

ORDINANCE NO. 3346-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2900 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 RONALD L. PIERCE, 13000-F YORK ROAD, CHARLOTTE, NC 28278

WHEREAS, the dwelling located at 2900 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 2900 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:

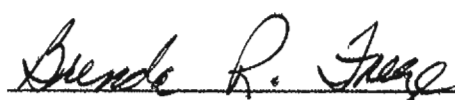


Assistant City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 438.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

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ORDINANCE NO. 3347-X

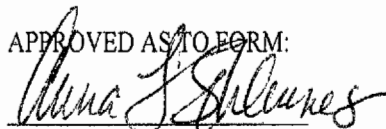
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 631 BRADFORD DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF CHARLES THOMAS ADAMS, 16031 SUNSET DRIVE, HUNTERSVILLE, N.C. 28078

WHEREAS, the dwelling located at 631 Bradford 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 631 Bradford 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:

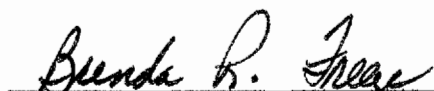


Assistant City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 439.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3348-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4344 EAGLE CHASE 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 TESSIE SHAW MCCAUSLIN 4344 EAGLE CHASE DRIVE, CHARLOTTE, NC 28216

WHEREAS, the dwelling located at 4344 Eagle Chase 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 4344 Eagle Chase 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.

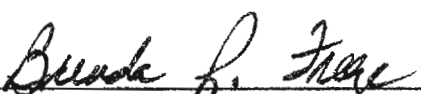
APPROVED AS TO FORM:


Assistant City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3349-X

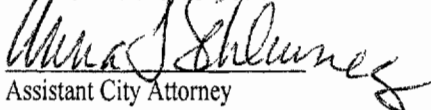
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 8425 OLD CONCORD ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ELIZABETH MCCLELLAN GLENN AKA ELIZABETH GLENN WATTS, LUTHER EARNHARDT MCCLELLAN, WILLIAM CICERO MCCLELLAN, MARY EMILY MCCLELLAN, IDA MCCLELLAN SATTERFIELD, P.O BOX 107, NEWELL, NC 28126

WHEREAS, the dwelling located at 8425 Old Concord 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 8425 Old Concord 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:


Assistant City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3350-X

O-7

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3302-X, THE 2006-2007 BUDGET ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE I-485 PARKING GARAGE PROJECT IN ASSOCIATION WITH SOUTH CORRIDOR DEVELOPMENT

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

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

Source	Amount
Federal Grant	\$429,595
CATS Operating Fund (7801) fund balance	1,070,405
Total	\$1,500,000

Section 2. That the sum of \$1,500,000 is hereby appropriated to:

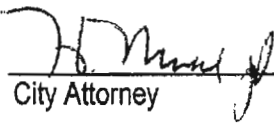
Fund	Center	Project Title	Amount
2098	89673	I-485 Parking Deck Archer	\$429,595
2098	53683	I-485 Amendment	1,070,405
Total			\$1,500,000

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to Form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 442.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3351-X

O-8

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X , THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING \$9,506,664 IN FAA GRANTS AND \$375,000 IN AIRPORT DISCRETIONARY FUNDS TO REIMBURSE THE AIRPORT FOR 75% OF THE COSTS ASSOCIATED WITH THE FOLLOWING PROJECTS: MASTER PLAN LAND ACQUISITION, OBSTACLE FREE AREA CLEARING, NEW AIRCRAFT RESCUE AND FIRE FIGHTING FACILITY.

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

Section 1. That the sum of \$9,506,664 is available from FAA Grants.

Section 2. That the sum of \$9,506,664 is hereby appropriated to the following Airport Capital Projects Funds:

- 2083-528.21 = \$3,842,998
- 2077-562.12 = \$3,417,416
- 2077-563.14 = \$802,500
- 2090-540.10 = \$318,750
- 2090-540.11 = \$1,125,000

Section 3. That the sum of \$375,000 is available from Airport Discretionary Funds to be repaid from future Airport Revenue Bonds, or some other permanent financing.

Section 4. That the sum of \$375,000 is hereby appropriated to the Airport Capital Projects Funds:
2090-540.11

Section 5. That the sum of \$3,840,000 is available from 1999 Series D General Airport Revenue Bonds

Section 6. That the sum of \$3,840,000 is hereby transferred to the Debt Service Fund.

Section 7. 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 8. All ordinances in conflict with this ordinance are hereby repealed.

Section 9. This ordinance shall be effective upon adoption.

Approved as to form:

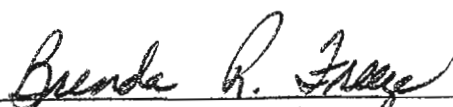


City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3352-X

O-9

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X , THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING \$5,560,528 IN AIRPORT DISCRETIONARY FUNDS TO PURCHASE AN ESSENTIAL COMPONENT OF THE NEW RUNWAY ELECTRONIC SYSTEMS (NAVAIDS) TO ASSIST PILOTS IN NAVIGATING TO AND FROM THE AIRPORT.

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

Section 1. That the sum of \$5,560,528 is available from Airport Discretionary Funds to be repaid from future FAA funds and Airport Revenue Bonds.

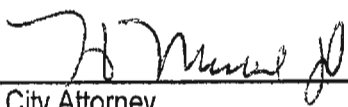
Section 2. That the sum of \$5,560,528 is hereby appropriated to the Airport Capital Projects Fund: 2090 - 540.02.

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:

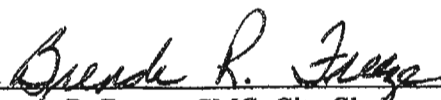


City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3353-X

O-10

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, ESTIMATING AND APPROPRIATING NORTH CAROLINA GRANT FUNDING FOR BUSINESS INCENTIVES.

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

Section 1. That the sum of \$865,000 is hereby estimated to be available from the State of North Carolina for the One North Carolina initiative.

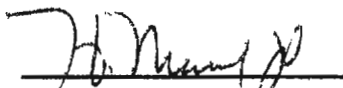
Section 2. That the sum of \$865,000 is hereby appropriated to the General Fund Non-Departmental 0101; 532.28 - One NC Fund Grant.

Section 3. That the existence of the project may extent beyond the end of the fiscal year. Therefore, this ordinance shall remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until the project is completed.

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

Section 5. This ordinance shall be effective immediately.

Approved as to Form:

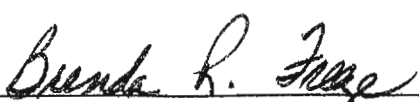


City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3354-X

O-11

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING FUNDING FROM DUKE ENERGY CORPORATION FOR THE FIXED NUCLEAR FACILITY RESPONSE PROGRAM

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

Section 1. That the sum of \$60,000 is hereby estimated to be available from Duke Energy Corporation for the purchase of specialized equipment for the Fixed Nuclear Facility Response Program

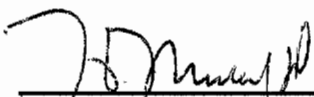
Section 2. That the sum of \$60,000 is hereby appropriated to the Public Safety Grants Fund (0413) Center 530.31

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

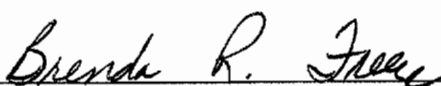


City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3355-X

O-12

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING FUNDING FROM THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT FOR THE 2006 BUFFER ZONE PROTECTION PROGRAM

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

Section 1. That the sum of \$679,000 is hereby estimated to be available from a grant from the North Carolina Division of Emergency Management.

Section 2. That the sum of \$679,000 is hereby appropriated to the Public Safety Grants Fund (0413) Center 533.21

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

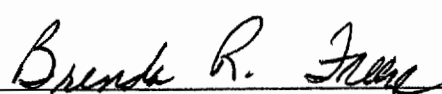


J. D. Manning, Jr. City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3356-X

O-13

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR DEVELOPER SIGNAL IMPROVEMENTS.

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

Section 1. That the sum of \$382,275 is hereby available from developers and is appropriated to General Capital Project Fund 2010;281.52 - Developer Contributions.

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

Section 3. This ordinance shall be effective immediately.

Approved as to Form:

[Signature]
By *[Signature]* City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 448.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.

[Signature]
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3357-X

O-14

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET
ORDINANCE, APPROPRIATING ASSETS FORFEITURE FUNDS FOR POLICE EQUIPMENT
AND OTHER MISCELLANEOUS EXPENSES

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

Section 1. That the sum of \$114,170 is hereby available from Police Assets Forfeiture funds

Section 2. That the sum of \$114,170 is hereby appropriated to the Public Safety Grant Fund (0413)

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. D. [Signature]
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 449.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.

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

ORDINANCE NO. 3358-X

O-15

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET
ORDINANCE, APPROPRIATING ESTIMATED GRANT REVENUES AND ASSETS FORFEITURE FUNDS
TO PROVIDE LOCAL REQUIRED MATCH FOR THE NORTH CAROLINA GOVERNOR'S HIGHWAY
SAFETY COMMISSION PROGRAM FOR COLLISION AND FATALITY PREVENTION MEASURES

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

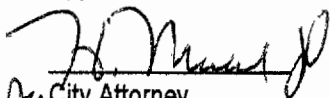
Section 1. That the sum of \$53,724 is estimated to be available from the N.C. Governor's Highway Safety Commission Grant
That the sum of \$17,908 for the required local match is hereby available from Police Assets Forfeiture funds

Section 2. That the sum of \$71,632 is hereby appropriated to the Public Safety Grant Fund (0413)

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

Section 4. This ordinance shall be effective immediately.

Approved as to Form:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 450.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3359-X

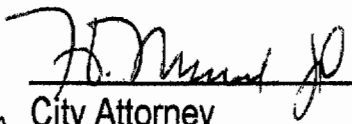
O-16

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET
ORDINANCE, APPROPRIATING NORTH CAROLINA GOVERNOR'S CRIME COMMISSION
FUNDS FOR THE GANG OF ONE COMMUNITY COLLABORATIVE STRATEGY**

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

- Section 1. That the sum of \$75,000 is hereby available from The N.C. Governor's Crime Commission for the Gang of One Community Collaborative Strategy
- Section 2. That the sum of \$75,000 is hereby appropriated to the Public Safety Grant Fund (0413)
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.


Approved as to Form:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 451.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3360

AMENDING CHAPTER 19

**AN ORDINANCE AMENDING CHAPTER 19 OF THE CHARLOTTE CITY
CODE ENTITLED "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES"**

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

Section 1. Chapter 19 of the Charlotte City Code is amended by adding a new Article XII to read as follows:

"ARTICLE XII. VALET PARKING.

Sec. 19-321. Definitions.

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

Valet operator means (a) a person whose business is served by valet parking service, (b) a person who provides valet parking service, and (c) any employee or agent of a person described in (a) or (b) who provides, or participates in the provision of, valet parking service. For purposes of this Article, valet operator shall not mean the City of Charlotte or a person acting on behalf of the City of Charlotte.

Valet parking service means accepting possession of a vehicle on the right-of-way for the purpose of parking the vehicle for the operator or retrieving a parked vehicle and returning it to the operator on the right-of-way, regardless of whether a fee is charged.

Sec. 19-322. Permits.

(a) *Permit required.* No valet parking service is permitted unless a permit allowing such activity has been issued pursuant to this section.

(b) *Permit application.* An application for a valet parking permit shall be made in writing on a form prescribed by the director/engineer. The application must contain the following:

- (1) the name, address, and telephone number of the business to be served by the valet parking service and, if separate from the business to be served, the owner/operator of the valet parking service;
- (2) a written justification of the need for valet parking service by the business to be served;

- (3) a scale drawing of the location and limits of the proposed valet parking service activities, including an identification of any on-street parking spaces or loading zones that would be affected by the activities;
- (4) an operation plan that includes the days and times when valet parking services will be provided;
- (5) an indemnity and release form as prescribed by the director/engineer;
- (6) proof of insurance as required by the director/engineer;
- (7) any other information reasonably required by the director/engineer; and
- (8) payment of a non-refundable application fee established pursuant to Section 2-1 of the Charlotte City Code.

The permit application requirements of this section shall also apply to permit renewals.

(c) *Permitting criteria.* The director/engineer shall issue or deny a valet parking permit taking into consideration the following factors:

- (1) whether the application is complete;
- (2) the extent to which the valet parking service might unreasonably disrupt the flow of pedestrian and vehicular traffic, including the location of the proposed valet parking service in relationship to traffic control devices;
- (3) the extent to which the valet parking service might unreasonably interfere with or impinge upon on-street parking;
- (4) the proximity of traditional on-street and off-street parking to the business to be served by the valet parking service; and
- (5) the proximity and relationship to any other previously permitted valet parking service.

A permit shall specify (i) the business served; (ii) the location and limits of the valet parking service activities; (iii) the days and times when the valet parking service is permitted; (iv) any additional restrictions or requirements regarding the location or operation of the valet parking service; (v) identification tag requirements for valet operators; (vi) the permit expiration date; and (vii) any other conditions on the permit.

A permit shall not be valid until the applicant has paid a right-of-way use fee established by the director/engineer taking into consideration the amount of right-of-way and other public property and facilities occupied by the valet parking service and potential lost meter revenue.

(d) *Modification and revocation.* The City may modify or revoke a permit issued pursuant to this section at any time and for any reason.

(e) *Temporary suspension.* The City may temporarily suspend a permit issued pursuant to this section when warranted by traffic conditions or anticipated traffic conditions.

(f) *No rights established.* Nothing in this article is intended to establish any legal right to provide a valet parking service or any legal property interest in a valet parking permit.

Sec. 19-323. Violations.

(a) It shall be unlawful for a valet operator to provide or engage in valet parking service without a valid valet parking permit issued pursuant to this article. A valet parking permit that has expired or that has been suspended or revoked is not a valid permit.

(b) It shall be unlawful for a valet operator to provide or engage in valet parking service in violation of the terms and conditions of a valet parking permit that pertains to the valet parking service.

(c) It shall be unlawful for a valet operator to stop or direct traffic.

Sec. 19-324. Enforcement.

(a) Any person who violates Sec. 19-323(a) shall be subject to a civil penalty of \$1,000.00 for each day during which such violation occurs.

(b) Any person who violates Sec. 19-323(b) or (c) shall be subject to a civil penalty of \$100.00 for each violation.

(c) A violation of this article shall not constitute an infraction or misdemeanor punishable under G.S. 14-4.

Sec. 19-325. Appeals.

The denial, modification, revocation, or suspension of a valet parking permit, or the issuance of civil penalties, may be appealed within ten (10) days after notice of such action. Appeals shall be heard by the city manager or the city manager's designee. A ruling on appeal is subject to further review in the Superior Court of Mecklenburg 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 thirty (30) days after notice of the decision has been sent to the appellant.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 452-454

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk