

ORDINANCE NO. 3732-X

O-35

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE
PROVIDING AN ADDITIONAL APPROPRIATION FOR LYNX BLUE LINE OPERATIONAL SUPPORT

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

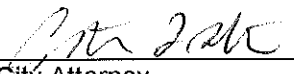
Section 1. That the sum of \$522,716 is hereby estimated to be available from CATS
Operating Fund balance (7801)

Section 2. That the sum of \$522,716 is hereby appropriated for transfer to the Rapid Transit
Capital Fund (2098) in the project for Systems Engineering Support (53689)

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 All ordinances in conflict with this ordinance are hereby repealed.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:



Sr. A. City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of November 2007, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page 166.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3733

AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE II OF THE CITY CODE,
ENTITLED "HEALTH AND SANITATION"

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

Section 1: Section 10-212 of the City Code is amended to read as follows:

Sec. 10-212. Signs within public rights-of-way and on public property.

(a) *Restricted.* It shall be unlawful for any person to attach, place, paint, write, stamp or paste any sign, handbill, or advertisement or other matter within 11 feet of the edge of the pavement of any road, roadway, street, or alley, or within any public rights-of-way as defined in section 10-32, or upon any post, pole, tree, tree stake or guard, shrub, fire hydrant, or upon anything else within 11 feet of the edge of the public rights-of-way or upon any bridge or overpass within the city limits or upon other public property including, but not limited to, traffic medians, except as provided in paragraph (b) of this section.

(b) *Exceptions.* This section shall not apply to the following signs:

- (1) Signs regulating traffic.
- (2) Signs required to be posted by law.
- (3) Warning signs and no trespassing signs.
- (4) Signs indicating bus stops, taxi stands and similar transportation facilities.
- (5) Signs not exceeding four square feet in area giving information concerning the location or use of accessory off-street parking facilities or loading and unloading facilities.
- (6) Signs established by governmental agencies.
- (7) ~~Temporary decorative signs erected in accordance with section 3053.7.1 et seq. of the zoning ordinance (Appendix A to this Code).~~
- (8) Signs permitted by the state board of transportation along state-mandated streets. Proof of permission must be shown upon request.
- (9) Nothing in this section shall apply to the painting of house numbers on curbs done with the prior approval of the engineering department.
- (10) Nothing in this section shall apply to the installation of a plaque, plate, statue, or monument on public property with the approval of the city council.

(c) *Responsible Person.* The person responsible for any signs, handbills or advertisements in violation of Section 10-212(a) is defined as follows:

- (1) In the case of a sign, handbill, or advertisement advertising a service, product, dwelling, or event: the person, business, company, or other entity hosting or organizing the event advertised or selling the services, dwellings, products, or events advertised, or the person, business, company or other entity responsible for

attaching, placing, painting, writing, stamping or pasting any sign, handbill, or advertisement shall be deemed the responsible person. That is, unless such person, business, company, or other entity notifies the code enforcement division manager of another person, business, company, or other entity who is responsible. In such case the person shall provide the name, address, and signed consent of such other responsible person, business, company, or other entity within seven (7) calendar days after a citation is issued.

(2) In the case of a campaign sign for political office, the individual whose candidacy the sign supports shall be deemed the responsible person for posting campaign signs, unless he or she notifies the code enforcement division manager of another person, business, company, or other entity who is responsible, in the manner described in section (1) above. The code enforcement division manager may determine that the responsible person under this section is a committee or group supporting the individual candidate and affiliated with the individual candidate.

(3) In the case of a campaign sign regarding a ballot measure, the president or chief officer of the committee or group supporting or opposing such ballot measure shall be deemed the person responsible for posting campaign signs, unless he or she first notifies the code enforcement division manager of another person, business, company, or other entity who is responsible, in the manner described in section (1) above.

(4) In the case of any other sign, handbill or advertisement not described in sections (1) through (3) above, the responsible person shall be deemed to be the person, business, company, or other entity who is named on the sign, handbill, or advertisement, or whose phone number, web site address, physical address, or electronic mail ("e-mail") address appears on the sign, handbill, or advertisement, unless such person, business, company, or other entity notifies the code enforcement division manager of another person, business, company, or other entity who is responsible, in the manner described in section (1) above.

(ed) Removal of signs. In addition to the enforcement described above, neighborhood development code enforcement division personnel or their designees shall have the authority to summarily remove any notice, sign, or written material found in violation of this section.

(de) Penalty. Violation of this section shall subject the ~~person~~ responsible person for who ~~placing~~ placed the signs, handbills, advertisements or other matter or causing caused them to be placed (in accordance with section (c) above) to a civil penalty as follows:

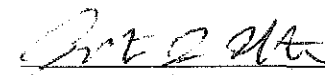
For the first through fifth violations by the responsible person, \$100.00 per sign, handbill, advertisement or other matter in violation;

For the sixth through tenth violations by the responsible person, \$ 500.00 per sign, handbill, advertisement or other matter in violation; and
For eleventh and all future violations by the responsible person, \$1,000.00 per sign, handbill, advertisement or other matter in violation.

~~The penalty of \$25.00 for each sign in violation~~ The issuance of citations shall be in accordance with section 10-65. If a violator has removed the sign, handbill, advertisement or other matter within seven days of receipt of a citation, then the neighborhood development code enforcement division shall have the authority to declare the citation null and void. In addition, any person shall be subject to all applicable punishment, penalties, and equitable relief provided for in G.S. 160A-175. However, a violation of any provision of this section shall not constitute an infraction or misdemeanor punishable under G.S. 14-4. Each and every violation shall constitute a separate and distinct offense. It is not a violation of this section for any person to remove an illegally placed sign, handbill, advertisement or other matter which is in violation of this section. ~~Nothing in this section shall preclude the issuance of an arrest warrant when appropriate.~~

Section 2: This ordinance shall become effective on January 1, 2008.

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 12th day of November 2007, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Pages (167-169).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3734-X

O-36

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3606-X, THE 2007-2008 BUDGET ORDINANCE
PROVIDING AN APPROPRIATION FOR CATS RELATED INFRASTRUCTURE ASSOCIATED
WITH THE ELIZABETH AVENUE BUSINESS CORRIDOR PROJECT

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

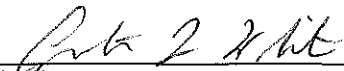
Section 1. That the sum of \$5,443,000 is hereby estimated to be available from CATS
Operating Fund balance (7801)

Section 2. That the sum of \$5,443,000 is hereby appropriated for transfer to the Streetcar and
Center City Corridor Capital Fund (2095) in the project for Trackwork (89630)

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

Section 4. This ordinance shall be effective upon adoption.

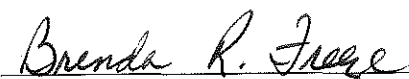
Approved as to Form:


Sr. Asst. City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.


Brenda R. Freeze, CMC, City Clerk