ORDINANCE NO. 2553-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 817 PENNSYLVANIA 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 ROOSEVELT LEAK, 1905 PARSON ST., CHARLOTTE, N. C. 28205

WHEREAS, the dwelling located at 817 Pennsylvania 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; and

WHEREAS, said owner(s) have failed to comply with said order served by certified mail on the 30th day of April, 2003 and on the 20th day of June, 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 817 Pennsylvania Ave. 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)749.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

2554-X

ORDINANCE NO.

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4436 W. TYVOLA RD. 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 TERREL E. BURGGRAAF AND WIFE IRMA TOVAR BURGGRAAF, 4436 W. TYVOLA RD., CHARLOTTE, N.C. \$208

WHEREAS, the dwelling located at 4436 W. Tyvola Rd. 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 9th day of July, 2002 and on the 21st day of September, 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 4436 W Tyvola Rd. 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 ASTO 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)750.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

2555-X

ORDINANCE NO.

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 435 DARE 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 JERRY LEW JOHNSTON AND WIFE BETTY SMITH JOHNSTON 435 DARE DR., CHARLOTTE, N. C. 28206

WHEREAS, the dwelling located at 435 Dare 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 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 20th day of November, 2003 and on the 23rd day of December, 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 435 Dare 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)751.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NO. 2556-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4350 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 4350 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 certified mail on the 9th day of September, 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 4350 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 POFORM:

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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)752.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

> 2557-X ORDINANCE NO.

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1349 BETHEL RD. 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 EDDIE ALFRED MCCAULEY AND WIFE ARNETHA C MCCAULEY, 1349 BETHEL RD, CHARLOTTE, N. C. 28208

WHEREAS, the dwelling located at 1349 Bethel Rd. 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 19th day of February, 2003 and on the 20th day of May, 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 1349 Bethel Rd.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:

White Street 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)753.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NUMBER: 2558-X

0 - 78

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE MORRIS FIELD DRIVE WIDENING CAPITAL PROJECT.

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

Section 1. That the sum of \$660,000 is hereby transferred from General Capital Project Fund 2010; 385.06 - Westinghouse Boulevard Widening and is appropriated to General Capital Project Fund 2010; 385.08 - Morris Field Drive.

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

Section 3. This ordinance shall be effective immediately.

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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)754.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March,

Navy 1. Debat Nancy S. Gilbert, CMC, Deputy City Clerk

ORDINANCE NO. 2559-X

0-79

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS TO AWARD A CONTRACT FOR THE INSTALLATION OF SIGNAGE AND GRAPHICS IN THE AIRPORT TICKETING LOBBY

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

- Section 1. That the sum of \$250,000 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 \$250,000 is hereby appropriated to the Airport Capital Projects Fund 2087 529.32
- 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:

Caller 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)755.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NO. 2560-X

O - 80

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS TO AWARD A CONTRACT TO INSTALL AND MAINTAIN THE BAGGAGE CONVEYOR SYSTEM IN THE EXPANDED CONCOURSE D AND INTERNATIONAL ARRIVAL AREAS

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

- Section 1. That the sum of \$900,000 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 \$900,000 is hereby appropriated to the Airport Capital Projects Fund 2087 529.34
- 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:

SAAGE 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)756.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

	2561-X	
ORDINANCE NO.		

0-81

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE COFFEY CREEK TRIBUTARY TO TO SHOPTON ROAD CAPITAL PROJECT

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

- Section 1. That the sum of \$395,055 is hereby estimated to be available from Water and Sewer Revenue Bonds.
- Section 2. That the sum of \$395,055 is hereby appropriated in the Water and Sewer Capital Investment Fund (2071) to the Coffey Creek Tributary to Shopton Road Project (633.05).
- Section 3. That the existence of this 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:

SA Acc 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)757.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NO. 2562

AMENDING SEVERAL CHAPTERS

ORDINANCE AMENDING THE CHARLOTTE CITY CODE

<u>Section 1</u>. Chapter 10 of the Charlotte City Code is amended by rewriting subsection (5) of Sec. 10-64 as follows:

"(5) The neighborhood development code enforcement division manager or his designee may hire a contractor to correct any condition existing upon real property in violation of any provision of this article. The costs resulting therefrom, including the neighborhood development code enforcement division's investigative and administrative costs, may be assessed as a civil penalty in the manner described in subsection (3) of this section, to the person responsible for the violation. The neighborhood development code enforcement division may pay the contractor for the services performed and send the contractor's original invoice to the finance department. If the civil penalty is not paid, the finance department shall levy a lien against the property in an amount equal to the civil penalty as provided by the authority of Charter section 6.103. The finance department shall provide notice, by regular mail, to the property owner within five (5) days of levying a lien on the property.

The finance department shall be authorized to cancel any lien filed pursuant to this article that has been satisfied or was placed against the property in error. A property owner can challenge the filing of a lien by a written appeal to the finance department within 60 days of the date the notice of lien filing was made by the finance department indicating that a lien has been placed against the property."

- <u>Section 2</u>. Chapter 10 of the Charlotte City Code is amended by rewriting subsection (a) of Sec. 10-212 as follows:
- "(a) Restricted. It shall be unlawful for any person to attach, place, paint, write, stamp or paste any sign or advertisement or other matter within eleven (11) feet of the edge of the pavement of any road, roadway, street, or alley, or within any public rights-of-way, or upon any post, pole, tree, tree stake or guard, shrub, fire hydrant, or upon anything else within eleven (11) feet of the edge of the public rights-of-way or upon any bridge or overpass within the city limits except as provided in paragraph (b) of this section."
- <u>Section 3</u>. Chapter 11 of the Charlotte City code is amended by rewriting subsection (h) of Section 11-77 to read as follows:
- "(h) Those habitable rooms which must be included to meet the foregoing minimum space requirements shall be at least seven feet wide in any part with at least one-half (1/2) of the floor area having a ceiling height as prescribed by the state building code. Not more than 50% of the required area may have a sloped ceiling less than the height prescribed by the state building code with no portion of the required areas less than five feet in height. If any room has a furred ceiling, the prescribed ceiling height is

required for at least 50% of the area thereof, but in no case shall the height of the furred ceiling be less than that prescribed by the state building code."

Section 4. This ordinance shall become effective upon adoption.

Approved as to Form:

SA. 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)758-759.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NUMBER: 2563-X

0-82

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, ESTIMATING STATE GRANT FUNDING AND PROVIDING AN APPROPRIATION FOR THE PURCHASE OF LIGHT RAIL VEHICLES.

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

Section 1. That the sum of \$52,500,000 is hereby estimated to be available from the following sources of revenue:

Source	Amount		
North Carolina Department of Transportation	\$26,250,000		
CATS Certificates of Participation	26,250,000		
Total	\$52,500,000		

- Section 2. That the sum of \$52,500,000 is hereby appropriated to the Rapid Transit Capital Project Fund 2098; 897.01 LRV-Siemans.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 3. This ordinance shall be effective immediately.

Approved as to Form:

SA 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)760.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NUMBER: 2564-X

O-83

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE FY2003-2004 BUDGET ORDINANCE, ESTIMATING STATE GRANT REVENUES AND PROVIDING AN APPROPRIATION FOR ENGINEERING SUPPORT IN THE DESIGN AND PURCHASE OF LIGHT RAIL VEHICLES.

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

Section 1. That the sum of \$2,250,000 is hereby estimated to be available from the following sources of revenue:

Source		Amount
North Carolina Department of Transportation		\$1,125,000
CATS Certificates of Participation		1,125,000
Total	4 158	\$2,250,000

- Section 2. That the sum of \$2,250,000 is hereby appropriated to Rapid Transit Capital Fund 2098; 898.66 LTK Project Mgt. LRV
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.

Approved as to Form:

SA 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)761.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NO. 2565-X

O - 84

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR FEBRUARY 2004 WINTER STORM STREET MAINTENANCE.

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

Section 1. That the sum of \$682,852 is available from the General Fund fund balance.

Section 2. That the sum of \$682,852 is hereby appropriated to the General Fund- Department of Transportation Street Maintenance Division.

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, 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)762.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.

ORDINANCE NUMBER: 2566-X

0-85

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2323-X, THE 2003-2004 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR STORM WATER FLOOD CONTROL AND NEIGHBORHOOD IMPROVEMENT PROJECTS

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

Section 1. That the sum of \$11,500,000 is available from Storm Water Revenue Bonds.

Section 2. That the sum of \$11,500,000 is hereby appropriated as follows:

Project		Amount	
2701; 358.00 - Flood Control Projects		\$	10,500,000
2701; 359.20 - Neighborhood Improvement Projects	*		1,000,000
Total		\$	11,500,000

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

Section 4. This ordinance shall be effective immediately.

Approved as to Form:

SA Assi 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 22nd day of March, 2004, the reference having been made in Minute Book 120, and recorded in full in Ordinance Book 52, Page(s)763.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 2004.