
ORDINANCE NO. 2568-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4401 A,B,C,D ASHLEY CR. 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 STEPHEN T. MOTLEY AND WIFE JOYCE J. MOTLEY, 9416 SARDIS GLEN DR., MATTHEWS, N.C. 28105

WHEREAS, the dwelling located at 4401 A,B,C,D Ashley Cr. 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; and

WHEREAS, said owner(s) have failed to comply with said order served by advertisement and certified mail on the 17th day of October, 2003 and on the 28th day of November, 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 4401 A,B,C,D Ashley Cr. 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

Dgity

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 765.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2569-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4519 A&B ASHLEY CR. 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 STEPHEN T. MOTLEY AND WIFE JOYCE J. MOTLEY, 9416 SARDIS GLEN DR. MATTHEWS, N.C. 28105.

WHEREAS, the dwelling located at 4519 A&B Ashley Cr. 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; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 1st day of July, 2003 and on the 28th day of November, 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 4519 A&B Ashley Cr. 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

D. M. M.

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 766.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2570-X

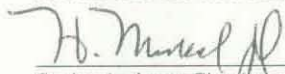
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4525 A&B ASHLEY CR. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF STEPHEN T. MOTLEY AND WIFE JOYCE J. MOTLEY, 9416 SARDIS GLEN DR. MATTHEWS, N.C. 28105

WHEREAS, the dwelling located at 4525 A&B Ashley Cr. 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; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 2nd day of July, 2003 and on the 26th day of November, 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 4525 A&B Ashley Cr. 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
Deputy

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 767.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2571-X

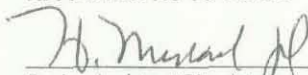
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2421 LASALLE ST PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF HEIRS OF JAMES G & IDA W PEELER 2421 LASALLE ST., CHARLOTTE, N.C. 28216

WHEREAS, the dwelling located at 2421 LaSalle 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; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 27th day of October, 2003 and on the 5th day of February, 2004.

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 2421 LaSalle 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
Dg. 17

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 768.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2572-X

O-86

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE MCDOWELL EXPANSION PHASE III IMPROVEMENTS PROJECT

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 McDowell Back-up Power Systems Project (633.70) in the Water and Sewer Capital Investment Fund (2071).
- Section 2. That the sum of \$500,000 is hereby appropriated to the McDowell Expansion Phase III Project (631.41) in the Water and Sewer Capital Investment Fund (2071).
- 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:


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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 769.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2573-X

O-87

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET
ORDINANCE, ESTIMATING AND APPROPRIATING REVENUES FROM DEVELOPERS
FOR THE PROSPERITY CHURCH ROAD WIDENING PROJECT.

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

Section 1. That the sum of \$185,000 is hereby estimated to available from developers.

Section 2. That the sum of \$185,000 is hereby appropriated to General Capital Project
Fund 2010; 281.52 - Developer Contributions.

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 770.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2574-X

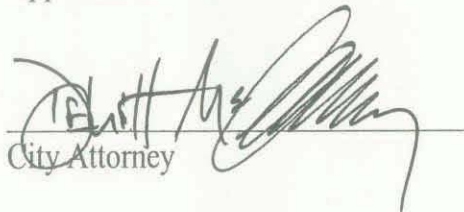
O-88

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET
ORDINANCE, PROVIDING AN APPROPRIATION FROM THE U.S. SECRET SERVICE

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

- Section 1. That the sum of \$10,000 is hereby estimated to be available from the U.S. Secret Service.
- Section 2. That the sum of \$10,000 is hereby appropriated to the Public Safety Grant Fund (0413) to assist in offsetting costs associated with the Identity Theft campaign.
- 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.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. 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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 771.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2575-X


O-89

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATIONS FROM THE CHARLOTTE MECKLENBURG DEVELOPMENT CORPORATION

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

- Section 1. That the sum of \$20,000 is hereby estimated to be available from the Charlotte Mecklenburg Development Corporation.
- Section 2. That the sum of \$20,000 is hereby appropriated to the Fund 6807 to support staff cost of the Weed and Seed program.
- 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.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. 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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 772.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2576-X

O-90

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATIONS FROM THE SISTERS OF MERCY OF NORTH CAROLINA FOUNDATION

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

- Section 1. That the sum of \$25,000 is hereby estimated to be available from the Sisters of Mercy of North Carolina Foundation.
- Section 2. That the sum of \$25,000 is hereby appropriated to Fund 6807 for work in the Wingate community.
- 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.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. 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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 773.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2577-X

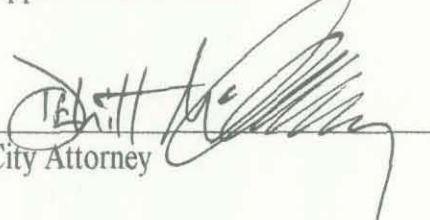
O-91

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET
ORDINANCE, PROVIDING AN APPROPRIATIONS FROM THE NORTH CAROLINA
HOUSING FINANCE AGENCY

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

- Section 1. That the sum of \$75,000 is hereby estimated to be available from the North Carolina Housing Finance Agency.
- Section 2. That the sum of \$75,000 is hereby appropriated to the Fund 2010, Center 38058 to rehabilitate low and very low income housing.
- 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.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. 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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 774.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2578-X

O-92

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS FOR PURCHASE AND INSTALLATION OF THE FACILITY MANAGEMENT AND CONTROL SYSTEM FOR THE NEW DAILY PARKING DECK

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

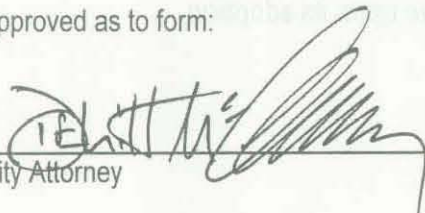
Section 1. That the sum of \$500,000 is hereby estimated to be available from Airport Discretionary Funds. These funds will be repaid from the proceeds of future General Airport Revenue Bonds.

Section 2. That the sum of \$500,000 is hereby appropriated to the Airport 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:




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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 775.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2579-X

O-93

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS TO UPFIT SPACE FOR AIRPORT AND TENANT USE AT ALL 34 GATES IN CONCOURSES B AND C.

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

Section 1. That the sum of \$650,000 is hereby estimated to be 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 \$650,000 is hereby appropriated to the Airport Capital Projects Fund 2087 - 529.56

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:



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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 776.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2580-X

O-94

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING REVENUES FROM DEVELOPERS FOR THE NORTHLAKE CENTER PARKWAY PROJECT.

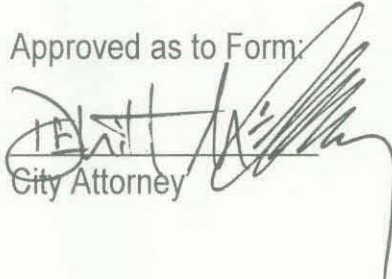
BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$143,775 is hereby estimated to available from developers.

Section 2. That the sum of \$143,775 is hereby appropriated to General Capital Project Fund 2010; 281.52 - Developer Contributions.

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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 777.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2581

AMENDING CHAPTER 14

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

Section 1. Chapter 14, "Motor Vehicles and Traffic", of the Charlotte City Code is amended by establishing a new Division 4 in Article IV, entitled "Photographic Speed-Measuring Systems," to read as follows:

"Division 4. Photographic Speed-Measuring Systems"

Sec. 14-201. Definitions.

In addition to the definitions set forth in section 14-1, the following words, terms, and phrases, when used in this division, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Photographic speed-measuring system means a speed-measuring system that works in conjunction with a photographic, video, or electronic camera to automatically measure the speed and produce photographs, video or digital images of vehicles violating a speed limit or speed restriction.

Vehicle owner means the person identified by the State Division of Motor Vehicles, or the comparable agency of another state, as the registered owner of a vehicle.

Sec. 14-202. Administration.

(a) The Charlotte-Mecklenburg Police Department shall administer the photographic speed-measuring program in accordance with G.S. 160A-300.4, Use of photographic speed-measuring systems.

(b) A photographic speed-measuring system shall be approved, calibrated, and tested for accuracy in accordance with G.S. 8-50.3.

(c) Any photographic speed-measuring system shall be identified by appropriate advance warning signs conspicuously posted not more than 1000 feet from the location of a photographic speed-measuring system. All advance warning signs shall be consistent with a statewide standard adopted by the Department of Transportation.

Sec. 14-203. Offense.

(a) It shall be unlawful for a person to drive a vehicle on a public street in the city in excess of the posted speed limit, as set forth in G.S. 20-141.

(b) It shall be a unlawful for a person to drive a vehicle on a public street in the city in excess of the posted speed limit within a school zone, as set forth in G.S. 20-141.1

(c) The owner of a vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle, within 30 days of notification of the violation, furnishes the officials or agents of the city either of the following:

- (1) An affidavit stating the name and address of the person or company who leased, rented, or otherwise had the care, custody, and control of the vehicle; or
- (2) An affidavit stating that the vehicle involved was, at the time of the violation, stolen or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle. The affidavit must be supported by evidence such as insurance or police report information.

(d) Subsection (c) of this section shall not apply, and the registered owner of the vehicle shall not be responsible for the violation, if notification of the violation is given to the registered owner of the vehicle more than 90 days after the date of the violation.

(e) For the purpose of this ordinance, "notification of the violation" shall be deemed to have been given on the date that the citation is issued.

Sec. 14-204. Penalty.

A violation detected by a photographic speed-measuring system shall be deemed a noncriminal violation for which a civil penalty of \$50.00 shall be assessed, and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle, nor insurance points as authorized by G.S. 58-36-65. If the owner of the vehicle fails, within 30 days of notification of the violation, to pay the civil penalty, appeal the citation, or respond in accordance with Sec. 14-203(c), the owner shall have waived the right to contest responsibility for the violation, and shall be assessed an additional civil penalty of \$50.00. The city may establish procedures for the collection of these penalties and may recover the penalties by civil action in the nature of a debt.

Sec. 14-205. Civil citation requirements and processing.

(a) The owner of the vehicle shall be issued a citation written in both English and Spanish, clearly stating the manner in which the violation may be challenged and containing both a street address within the city and a local or toll-free telephone number at which the owner may challenge the citation.

(b) The citation shall be processed by officials or agents of the city and shall be forwarded by personal service or certified mail to the address given on the motor vehicle registration.

Sec. 14-206. Appeals.

(a) The owner of the vehicle has the right to object to the citation or penalty issued by filing a notice of appeal at the address listed on the citation. The notice of appeal must be filed within 30 days and be accompanied with an appeal bond in the amount equal to the civil citation. Alternatively, notice of appeal may also be given by calling the toll-free number listed on the citation and by posting an appeal bond in an amount equal to the civil citation penalty prior to the date of hearing.

(b) Appeals shall be heard through a nonjudicial administrative hearing process established by the city. The administrative hearing process shall include methods for challenging the violation or penalty either in person, at the street address provided on the citation, or through the telephone, at the number provided on the citation. A Spanish-speaking person shall be available to assist both at the street address and through the telephone number.

(c) The administrative hearing decision is subject to review in the Superior Court of Mecklenburg County by proceedings in the nature of certiorari. Any petition for certiorari shall be filed within 30 days after the date that the hearing officer's written decision is issued.

Sec. 14-207. Results of photographic speed-measuring instruments; admissibility.

(a) The results of the use of a photographic speed-measuring system shall be admissible as evidence in a nonjudicial administrative hearing held pursuant to Section 14-206 for the purpose of establishing the speed of the vehicle detected.

(b) Notwithstanding the provisions of subsection (a) of this section, the results of a photographic speed-measuring system are not admissible unless all of the following are established:

- (1) The photographic speed-measuring system employed was approved for use by the North Carolina Criminal Justice Education and Training Standards Commission and the Secretary of Crime Control and Public Safety pursuant to G.S. 17C-6.
- (2) The photographic speed-measuring system had been calibrated and tested for accuracy in accordance with the standards established by the North Carolina Criminal Justice Education and Training Standards Commission and the Secretary of Crime Control and Public Safety for that particular system.

- (3) At the time the results were obtained, the photographic speed-measuring system was being operated by a sworn law enforcement officer who has been certified by the North Carolina Criminal Justice Education and Training Standards Commission under G.S. 17-6(a).

(c) All photographic speed-measuring systems shall be calibrated and tested in accordance with standards established by the North Carolina Criminal Justice Education and Training Standards Commission and the Secretary of Crime Control and Public Safety. A written certificate by a technician certified by the North Carolina Criminal Justice Education and Training Standards Commission showing that a test was made within the required testing period and that the system was accurate shall be competent and prima facie evidence of those facts in a non-judicial administrative hearing held pursuant to Section 14-206. Where the results of a photographic speed-measuring system are sought to be admitted during a hearing, notice shall be taken of the rules approving the photographic speed-measuring system and the procedures for calibration or testing for accuracy of the system.

Sec. 14-208. Use of proceeds from citations.

The clear proceeds from the citations issued pursuant to this ordinance shall be paid to the county school fund. Clear proceeds shall mean the funds remaining after paying for the lease, lease-purchase, or purchase of the photographic speed-measuring system; paying for operation of the system, either by the city or by a contractor; paying for a program to provide public awareness of the system; and paying any administrative costs incurred by the city related to the use of the system.

Sec. 14-209. Use of photographic speed measuring systems only in selected corridors.

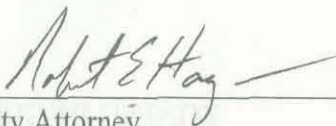
The photographic speed-measuring systems may only be used in the following corridors within the city:

- (1) South Boulevard between Interstate 485 and Scaleybark.
- (2) Independence between Briarcreek and Sardis Road North.
- (3) East W.T. Harris between The Plaza and Idlewild.
- (4) Tryon Street from 36th to Orr Road.
- (5) Tryon Street between Mallard Creek Church Road and University City Boulevard.
- (6) Eastway between Independence and Sugar Creek.
- (7) West W.T. Harris between North Tryon Street and Technology Drive.
- (8) Albemarle Road between Independence and Lawyers.
- (9) Central between Albemarle and Briar Creek.
- (10) Monroe Road between Sardis Road North and Wendover.
- (11) Providence between McKee and Providence Country Club.
- (12) Highway 51 between Park Road and Alexander Road.

- (13) Sharon Amity between Lyttleton Drive and East W.T. Harris.
- (14) Billy Graham Parkway between Interstate 85 and Woodlawn.

Section 2. This ordinance shall become effective upon adoption.


Approved as to Form:


S.A. 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 12th day of April, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s) 778-782.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk