

February 28, 2005
Ordinance Book 53, Page 434
Petition #: 2005-038

ORDINANCE NO. 2896-X

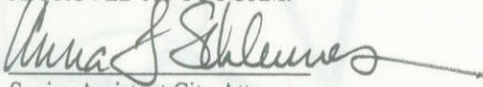
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1330 1,2,3 PECAN AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF MARY H. LEWIS, 3808 HAVENWOOD ROAD, CHARLOTTE N.C. 28205.

WHEREAS, the dwelling located at 1330 1,2,3 Pecan Avenue 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 in a timely fashion.

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 1330 1,2,3 Pecan Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

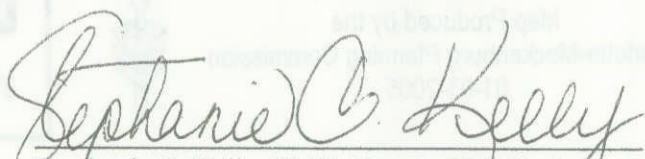
APPROVED AS TO FORM:


Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 434.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2897-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 8008 SCOTTVIEW DRIVE 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 DONALD C. BROCKINGTON AND WIFE JEANNETTE BROCKINGTON 8008 SCOTTVIEW DRIVE, CHARLOTTE, N.C. 28214

WHEREAS, the dwelling located at 8008 Scottview Drive 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 in a timely fashion.

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 8008 Scottview Drive 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, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 435.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

7

ORDINANCE NO. 2898-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 312 CROMER STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BETTY O. CATOE, 710 N. CLAY STREET, LOWELL, NC. 28098-1320.

WHEREAS, the dwelling located at 312 Cromer Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

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 312 Cromer Street 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, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 436.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2899-X

ORDINANCE NO. 2899-X

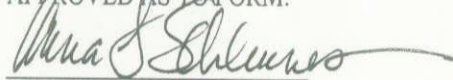
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 709 E.19TH STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF WILLIAM BRUNSON, 150-54 FOCH BLVD., JAMAICA, NY 11434

WHEREAS, the dwelling located at 709 E.19th Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

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 709 E.19th Street 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:



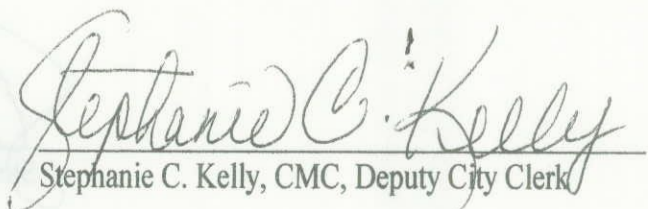
Senior Assistant City Attorney

APPROVED AS TO FORM

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

7

ORDINANCE NO. 2900-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1219 BOONE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF CHARLES EMINA, 6532 SILVER FOX ROAD, CHARLOTTE NC 28270

WHEREAS, the dwelling located at 1219 Boone Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

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 1219 Boone Street 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

APPROVED AS TO FORM:

Deputy City Clerk

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 438.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2901-X

ORDINANCE NO. 2901-X

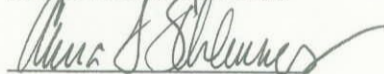
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 327 COXE AVENUE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ARLIE RUSHING AND WIFE DORIS R. RUSHING, 3149 SIKES ROAD, MONROE, NC 28110

WHEREAS, the dwelling located at 327 Coxe Avenue 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 in a timely fashion.

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 327 Coxe Avenue 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


APPROVED AS TO FORM:

Senior Assistant City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

7

ORDINANCE NO. 2902-X

ORDINANCE NO. 2902-X

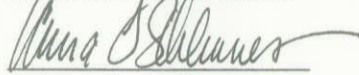
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2108 ROZZELLES FERRY ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JAMES EDWARD SUBER AND WIFE JEANETTE SUBER, 2108 ROZZELLES FERRY ROAD, CHARLOTTE, N.C. 28208.

WHEREAS, the dwelling located at 2108 Rozzelles Ferry Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

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 2108 Rozzelles Ferry Road 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

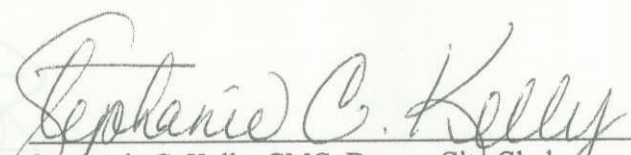
APPROVED AS TO FORM:

Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 440.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

0-63

ORDINANCE NO. 2903-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2850-X, THE 2004-2005 BUDGET
ORDINANCE, PROVIDING AN APPROPRIATION FROM THE U.S. DEPARTMENT OF
JUSTICE AND FROM THE POLICE ASSET FORFEITURE FUND FOR THE LOCAL LAW
ENFORCEMENT BLOCK GRANT

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

ORDINANCE NO. 2903-X

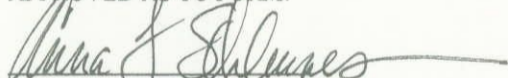
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 152 S. GREGG STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF J.C PATTERSON, III, 4949-B ALBEMARLE ROAD, CHARLOTTE, N.C. 28205.

WHEREAS, the dwelling located at 152 S. Gregg Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

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 152 S. Gregg Street 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 City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2904-X

O - 62

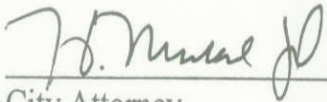
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AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FROM THE U.S. DEPARTMENT OF JUSTICE AND FROM THE POLICE ASSET FORFEITURE FUND FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT

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

- Section 1. That the sum of \$459,999 is hereby estimated to be available from the U.S. Department of Justice.
- Section 2. That the sum of \$51,111 is hereby estimated to be available from the Police Asset Forfeiture Fund.
- Section 3. That the sum of \$511,110 is hereby appropriated to the Public Safety Grant Fund 0413 for the 2004 Local Law Enforcement Block Grant.
- 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:

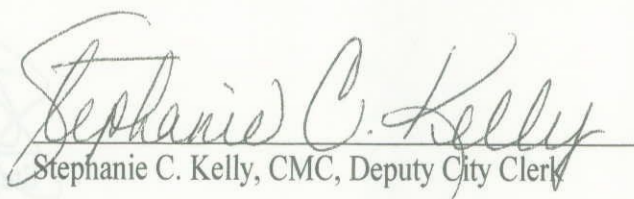


J. H. Murrell
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 442.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2905-X

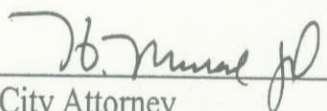
O - 63

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FROM THE POLICE ASSET FORFEITURE FUNDS

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

- Section 1. That the sum of \$449,754 is hereby estimated to be available from the Police Asset Forfeiture funds.
- Section 2. That the sum of \$449,754 is hereby appropriated to the Public Safety Grant Fund 0413 to purchase holsters and magazine pouches for new Smith and Wesson pistols.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

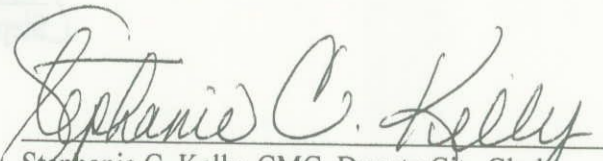
Approved as to form:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 443.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2906-X

O - 64

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION FOR SANITARY SEWER REHABILITATION

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

- Section 1. That the sum of \$3,822,720 is hereby estimated to be available from Water and Sewer Revenue Bonds.
- Section 2. That the sum of \$3,822,720 is hereby appropriated in the Water and Sewer Capital Investment Fund (2071) to the Sanitary Sewer Rehabilitation project (636.44)
- 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:

[Signature]

City Attorney

[Signature]

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 444.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.

[Signature]

Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2907-X

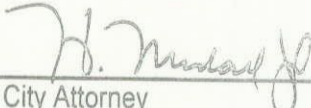
O - 65

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2008 BUDGET ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE McALPINE NUTRIENT REMOVAL PROJECT

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

- Section 1. That the sum of \$7,000,000 is hereby estimated to be available from Water and Sewer Revenue Bonds.
- Section 2. That the sum of \$7,000,000 is hereby appropriated in the Water and Sewer Capital Investment Fund (2071) to the McAlpine Nutrient Removal project (631.31)
- 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:



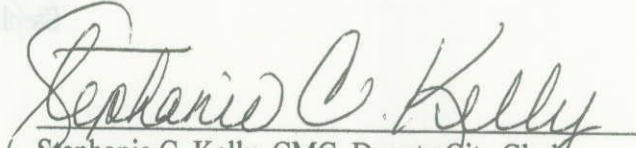
City Attorney

CERTIFICATION

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 3rd day of March, 2005.



Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2908-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X , THE 2004-2005 BUDGET ORDINANCE, APPROPRIATING AIRPORT EXCLUDED CENTERS FUND BALANCE FOR DESIGN SERVICES FOR THE RENOVATION AND EXPANSION OF THE AIRPORT'S FIXED BASE OPERATOR FACILITY

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

Section 1. That the sum of \$200,000 is available from Airport Excluded Centers Fund Balance.

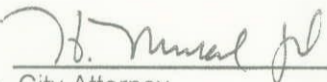
Section 2. That the sum of \$200,000 is hereby appropriated to the Airport Operating Fund
2073 - 562.54

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 program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

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:

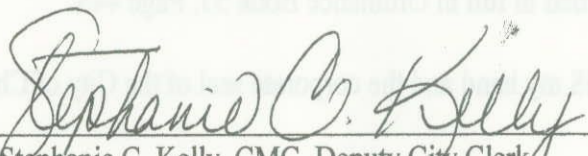


Sr. Atty. City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 446.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.



Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2909-X

O - 67

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, ESTIMATING STATE GRANT FUNDING, TRANSFERRING CAPITAL FUNDS, AND PROVIDING AN APPROPRIATION FOR DEVELOPER IMPROVEMENTS.

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

Section 1. That the sum of \$150,000 is hereby estimated to be available from the following sources:

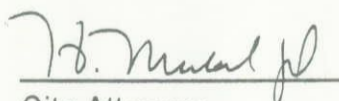
Source	Amount
North Carolina Department of Transportation	100,000
Transfer from 2010; 291.00 - Arterial Signal System Coordinator	50,000
Total	\$ 150,000

Section 2. That the sum of \$150,000 is hereby appropriated to General Capital Improvement Project Fund 2010; 281.50 - Participation in State Highway Projects.

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

Section 4. This ordinance shall be effective immediately.

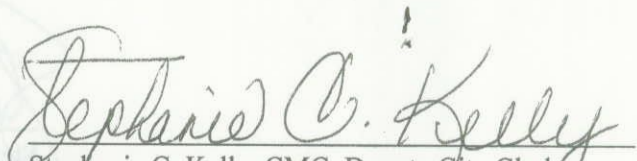
Approved as to Form:


J. H. Murrell
City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2910-X

O - 68

1

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, TRANSFERRING CAPITAL FUNDS AND PROVIDING AN APPROPRIATION FOR THE IN REM HOUSING PROGRAM.

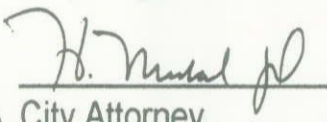
BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$170,000 is hereby transferred from General Capital Project Fund 2010; 477.80 - Neighborhood Matching Grants and is appropriated to General Capital Project Fund 2010; 377.10 - In Rem.

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

Section 3. This ordinance shall be effective immediately.

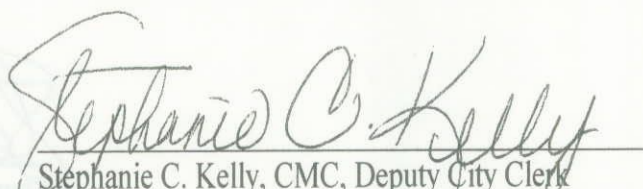
Approved as to Form:


H. Mural
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 448.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

ORDINANCE NO. 2911-X

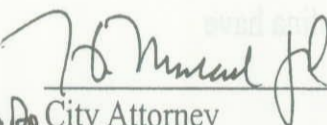
O - 69

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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

- Section 1. That the sum of \$306,717 is hereby estimated to be available from the U.S. Department of Housing and Urban Development.
- Section 2. That the sum of \$306,717 is hereby appropriated in the General Fund 0101, City Manager's Office – Community Relations Committee (104.02), for a Fair Housing Assistance grant.
- 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 ended.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon its adoption.

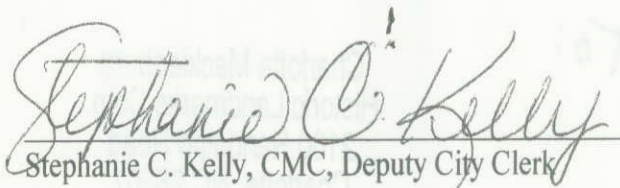
Approved as to form:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page 449.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.


Stephanie C. Kelly, CMC, Deputy City Clerk

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 JUL 08 02:42 PM
BK: 19008 PG: 770-776 FEE: \$0.00
INSTRUMENT # 2005128756



ORDINANCE NO. 2912-X

Ordinance designating as a Historic Landmark a property known as the "Lloyd Presbyterian Church Cemetery" (listed under Tax Parcel number 17709206 as of January 1, 2004, and including the landscaping and the parcel of land listed under Tax Parcel Number 17709206 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2004). The property is owned by Grubb Properties, Inc. and is located near the corner of Colony Road and Sharon Road in Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 14th day of November, 2004, on the question of designating a property known as the Lloyd Presbyterian Church Cemetery as a historic landmark; and

Return To:

Charlotte Mecklenburg
Historic Landmarks Com.
2100 Randolph Road
Charlotte, NC 28207

Ordinance – Lloyd Presbyterian Church Cemetery

WHEREAS, the Lloyd Presbyterian Church Cemetery is a large and well-preserved burial site for African Americans that contains graves roughly dating from 1868 until about 1926; and

WHEREAS, the Lloyd Presbyterian Church Cemetery is located in an otherwise highly-developed section of Charlotte and is one of the few reminders of the rural farming community that stretched along this section of Sharon Road; and

WHEREAS, the Lloyd Presbyterian Church Cemetery is the only surviving remnant of the Lloyd Presbyterian Church, a Christian congregation that established its own house of worship in response to the newly-gained liberation of African Americans from bondage; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Lloyd Presbyterian Church Cemetery possesses special significance in terms of its history, architecture, and/or cultural importance.

NOW, THEREFORE, BE IT ORDAINED by the members of the City Council of Charlotte, North Carolina:

1. That the property known as the “Lloyd Presbyterian Church Cemetery” (listed under Tax Parcel number 17709206 as of January 1, 2004, and including the landscaping and the parcel of land listed under Tax Parcel Number 17709206 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2004) is hereby designated

Ordinance – Lloyd Presbyterian Church Cemetery

1

as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated near the corner of Colony Road and Sharon Road, Mecklenburg County, North Carolina. Features of the property are more completely described in the *Survey and Research Report on the Lloyd Presbyterian Church Cemetery (2004)*.

2. That said landscaping and parcel of land are more specifically defined as the plantings, trees, burial sites, and topographical features of the property.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any physical feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such

Ordinance – Lloyd Presbyterian Church Cemetery

action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said property has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the "Lloyd Presbyterian Church Cemetery" be given notice of this ordinance as required by applicable law and

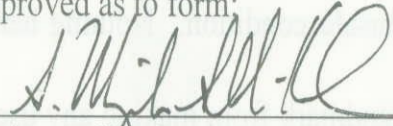
that copies of this ordinance be filed and indexed in the offices of the City Clerk,

Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Ordinance – Lloyd Presbyterian Church Cemetery

Approved as to form:

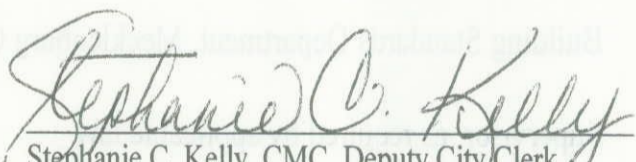


Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 450-455.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.



Stephanie C. Kelly, CMC, Deputy City Clerk

Ordinance – Lloyd Presbyterian Church Cemetery

EXHIBIT A

Legal Description of Conservation Area

All that certain lot or parcel of land lying and situate in the City of Charlotte,
Mecklenburg County, North Carolina and being more particularly described as follows:

BEING all of that certain lot containing approximately 2.1337 acres and designated as
“PARK” on plat entitled FINAL RECORD PLAT REVISION, MORRISON PLACE-
MAP 1 recorded in Map Book 42, Page 657 of the Mecklenburg County Public Registry.

AMENDING CHAPTER 15

ORDINANCE NO. 2913

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

WHEREAS, the City of Charlotte has a significant governmental interest in protecting the health, safety, and welfare of the general public and preserving the public order; and

WHEREAS, G.S. 160A-174 allows a city by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens; and

WHEREAS, G.S. 14-204, G.S. 14-204.1, and G.S. 14-177 make it unlawful to engage in various activities related to prostitution; and

WHEREAS, the City of Charlotte has a significant governmental interest in prohibiting prostitution and unlawful sexual activity, especially in public places; and

WHEREAS, the City Council finds that individuals who engage in prostitution and unlawful sexual activity in public places often do so on a continuing basis, even after having been arrested and convicted for engaging in such activity; and

WHEREAS, increased crime and unhealthful conduct tend to accompany, concentrate around, and be aggravated by prostitution and unlawful sexual activity in public places; and

WHEREAS, concern over sexually transmitted and other communicable diseases, including syphilis, gonorrhea, herpes, chlamydia, HIV/AIDS, Hepatitis B, and Hepatitis C is a legitimate health concern of the City of Charlotte, and such diseases are frequently associated with prostitution and unlawful sexual activity; and

WHEREAS, the City Council desires to minimize and control the adverse effects caused by prostitution and unlawful sexual activity in public places and thereby protect the health, safety, and welfare of the citizens, protect the citizens from increased crime, preserve the quality of life, preserve the property values and the character of neighborhoods and businesses, deter the spread of urban blight, and protect against the threat to health from the spread of communicable and social diseases; and

WHEREAS, the City Council desires to minimize and control the adverse effects caused by prostitution and unlawful sexual activity in public places by designating certain areas within the City of Charlotte as "prostitution-exclusion zones" and by temporarily excluding individuals arrested or convicted for prostitution or unlawful sexual activity

from the public rights-of-way within those zones as a civil remedy and not as criminal punishment.

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

Section 1. Chapter 15, "Offenses and Miscellaneous Provisions", of the Charlotte City Code is amended by creating Article XI, entitled "Prostitution-Exclusion Zones", to read as follows:

"ARTICLE XI. Prostitution-Exclusion Zones

Sec. 15-253. Definitions.

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

Appeals official means the city manager, or his designee.

Arrest means to place a person under actual or constructive restraint or to take a person into custody for the purpose of charging that person with an offense.

Conviction means an adjudication of guilt following a trial or a plea of guilty or no contest in a criminal case.

Essential needs mean food, physical care, and medical attention.

Prostitution-exclusion zone means an area of the city as designated by city council under this article, which is an area where the number of arrests for any of the offenses enumerated in section 15-255 for the preceding 12-month period is significantly higher than that for other similarly sized geographic areas of the city that are not located within a prostitution-exclusion zone.

Right-of-way means the area on a public roadway, highway, street, bicycle lane, or sidewalk, and associated adjacent land, in which the city has a property interest, whether by easement or fee and regardless of how acquired or established, for public travel purposes.

Travel means the movement on foot or within a vehicle within a prostitution-exclusion zone from one point to another without delay other than to obey traffic control devices.

Sec. 15-254. Designation of prostitution-exclusion zones.

- (a) If the city council designates an area as a prostitution-exclusion zone, council shall do so by ordinance. The designation shall be valid for a period of three years and three months.
- (b) The chief of police of the Charlotte-Mecklenburg Police Department is directed to report to city council at least 90 days before the end of the three year and three month period, as to whether there is a need to re-authorize or re-configure the prostitution-exclusion zones enumerated in section 15-260.

Sec. 15-255. Civil exclusions.

(a) A person is subject to exclusion for a period of 90 days from any public right-of-way within a prostitution-exclusion zone if that person has been arrested and a magistrate has issued a magistrate's order, pursuant to G.S. 15A-511(c), based upon probable cause to believe that the person has committed any of the following offenses within that prostitution-exclusion zone, unless the offense was committed entirely within a private residence:

- (1) Maintain or operate a conveyance for the purpose of prostitution or assignation, in violation of G.S. 14-204(1);
- (2) Occupy a conveyance or permit a conveyance to be used for the purpose of prostitution or assignation, in violation of G.S. 14-204(2);
- (3) Receive, offer or agree to receive any person into a conveyance for the purpose of prostitution or assignation, in violation of G.S. 14-204(3);
- (4) Direct, take or transport, or offer or agree to take or transport any person to any place, structure, or building or to any other person, with knowledge or reasonable cause to know that the purpose of such directing, taking, or transporting is prostitution or assignation, in violation of G.S. 14-204(4);
- (5) Procure or solicit, or offer to procure or solicit for the purpose of prostitution or assignation, in violation of G.S. 14-204(5);
- (6) Enter or remain in any conveyance for the purpose of prostitution or assignation, in violation of G.S. 14-204(6);
- (7) Engage in prostitution or assignation, or aid or abet prostitution or assignation, in violation of G.S. 14-204(7);
- (8) Loitering for the purpose of engaging in prostitution or crime against nature, in violation of G.S. 14-204.1;

- (9) Crime against nature, in violation of G.S. 14-177; or
- (10) Soliciting crime against nature, in violation of G.S. 14-177 and the common law of North Carolina.

The aforesaid 90 day exclusion will cease immediately if the person arrested or otherwise taken into custody for the offenses listed above is subsequently acquitted of the charge(s) or said charge(s) is/are dismissed.

(b) A one year exclusion from any public right-of-way within a prostitution-exclusion zone shall take effect upon the date of conviction for any of the offenses enumerated in subsection (a) of this section if that offense was committed within that prostitution-exclusion zone. The fact that a conviction is being appealed shall not stay the exclusion.

(c) A one year exclusion from any public right-of-way within a prostitution-exclusion zone shall be a condition of deferred prosecution for any person entering the Deferred Prosecution Program of the Division of Community Corrections for any of the offenses enumerated in subsection (a) of this section if that offense was committed within that prostitution-exclusion zone. There shall be no right of appeal from the issuance of such an exclusion.

(d) Except as allowed under section 15-258(c), a person excluded from a prostitution-exclusion zone under authority of this section may not enter that prostitution-exclusion zone except to:

- (1) Attend a meeting with an attorney;
- (2) Attend a scheduled initial interview with a social service provider;
- (3) Comply with court- or corrections-ordered obligations;
- (4) Contact criminal justice personnel at a criminal justice facility;
- (5) Attend any administrative or judicial hearing relating to an appeal of:
 - a. The person's notice of exclusion; or
 - b. The denial, revocation, or amendment of the person's variance;
- (6) Travel through that prostitution-exclusion zone on a public transportation vehicle; or
- (7) Travel through that prostitution-exclusion zone on the I-77, I-277, I-85 or I-485 freeways within its boundaries.

(e) While in a prostitution-exclusion zone, a person who is otherwise excluded may travel only directly to and from the obligations enumerated in subsection (d) of this section.

(f) If an excluded person is in the prostitution-exclusion zone from which that person is excluded, in violation of the exclusion during the exclusion period, that person is subject to arrest for second degree trespass pursuant to G.S. 14-159.13.

Sec. 15-256. Issuance of exclusion notices.

The chief of police and his designees are the persons in charge of the public rights-of-way in the prostitution-exclusion zones for purposes of issuing notices of exclusion in accordance with this article.

Sec. 15-257. Procedure.

(a) If a person is arrested and a magistrate has issued a magistrate's order, pursuant to G.S. 15A-511(c), based upon probable cause to believe that the person has committed any of the offenses enumerated in section 15-255(a) within a prostitution-exclusion zone, the chief of police or his designees shall exclude that person from that prostitution-exclusion zone. Every person excluded shall be provided a notice of exclusion and variances.

(b) At the time a person is issued a notice of exclusion from a prostitution-exclusion zone, the chief of police or his designees shall issue those variances described in section 15-258(c)(2) through (6), and may do a preliminary review with the excluded person of the need for an additional variance and may issue a general variance pursuant to the process described in section 15-258(c).

(c) The notice of exclusion shall be in writing and a copy delivered to the excluded person. The notice of exclusion shall specify the following:

- (1) The area designated as a prostitution-exclusion zone in section 15-260 from which that person is excluded; and
- (2) Information concerning the right to appeal the exclusion to the appeals official.

Sec. 15-258. Appeal and variances.

(a) *Appeal of notice of exclusion, denial of variance, denial of amendment to variance, and revocation of variance.* A person to whom a notice of exclusion is issued, whose request for a variance or an amendment to a variance is denied, or whose variance is revoked, shall have a right to appeal as follows:

- (1) Appeals shall be made to the appeals official.

- (2) Copies of documents in the city's control which are intended to be used at the hearing shall be made available, upon request, to the appellant.
- (3) An appeal of a 90 day notice of exclusion must be filed, in writing, within five calendar days following issuance of the notice of exclusion.
- (4) An appeal of a one year conviction-based exclusion must be filed, in writing, within five calendar days following the date of conviction.
- (5) An appeal of:
 - a. A denial of a request for a variance; or
 - b. A denial of a request for an amendment to a variance; or
 - c. A revocation of a variance must be filed, in writing, within five calendar days following the action regarding the variance.
- (6) Within five business days after the receipt of the appeal, or such longer period of time as agreed to by the appellant, the appeals official shall hold a *quasi-judicial* hearing on an appeal and shall render a decision on the appeal at the conclusion of the hearing. The decision of the appeals official shall be based solely on the criteria set forth in this section.
- (7) A 90 day exclusion shall not take effect during the time that an appeal of the 90 day exclusion is pending. If no appeal is taken, the initial 90 day exclusion shall take effect at 12:01 a.m. on the sixth calendar day following the issuance of the notice of exclusion.
- (8) A one year conviction-based exclusion shall take effect at 12:01 a.m. on the calendar day following the date of conviction and, notwithstanding an appeal of the exclusion, shall remain in effect unless the appeals official issues a contrary decision.
- (9) At the hearing on an appeal of a 90 day exclusion, the city shall have the burden to show by a preponderance of the evidence that the appellant committed any of the offenses enumerated in section 15-255(a), and that the conduct supporting the exclusion occurred within a prostitution-exclusion zone.
- (10) At the hearing on an appeal of a one year conviction-based exclusion, the city shall have the burden to show by a preponderance of the evidence that the appellant committed any of the offenses enumerated in section 15-255(a), and that the conduct supporting the exclusion occurred within a prostitution-exclusion zone.

- (11) At the hearing on an appeal of a denial of a request for a variance provided in section 15-258(a)(5)a., the city shall have the burden to show by a preponderance of the evidence that the denial was in accordance with this section.
- (12) At the hearing on an appeal of a denial of a request for an amendment to a variance provided in section 15-258(a)(5)b., the city shall have the burden to show by a preponderance of the evidence that the denial was in accordance with this section.
- (13) At the hearing on an appeal of a revocation of a variance provided in section 15-258(a)(5)c., the city shall have the burden to show by a preponderance of the evidence that any of the conditions enumerated in this section supporting revocation existed at the time of revocation.
- (14) At the hearing on an appeal of a 90 day exclusion, the following shall be prima facie evidence that the exclusion was based on probable cause to believe that the appellant committed any of the offenses enumerated in section 15-255(a):
 - a. A determination by a judicial official having jurisdiction over the offense that forms the basis for the exclusion, that probable cause existed to arrest the person to whom the initial 90 day notice of exclusion was issued for violation of any of the offenses enumerated in section 15-255(a); or
 - b. Criminal process charging the person to whom a 90 day notice of exclusion was issued, for violation of any of the offenses enumerated in section 15-255(a).
- (15) At the hearing on an appeal of a one year conviction-based exclusion, a judgment of conviction for any of the offenses that formed the basis for the exclusion, as enumerated in section 15-255(a), shall be conclusive evidence that the described conduct occurred.

(b) *Review of decision of appeals official.* The decision of the appeals official is subject to review in the superior court of the county by proceedings in the nature of certiorari. Any petition for writ of certiorari for review shall be filed with the clerk of superior court within 30 days after the appellant has received notice of the decision. Unless good cause exists to contest a petition for writ of certiorari, the city shall stipulate to certiorari no later than five business days after the petitioner requests such a stipulation. The city shall transmit the record to the court no later than five business days after receiving the order allowing certiorari. Notwithstanding the provisions of any local rule of the reviewing court that allows for a longer time period, the city shall file its brief within 15 days after it is served with the petitioner's brief. If the petitioner serves his brief by mail, the city shall add three days to this time limit, in accordance with G.S. 1A-

1, rule 5. If the local rule is subsequently amended to provide for a shorter time period for the filing of any brief, then the shorter time period shall control. The North Carolina Rules of Appellate Procedure shall govern an appeal by an appellant from the superior court of the county.

(c) *Variances.* Variances shall be granted, denied, amended, or revoked in accordance with the following provisions:

All variances shall be in writing, for a specific period and only to accommodate a specific purpose, all of which shall be stated on the variance.

The purpose of the variance is to allow only travel to and from locations within a prostitution-exclusion zone according to the terms of the variance. The variance must be carried on the person while in a prostitution-exclusion zone in order to be effective and must be presented to a Charlotte-Mecklenburg Police Department officer upon request.

An excluded person shall make a request for a variance during regular business hours at the Charlotte-Mecklenburg Police Department division office that was responsible for the arrest that resulted in the exclusion or at the main headquarters building.

(1) *General variance.* The chief of police or his designees may, for any reason, grant an excluded person a variance from an exclusion at any time during an exclusion period. Except as described in section 15-257(b), an appropriate variance shall be granted to an excluded person who presents a plausible need to engage in any non-criminal activity that is not associated with the behavior supporting the person's exclusion. A variance granted under this subparagraph allows travel within the prostitution-exclusion zone only in accordance with the terms specified in the variance.

(2) *Residential variance.* The chief of police or his designees shall grant a residential variance to an excluded person. A residential variance allows travel within the prostitution-exclusion zone directly to or from the person's residence.

(3) *Essential needs variance.* The chief of police or his designees shall grant an essential needs variance to an excluded person. An essential needs variance allows travel within the prostitution-exclusion zone in accordance with the terms of the variance:

a. To access a public or private place within the prostitution-exclusion zone that provides an essential need;

b. When the essential need sought by the excluded person cannot reasonably be accessed by the excluded person without entering the prostitution-exclusion zone.

(4) Employment variance. The chief of police or his designees shall grant an employment variance to an excluded person. An employment variance allows an excluded person to travel to, from or for work within the prostitution-exclusion zone in accordance with the terms of the variance if the excluded person:

- a. Is an owner, principal, agent or employee of a place of lawful employment located in the prostitution-exclusion zone; or
- b. Is required to perform employment-related services in the prostitution-exclusion zone.

(5) Social services variance. The chief of police or his designees shall grant a social services variance to an excluded person. A social services variance allows travel within the prostitution-exclusion zone in accordance with the terms of the variance if the excluded person:

- a. Is in need of social services in the prostitution-exclusion zone;
- b. The social services are sought for reasons relating to the health or well-being of the excluded person; and
- c. The social services agency has written rules and regulations prohibiting the unlawful use and sale of controlled substances by their clients.

(6) Educational variance.

a. The chief of police or his designees shall grant an educational variance to an excluded person. An educational variance allows travel within the prostitution-exclusion zone in accordance with the terms of the variance:

1. To enroll as a student at an educational facility located within the prostitution-exclusion zone; or
2. To attend school at an educational facility located within the prostitution-exclusion zone.

b. The chief of police or his designees may grant an educational variance to an excluded person to allow travel within the prostitution-exclusion zone in accordance with the terms of the variance if the excluded person will be enrolled at an educational facility within the prostitution-exclusion zone if the variance is granted.

(d) *Revocation or amendment of variances.* Variances may be revoked or amended in accordance with the following provisions:

- (1) A variance may be revoked or amended for the following reasons:
 - a. The excluded person provided false information in order to obtain the variance;
 - b. There is probable cause to believe the person has committed any of the offenses enumerated in section 15-255(a) in the prostitution-exclusion zone subsequent to the issuance of the variance;
 - c. If the circumstances giving rise to the issuance of the variance no longer support a continuation of the variance or a term thereof; or
 - d. If the person has new circumstances that would support amending the variance.

(2) Residential variance exception:

- a. A residential variance may be revoked only if the applicant provided false residential information in order to obtain the variance; or
- b. If the circumstances giving rise to the issuance of the variance no longer support the continuation of the variance.

(e) It shall be unlawful for any person to violate any term of any variance issued pursuant to this section.

(f) It shall be unlawful for any person to fail to carry a variance on his person or to present a variance to a Charlotte-Mecklenburg Police Department officer upon request while that person is in a prostitution-exclusion zone.

Sec. 15-259. Penalty.

Any person who violates any provision of this article shall be guilty of a misdemeanor as provided in G.S. 14-4.

Sec. 15-260. Listing of prostitution-exclusion zones.

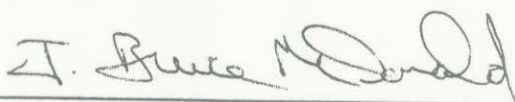
The following description shall comprise the boundaries of the prostitution-exclusion zones listed, and the prostitution-exclusion zones shall include the entire area on and within the listed boundaries.

Metro Zone: Beginning within the northerly intersection of Camp Greene Street and Freedom Drive, said point also being described as the intersection point of the northerly right-of-way margin of Camp Greene Street and the northerly right-of-way margin of Freedom Drive; thence in a southeasterly direction crossing said Camp Greene Street along and with the northerly right-of-way margin of said Freedom Drive to a point located on the westerly right-of-way margin of Berryhill Road; thence crossing said Berryhill Road continuing in a southeasterly direction along and with the northerly right-of-way margin of Freedom Drive to a point located on the westerly right-of-way margin of Thrift Road, said point being located within the northwesterly intersection of said streets; thence crossing over the Thrift Road and Freedom Drive intersection along and with the extension of the aforesaid northerly right-of-way margin of said Freedom Drive to a point located on the easterly right-of-way margin of Thrift Road, also being the northerly right-of-way margin of Freedom Drive; thence in a southeasterly direction continuing along and with the northerly right-of-way margin of said Freedom Drive to a point located on the northwesterly right-of-way margin of Woodruff Place; thence crossing said Woodruff Place continuing in a southeasterly direction along and with the northerly right-of-way margin of Freedom Drive to a point located on the northwesterly right-of-way margin of Walnut Avenue; thence crossing over the Walnut Avenue and Freedom Drive intersection to a point located on the southeasterly right-of-way margin of said Walnut Avenue, said point marking the beginning of a curve to the left having a radius of 100 feet and an arc length of 168.72 feet, as shown on Map Book 3, Page 225, as recorded in the Mecklenburg County Register of Deeds Office; thence along and with said curve 168.72 feet to a point located on the northerly right-of-way margin of West Morehead Street; thence crossing said West Morehead Street in a south southwesterly direction to a point located on the southerly right-of-way margin of said street and also being located on the easterly right-of-way margin of Freedom Drive; thence crossing said Freedom Drive in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the easterly right-of-way margin of Bryant Street (not open); thence crossing said Bryant Street (not open) continuing in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the easterly right-of-way margin of Suttle Avenue; thence crossing said Suttle Avenue continuing in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the easterly right-of-way margin of Julian Price Place; thence crossing said Julian Price Place continuing in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the easterly right-of-way margin of Morton Street; thence crossing said Morton Street continuing in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the easterly right-of-way margin of Arty Avenue; thence crossing said Arty Avenue continuing in a southwesterly direction along and with the southerly right-of-way margin of West Morehead Street to a point located on the northerly right-of-way margin of Wilkinson Boulevard; thence crossing said Wilkinson Boulevard continuing in a southwesterly direction with the southerly right-of-way margin of West Morehead Street (extended) to a point located on the southerly right-of-way margin of said Wilkinson Boulevard; thence along and with the southerly right-of-way margin of Wilkinson Boulevard in a westerly direction to a point located on the easterly right-of-way margin

of Berryhill Road; thence leaving the said southerly right-of-way margin of Wilkinson Boulevard in a southerly direction along and with the easterly right-of-way margin of said Berryhill Road to a point located in the centerline of the Norfolk Southern Railroad right-of-way; thence leaving the easterly right-of-way margin of Berryhill Road and crossing said road in a westerly direction along and with the center line of the Norfolk Southern Railroad right-of-way to a point located on the easterly right-of-way margin of Remount Road; thence crossing said Remount Road continuing in a westerly direction along and with the center line of the Norfolk Southern Railroad approximately 411 feet to the southwest corner of Tax Parcel 117-011-09, also described as #2501 Wilkinson Boulevard; thence leaving the center line of the Norfolk Southern Railroad in a northerly direction along and with the westerly property line of Tax Parcel 117-011-09 approximately 434 feet to a point, said point being the westerly most corner of said Tax Parcel 117-011-09 and also being the southwest corner of Tax Parcel 117-011-10, also described as #2533 Wilkinson Boulevard; thence continuing in a northerly direction along and with the westerly property line of said Tax Parcel 117-011-10 approximately 150 feet to a point, said point being the northwest corner of said Tax Parcel 117-011-10, being located on the southerly right-of-way margin of Wilkinson Boulevard; thence crossing said Wilkinson Boulevard in a northerly direction to a point located on the northerly right-of-way margin of said Wilkinson Boulevard and the westerly right-of-way margin of Camp Greene Street; thence continuing in a northerly direction along and with the westerly right-of-way margin of said Camp Greene Street to a point located on the southerly right-of-way margin of Greenland Avenue; thence crossing said Greenland Avenue continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to a point located on the southerly right-of-way margin of Marlowe Avenue; thence crossing said Marlowe Avenue continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to a point located on the southerly right-of-way margin of Seabrook Drive; thence crossing said Seabrook Drive continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to a point located on the southerly right-of-way margin of Herbert Spaug Lane; thence crossing said Herbert Spaug Lane continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to a point located on the southerly right-of-way margin of Weyland Avenue; thence crossing said Weyland Avenue continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to a point located on the southerly right-of-way margin of Royston Road; thence crossing said Royston Road continuing in a northerly direction along and with the westerly right-of-way margin of Camp Greene Street to the point and place of beginning.”

Section 2. This ordinance shall become effective on June 1, 2005.

Approved as to Form:

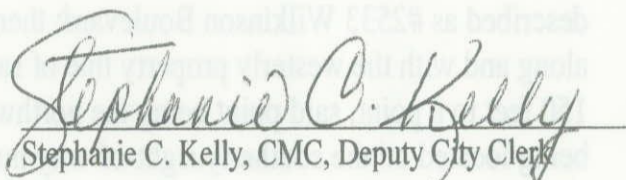


Senior Assistant City Attorney

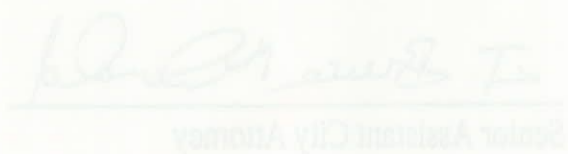
CERTIFICATION

I, Stephanie C. Kelly, 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 28th day of February, 2005, the reference having been made in Minute Book 122, and recorded in full in Ordinance Book 53, Page(s) 456-469.

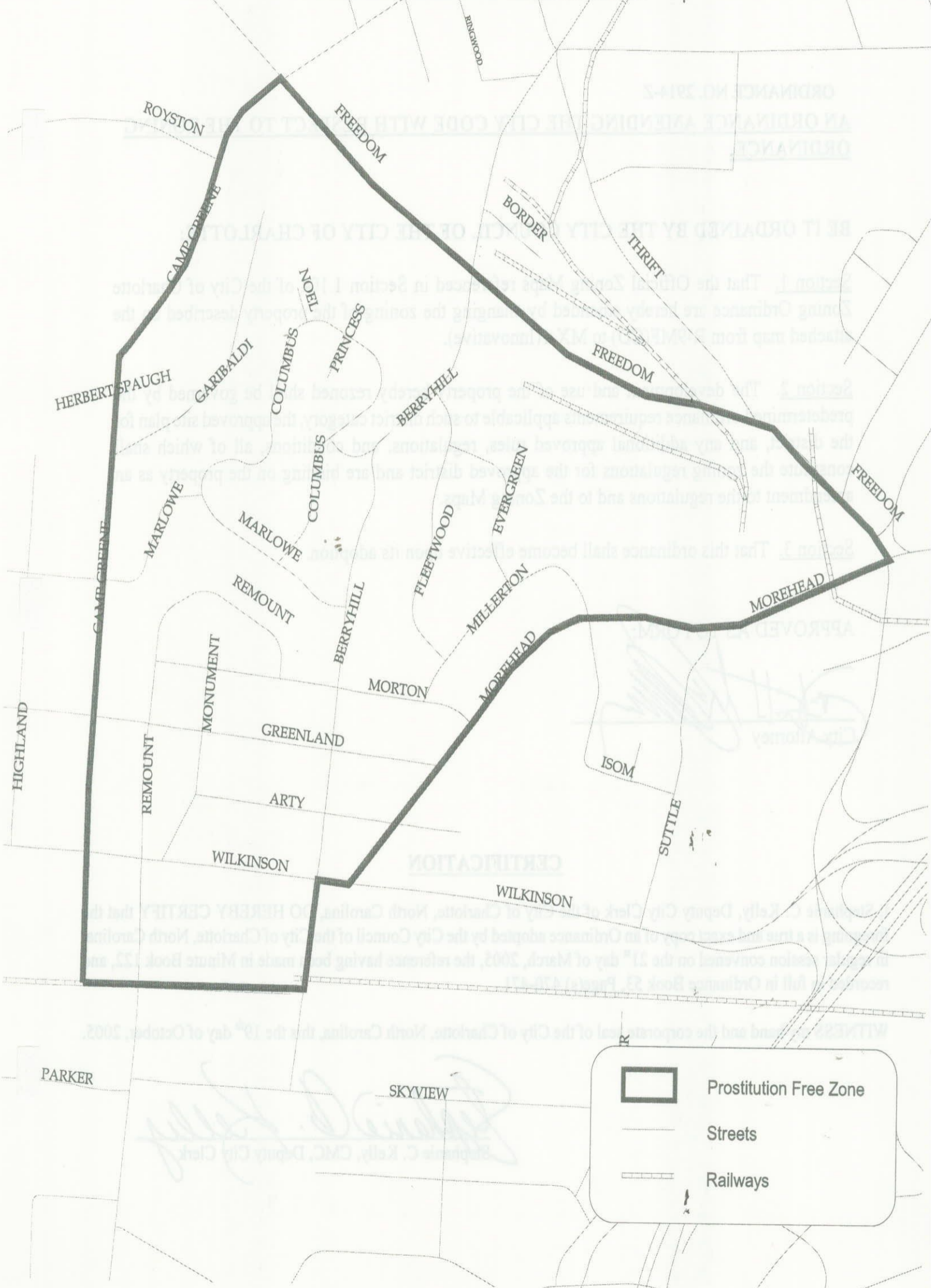
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 2005.





Stephanie C. Kelly, CMC, Deputy City Clerk

Approved as to Form:


Senior Assistant City Attorney

PROSTITUTION FREE ZONE



	Prostitution Free Zone
	Streets
	Railways