

9208-X O-21

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 9104-X, THE 2017-2018 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$425,103 FOR TRAFFIC SIGNAL MODIFICATIONS AND IMPROVEMENTS**

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

Section 1. That the sum of \$425,103 hereby estimated to be available from the following private developer sources:

Atherton Mills (E&A), LLC (253,203)  
Northwood Development LLC (\$118,400)  
Mecklenburg County, (\$39,500)  
Faison-Seventh Street, LLC (\$14,000)

Section 2. That the sum of \$425,103 is hereby appropriated in the General Capital Investment Fund (4001) into the following projects:

New Signal McDonald and South Blvd - 4292000322 (\$253,203)  
New Sig N. Community House and Ball - 4292000274 (\$118,400)  
Sig Mod Wilkinson and Alleghany - 4292000321 (\$39,500)  
Signal Mod 7th and Caswell - 4292000320 (\$14,000)

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 All ordinances in conflict with this ordinance are hereby repealed.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

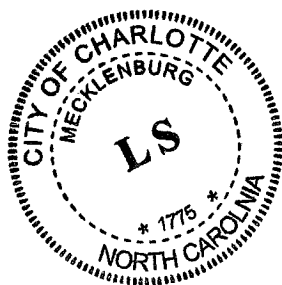


\_\_\_\_\_  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, 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 13<sup>th</sup> day of November, 2017, the reference having been made in Minute Book 143 and recorded in full in Ordinance Book 61, Page(s) 150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13<sup>th</sup> day of November, 2017.



\_\_\_\_\_  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 5000 LAKEVIEW 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 UNKNOWN HEIRS OF ROBERT D. HILL 5000 LAKEVIEW ROAD CHARLOTTE, NC 28216

WHEREAS, the dwelling located at 5000 Lakeview 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 5000 Lakeview 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

### CERTIFICATION

I, Stephanie C. Kelly, 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 13<sup>th</sup> day of November, 2017, the reference having been made in Minute Book 143 and recorded in full in Ordinance Book 61, Page(s) 141-145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13<sup>th</sup> day of November, 2017.



  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

<b>GENERAL INFORMATION</b>	
Property Address	5000 Lakeview Road
Neighborhood	Neighborhood Profile Area 260
Council District	#2
Owner(s)	Unknown Heirs of Robert D. Hill
Owner(s) Address	5000 Lakeview Road Charlotte, NC 28216
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	03/30/2017
◆ Title report received revealing parties in interest:	05/12/2017
◆ Owner(s) and parties in interest notified of Complaint and Notice of Hearing by advertisement and certified mail by:	04/18/2017 04/27/2017 06/06/2017
◆ Held hearing for owner(s) and parties in interest by:	05/03/2017 05/31/2017 06/21/2017
◆ Owner(s) and parties in interest attend hearing:	No
◆ Filed Lis Pendens:	08/02/2017
◆ Owner(s) and parties in interest ordered to demolish structure by:	08/11/2017
◆ Owner(s) have not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$8,815
◆ Lien will be placed on the property for the cost of Demolition.	

**NOTIFICATION TO OWNER**

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

**OPTIONS**

<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$57,432	Acquisition & Rehabilitation Cost (Existing structure: 921 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$239,292	New Replacement Structure Cost (Structure: 1,000 sq. ft. total) Economic Life: 50 years Estimated cost-\$171,028	Demolition Cost \$8,815
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 28,500 - Shed: \$ 4,400 - Land: \$ <u>74,200</u> Total Acquisition: \$ 107,100  Estimated Rehabilitation Cost: \$ 46,050 Outstanding Loans \$ 61,430 Property Taxes owed: \$ 16,308 Interest on Taxes owed: \$ <u>8,404</u> Total: \$ 132,192	Acquisition: Tax values: - Structure: \$ 28,500 - Shed: \$ 4,400 - Land: \$ <u>74,200</u> Total Acquisition: \$ 107,100  New structure: \$ 69,000 Demolition: \$ 8,815 Outstanding Loans: \$ 61,430 Property Taxes owed: \$ 16,308 Interest on Taxes owed: \$ <u>8,404</u> Total: \$ 132,192	

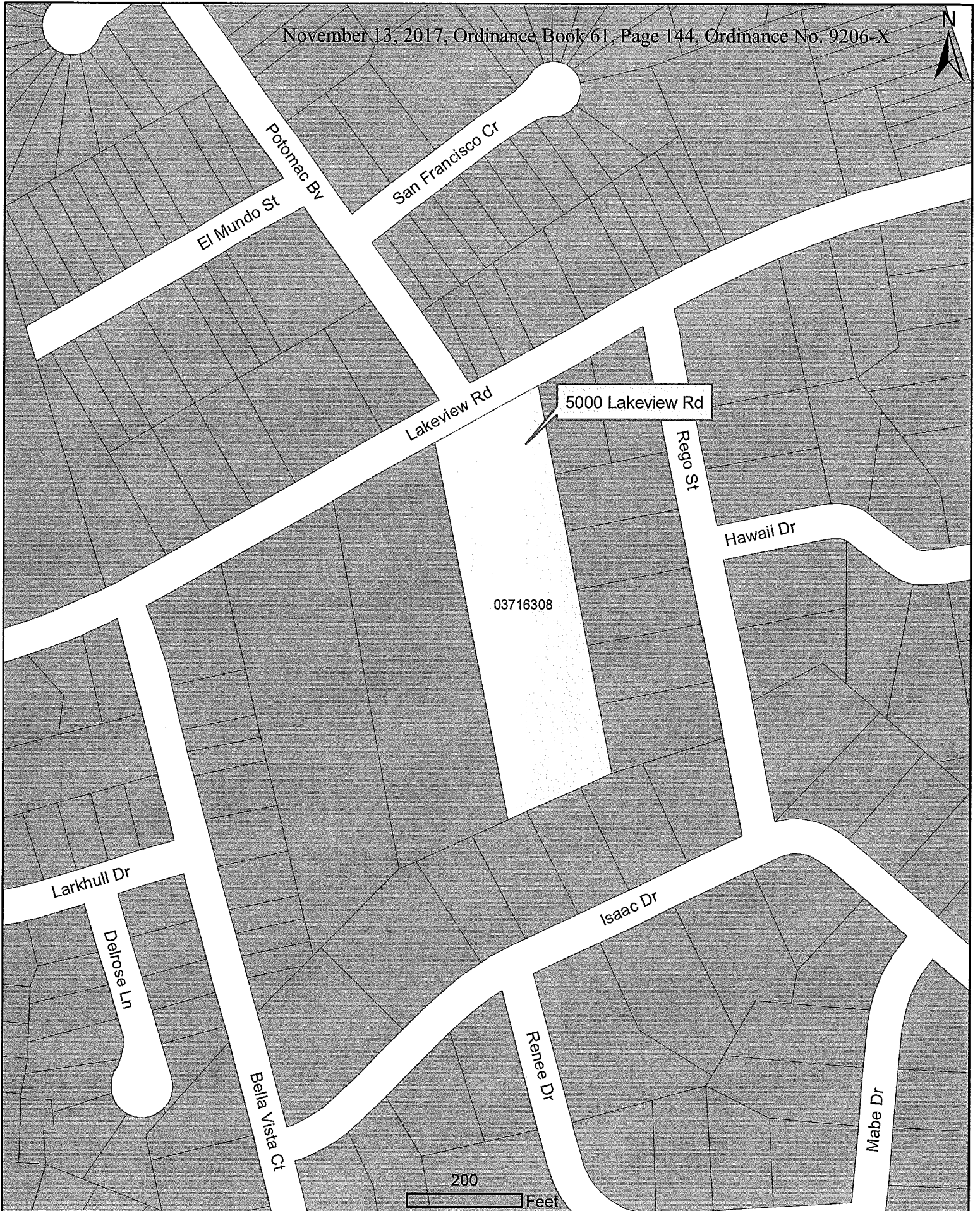
**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$57,432 (\$62.35/sq. ft.), which is 201.51 % of the structure tax value, which is \$28,500.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, plumbing, electrical and heating violations: Walls and ceiling covering water damaged. Areas of subflooring missing. Decayed floor girder, joists and sill. Windows are inoperable. Decayed fascia (exterior trim). Areas of missing exterior siding. Roof covering damaged/loose. Roof sheathing decayed. Decayed roof rafters. Damaged plumbing fixtures. Damaged electrical wiring. Heating equipment and ductwork not maintained. Accessory building not in safe substantial condition.
- The building is 72 years old and consists of 921 square feet total.
- A new 1,000 sq. ft. structure can be built for \$69,000.

# 5000 Lakeview Road

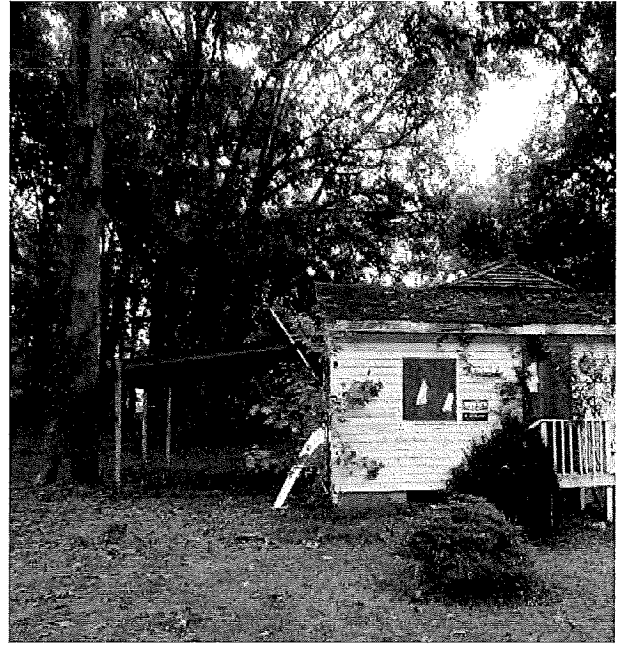
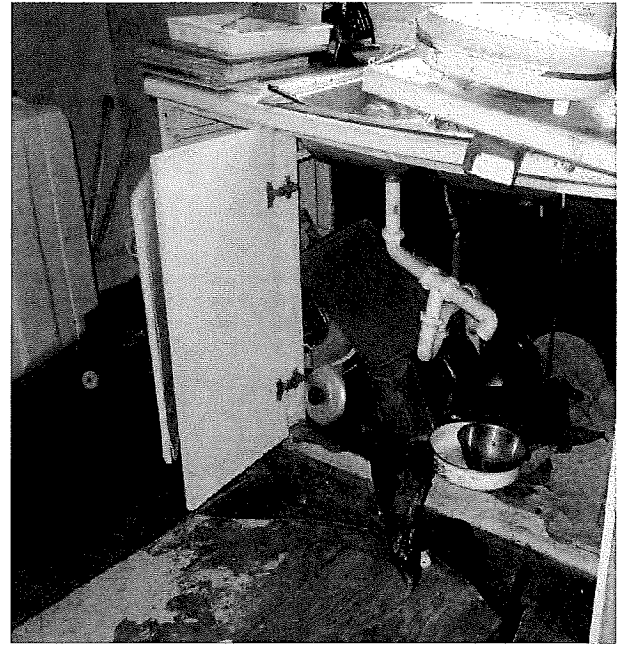
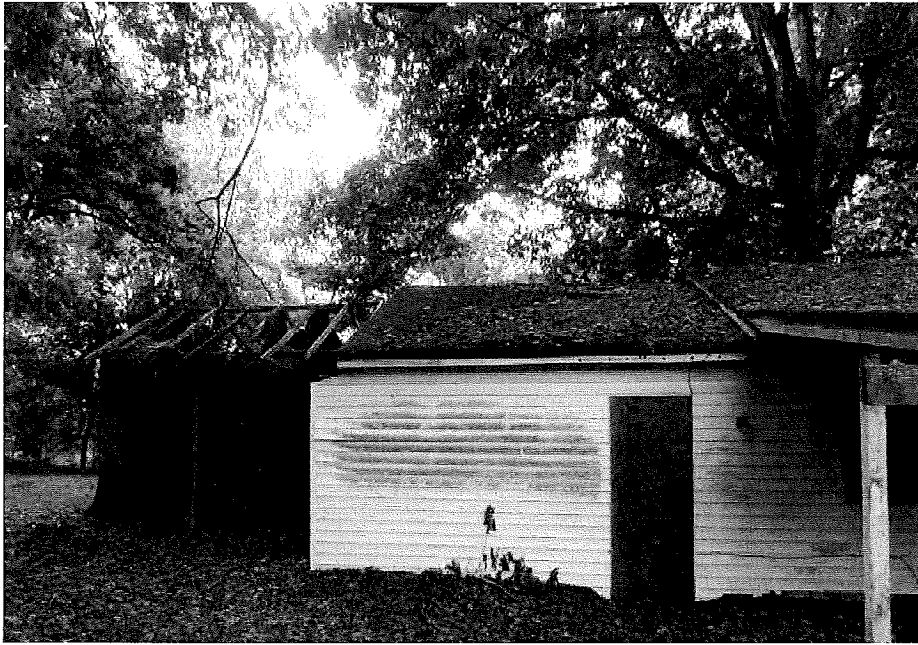
November 13, 2017, Ordinance Book 61, Page 144, Ordinance No. 9206-X



03716308

5000 Lakeview Rd

200 Feet



Ordinance No. 9207

AN ORDINANCE REPLACING CHAPTER 7 OF THE CITY CODE ENTITLED  
CEMETERIES

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

Section 1: Chapter 7 of the City Code is hereby rewritten to read as shown in the  
attached Exhibit A, which is incorporated and made a part of this ordinance.

Section 2: This ordinance shall become effective as of November 13, 2017.

Approved as to form:



Senior Assistant City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, 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 13<sup>th</sup> day of November, 2017, the  
reference having been made in Minute Book 143 and recorded in full in Ordinance Book 61, Page(s) 146-  
149.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13<sup>th</sup> day of  
November, 2017.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

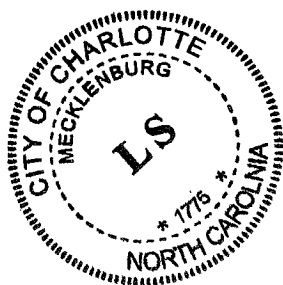


EXHIBIT A

Chapter 7 - CEMETERIES<sup>11</sup>

Footnotes:

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**Cross reference**— Streets, sidewalks and other public places, ch. 19.

**State Law reference**— Cemeteries generally, G.S. Chapter 65; powers of municipalities regarding cemeteries, G.S. 160A-341 et seq.

Sec. 7-1. - Purpose.

Cemeteries are for the burial of human dead only.

(Code 1985, § 7-1)

Sec. 7-2. - Powers and duties of city manager.

- (a) *Management and control.* The city manager shall have general management and control of the cemeteries and burial places owned, operated and maintained by the city. The manager may create publish and enforce rules and guidelines, for public use and operations, maintenance, and visitation of cemeteries.. An accurate copy of such rules and guidelines shall be maintained at all times in the office of the city clerk and in the office of the cemetery supervisor. .
- (b) *Burial of indigent persons and unclaimed remains.* The city manager shall lay out one section for burial of indigent persons and unclaimed remains. The manager shall coordinate with local agencies to fund these burials, and the manner of burial provided shall be at the discretion of the manager.

(Code 1985, § 7-2)

Sec. 7-3. - Requirements for purchase of burial rights.

- (a) *Payment.* Any person may select in the cemeteries described in section 7-2(a) any lot or portion thereof, except where no subdivision is allowed, to which no other person has acquired burial rights, and obtain from the cemetery supervisor upon payment of the cost of such lot or portion thereof a receipt (a copy of which the purchaser should retain for his or her permanent record) showing amount paid and purposes to which applied and setting forth the lot or portion of a lot purchased, location and other data.
- (b) *Receipts.* The receipt provided for in subsection (a) of this section shall be sent to the city's central cashier, and a copy shall be given to the purchaser for his or her permanent record.

(Code 1985, § 7-3)

Sec. 7-4. - Unused lots; publication of notice.

- (a) When a lot or part thereof in the cemeteries described in section 7-2(a) shall remain without any interment therein for 100 years, and the purchaser or his assignee shall have died, and no relative of them is known, the lot or part thereof shall revert to the city when conditions as set out in subsection (b) of this section have been complied with.



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- (b) The city council shall give notice once a week for four weeks in a newspaper published in the city, and if no relative of the purchaser or his assignee appears within 30 days from the last day of publication, then the lot or part of lot thereof, as the case may be, shall revert to the city.

(Code 1985, § 7-4)

Sec. 7-5. - Schedule of charges.

A schedule of all cemetery charges shall be made available to all funeral directors and monument dealers in the county. In addition a copy of all current charges shall be posted in the offices of the supervisor of the cemeteries division.

(Code 1985, § 7-5)

Sec. 7-6. - Perpetual care fund.

- (a) *Definition.* The term "perpetual care" means the cutting of grass upon plots in the cemeteries described in subsection (b) of this section at reasonable intervals, the pruning of shrubs and trees that may be placed by the city, the general preservation of the lots, grounds, walks, roadways, boundaries and structures, to the end that such grounds shall remain and be reasonably cared for as cemetery grounds forever. The term "perpetual care" shall in no case be construed as meaning the maintenance, repair or replacement of any grave markers placed upon lots or grave spaces, the planting of flowers or ornamental plants; the reconstruction of any bronze, marble, granite or concrete work on any section or lot or any portion or portions thereof in the cemetery, mausoleum or other buildings or structures, caused by any natural occurrence or human activity whatsoever, whether the damage be direct or collateral.
- (b) *Established.* A fund, known as the perpetual care fund, shall be established for the purpose of perpetually caring for and beautifying the city cemeteries described in section 7-2(a). The city treasurer may accept gifts and bequests to the fund.
- (c) *Management of fund.* The principal of the fund shall be invested in the same manner as other city funds.
- (d) *Expenditure of income.* Perpetual care expenditure shall be limited to the income received from the investments of the fund with no part of the principal being expended.

(Code 1985, § 7-6)

Sec. 7-7. - Place of burial.

No person shall be buried within the corporate limits of the city other than in established cemeteries licensed by the state cemetery commission, in church cemeteries, or in memorial structures on state-owned property that is a part of the university system of the state.

(Code 1985, § 7-7)

Sec. 7-8. - Validation of use of existing cemeteries; establishment of new cemeteries restricted.

The cemeteries or places of burial now located and maintained as such as of May 19, 1975, within the limits of the city by a corporation or association for the purpose of affording burial places for the dead, and for maintaining the graves therein are hereby expressly authorized to be used and maintained for such purpose.

(Code 1985, § 7-8)

Sec. 7-9. - Payment.

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All payments for charges shall be made by check, money order, cashier check, credit card, or any other method of payment subsequently approved by the finance director.

(Code 1985, § 7-9)

Sec. 7-10. - Disinterment; reinterment

- a. A person who desires to have removed from his lot the remains of a person interred therein shall obtain a disinterment permit from the health department. Disinterment shall be scheduled only on weekdays during the morning hours.
- b. Any person desiring to have reinterred the remains of a person brought from another cemetery or burial place shall furnish the cemetery supervisor with a certificate from the health department, setting forth, if possible, the name, age, sex, condition (married or single), cause and date of death, and residence of deceased, and name and location of former burial place. The cemetery staff, upon receiving the charges fixed therefor, shall schedule the reinterment of the remains.
- c. Any such disinterment or reinterment shall be scheduled as determined by the cemetery supervisor.

(Code 1985, § 7-10)

Sec. 7-11. - Monuments and markers.

All monuments and markers to be placed in city-owned cemeteries must conform to the requirements as set forth by the city manager in the publication entitled "City of Charlotte, Cemetery Rules and Guidelines." Cemetery staff shall construct all foundations for markers and monuments and shall set all markers.

(Code 1985, § 7-11)

Sec. 7-12. - Trespassing.

It shall be unlawful for any person to trespass upon or to go across cemeteries or cemetery lots belonging to the city, between sunset and sunrise except for the purpose of governmentally authorized cemetery business or maintenance.

(Code 1985, § 7-12)

State Law reference— Trespass on public lands, G.S. 14-130.