

ORDINANCE NO. 3153-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO MCALPINE CREEK WASTEWATER TREATMENT PLANT.

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

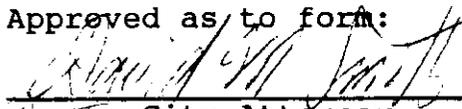
Section 1. That the sum of \$1,000,000 is hereby available from the Unappropriated Water and Sewer Operating Fund Balance.

Section 2. That the sum of \$1,000,000 is hereby transferred from the Unappropriated Water and Sewer Operating Fund Balance to the Water and Sewer Capital Improvement Fund Account 2071; 636.25 - McAlpine Creek Wastewater Treatment Plant Improvements.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:



City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 88.

Brenda Freeze,
Deputy City Clerk

ORDINANCE NO. 3154

AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10, ENTITLED "HEALTH AND SANITATION", OF THE CITY CODE OF THE CITY OF CHARLOTTE.

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

Section 1. Chapter 10 of the City Code of the City of Charlotte shall be amended as follows:

1. Amend § 10-16, "Definitions", by adding a new (22), after (21), "Recyclable materials", to read as follows:

"(22) Department and director, wherever those words shall appear in this Chapter, shall mean the solid waste services department, which is the new name for the former operations department, and shall mean the director of the solid waste services department."

2. Amend § 10-19, "Administration and enforcement", (a), by deleting the words "the operations department" in lines 3-4 and by substituting in lieu thereof the words "the solid waste services department".

3. Amend § 10-33, "Business trash", by deleting the words "the sanitation superintendent" in line 7 and by substituting in lieu thereof the words "the special services superintendent".

4. Amend § 10-136, "Administration", by deleting the words "city's operations department" in line 2 and by substituting in lieu thereof the words "city's solid waste services department".

5. Amend § 10-137, "Definitions", by deleting the words "the operations department" in the paragraph with the subtitle "Community Improvement Division", line 4 thereof, and by substituting

tuting in lieu thereof the words "the solid waste services department".

6. Amend § 10-143, "Right to hearing before sale or final disposition of vehicle", (c), by deleting the words "the operations department", appearing in the first line of the (c), and by substituting in lieu thereof the words "the solid waste services department".

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 89-90.

Brenda Freeze,
Deputy City Clerk

ORDINANCE NO. 3155-X

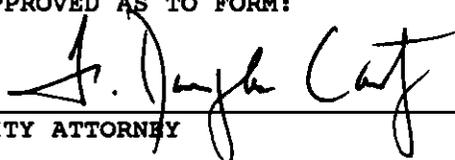
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 5213 LAWRENCE ORR ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF SHEILA AMENTRIES BROWN RESIDING AT 5213 LAWRENCE ORR ROAD, CHARLOTTE, NORTH CAROLINA, 28212.

WHEREAS, the dwelling located at 5213 Lawrence Orr Road in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on February 26, 1990 and March 27, 1990:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 5213 Lawrence Orr Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Sanford

CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 91.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.


Brenda Freeze, Deputy City Clerk

ORDINANCE NO. 3156-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1009 VAN EVERY 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 MIKE GAITHER RESIDING AT 9020 PEYTON RANDOLPH DRIVE, CHARLOTTE, NORTH CAROLINA, 28226.

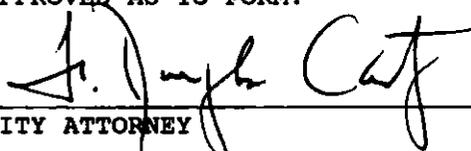
WHEREAS, the dwelling located at 1009 Van Every Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on November 26, 1990 and January 28, 1991:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1009 Van Every Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:

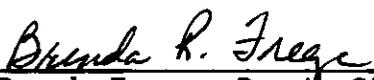
See Ord.


CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 92.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.


Brenda Freeze, Deputy City Clerk

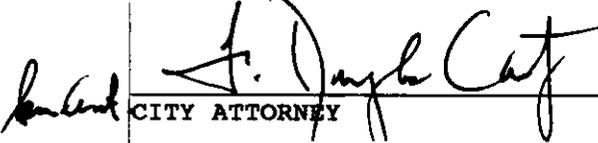
ORDINANCE NO. 3157-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1505 N. DAVIDSON 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 BERNICE L. MCFARLAND RESIDING AT 1505 N. DAVIDSON STREET, CHARLOTTE, NORTH CAROLINA, 28206.

WHEREAS, the dwelling located at 1505 N. Davidson Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on August 31, 1990 and by advertisement on February 15, 1991:
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1505 N. Davidson Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:


CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 93.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.


Brenda Freeze, Deputy City Clerk

ORDINANCE NO. 3158-X

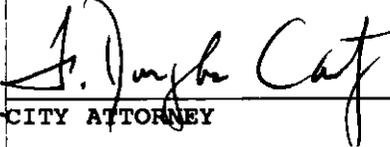
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1417 N. DAVIDSON STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF KURTIS H. JOYNER RESIDING AT 4301 CRAIG AVENUE, CHARLOTTE, NORTH CAROLINA, 28214.

WHEREAS, the dwelling located at 1417 N. Davidson Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on February 2, 1990 and by advertisement on February 15, 1991:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1417 N. Davidson Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

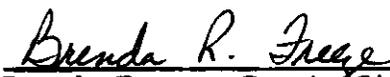
APPROVED AS TO FORM:

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CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 94.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.


Brenda Freeze, Deputy City Clerk

ORDINANCE NO. 3159-X

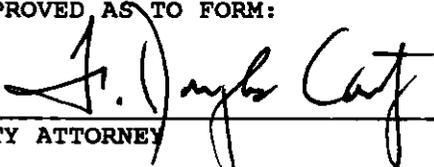
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1415 N. DAVIDSON STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF KURTIS H. JOYNER RESIDING AT 4301 CRAIG AVENUE, CHARLOTTE, NORTH CAROLINA, 28214.

WHEREAS, the dwelling located at 1415 N. Davidson Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on May 31, 1990 and by advertisement on February 15, 1991:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1415 N. Davidson Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

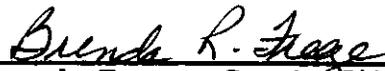
APPROVED AS TO FORM:

Sanford

CITY ATTORNEY

CERTIFICATION

I, BRENDA FREEZE, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at Page(s) 95.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1991.


Brenda Freeze, Deputy City Clerk

ORDINANCE NO. 3160-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE CONVENTION CENTER PROJECT TO CONTINUE LAND OPTIONS.

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

Section 1: That the sum of \$220,000 is hereby estimated to be available from the Occupancy Tax.

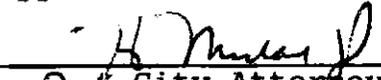
Section 2: That the sum of \$220,000 is hereby appropriated to the General Capital Improvement Fund 2010; 371.00 - Convention Center.

Section 3: That upon permanent financing of the convention center, funding from the Occupancy Tax of \$220,000 will revert to it's original source and the permanent financing will be the source of funding for this action.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5: This ordinance shall become effective upon its adoption.

Approved as to form:



City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 96.

Brenda Freeze,
Deputy City Clerk

ORDINANCE NO. 3161

AMENDING CHAPTER 3

AN ORDINANCE AMENDING CHAPTER 3, ENTITLED "ANIMALS", OF THE CITY CODE OF THE CITY OF CHARLOTTE.

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

Section 1. Chapter 3 of the City Code of the City of Charlotte shall be amended as follows:

1. Amend Chapter 3, by adding a new § 3-20.1, entitled "Exhibiting animals", to read as follows:

"§ 3-20.1. Exhibiting animals.

(a) Exhibiting animals. It shall be unlawful for any person to exhibit, keep, or display pets, animals, birds, or fowl of any kind in any manner without shading said animals from the sun, and providing adequate food, water, and ventilation for their use and comfort.

(b) Flea markets. It shall be unlawful for any person to exhibit, keep, display, or sell pets, animals, birds, or fowl at any public or private flea market without providing adequate shelter, water, sanitary conditions, shade, and similar considerations.

(c) Authority to remove an animal. If an animal control officer finds that an animal is without the appropriate provisions as stated in (a) or in (b), then the animal control officer is authorized to direct the person in charge of the premises or having control of the animal(s) or the person having control of the animal(s) at the flea market that such provisions be immediately provided or that the animal control officer has the authority to remove the animal from the premises or from the flea market if necessary for the well-being of the animal. It shall be unlawful for a person to fail to comply with such order to provide the appropriate provisions after being instructed to.

(d) Notice on premises. It shall be unlawful for a person to fail to post a notice clearly visible from the ground level adjacent to the store containing a police identification number or the names, addresses, and telephone number of persons to be notified during any hour of the day or night.

(e) Safety and proper care of animal. It shall be unlawful for any person to exhibit or to display pets, animals, birds, or fowl in any manner which endangers the animal's safety or which causes the animal to act in a manner unnatural for the particular species, after being instructed by an animal control officer about what needs to be done for the safety of the animal or what constitutes actions for an animal unnatural for the particular species."

2. Amend § 3-30, "Reserved", by adding a new § 3-30, "Wild or exotic animals", to read as follows:

"§ 3-30. Wild or exotic animals

(a) Unlawful act. It shall be unlawful for any person, firm or corporation to keep, maintain possess or have under their control within the City any venomous reptile or any other wild or exotic animal. The prohibition of venomous reptiles and wild and exotic animals is primarily based upon a concern to protect the health, safety, and welfare of the citizens of Charlotte.

(b) Definition. A wild or exotic animal shall be defined as one which would ordinarily be confined to a zoo, or one which would ordinarily be found in the wilderness of this or any other country or one which is a species of animal not indigenous to the United States or to North America, or one which otherwise causes a reasonable person to be fearful of significant destruction of property or of bodily harm and the latter includes, but would not be limited to, such animals as monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves, and other such animals or one which causes zoonotic diseases. Such animals are further defined as being those mammals or those non-venomous reptiles weighing over fifty (50) pounds at maturity which are known at law as ferae naturae. Wild or exotic animals specifically do not include animals of a species customarily used in North Carolina as ordinary household pets, animals of a species customarily used in North Carolina as domestic farm animals, fish confined in an aquarium, birds, nor insects.

(c) Exceptions. The provisions of this section shall not apply to lawfully operated and located pet shops, zoological gardens, scientific research laboratories, circuses, veterinarians harboring such animals for purposes of providing professional medical treatment nor wildlife rehabilitators with proper permits, provided that the animals are maintained in

quarters so constructed and maintained as to prevent escape.

(d) Existing permits for wild or exotic animals and annexation: As of the date of the enactment of this section, no further new permits will be issued for the keeping or maintenance of wild or exotic animals, except as provided for below. If an owner has a current and valid permit pursuant to § 3-37(4) for wild or exotic animals in the City at the time of the adoption of this ordinance, then only those specific wild or exotic animals shall be permitted. If the owner does not maintain a current and valid permit for such a particular animal then the owner shall not be entitled to a new permit and the keeping of the animal shall be unlawful. Such wild or exotic animals cannot be replaced upon death, sale, transfer or loss of possession for any reason including escape for any duration. New annexees have thirty (30) days from the date of annexation to comply with § 3-30. If an animal is not a wild or exotic animal, as defined herein, and is eligible for a permit, then a permit must be obtained pursuant to Code § 3-37.

(e) Compliance with state and federal regulations and safe confinement. The confinement of animals described under paragraphs (a) and (b) above, but exempt under (c) or (d) above, must meet the regulations promulgated by the North Carolina Wildlife Commission, the minimum standards under the Animal Welfare Act and all applicable rules promulgated by the United States Department of Agriculture. In addition to meeting the above minimum standards, all such venomous reptiles and all such wild or exotic animals shall be confined, restrained and controlled in such a manner so the physical safety, or property, of any person lawfully entering the premises shall not be endangered; this shall specifically require fully enclosed quarters for the animal so constructed as to prevent escape.

(f) Wild animals on public rights-of-way. Animals described under paragraphs (a) and (b) above, but exempt under (c) or (d) above, shall not be allowed on any public street, sidewalk, or other public way, except in a fully enclosed cage or adequate structural restraint. The use of a leash, with or without a muzzle, shall not be considered adequate restraint."

3. Amend § § 3-30-3-33, "Reserved", by adding a new § 3-31, "Ferrets", to read as follows:

"§ 3-31. Ferrets

(a) License. It shall be unlawful for any ferret owner, possessor or harborer ("owner") who resides in the City to fail to obtain and to have in the individual's possession a current license for any ferret over four (4) months of age. The owner, possessor or harbinger of any ferret must have the ferret vaccinated against rabies and must have a current rabies vaccination tag showing that the ferret has been vaccinated. No license will be issued unless proof of inoculation is shown. Any ferret owner who moves into the City for the purpose of establishing residency, or who becomes a resident as a result of annexation, shall have thirty (30) days in which to obtain a license.

(b) License fees. The license fee for fertile ferrets shall be twenty (\$20.00) dollars. The license fee for sterilized ferrets shall be five (\$5.00) dollars. The provisions of Code § 3-34(b), which applies to fees for dogs and cats, shall also be applicable in the same manner to ferrets as if those provisions were entirely stated in this section.

(c) Rabies tags. It shall be unlawful for any person who owns or keeps a ferret not to have the ferret inoculated against rabies. It also shall be unlawful for the owner of any ferret in the City not to have in the owner's possession the rabies vaccination tag issued to that person by the veterinarian administering the rabies vaccination. If the owner, possessor, or harbinger of a ferret cannot promptly display a valid rabies tag, the Department shall have the authority to immediately impound the ferret and the owner shall be subject to a fifteen (\$15.00) dollar citation penalty pursuant to Code § 3-10.

(d) Enforcement. The Department shall have all the enforcement authority cited in Chapter 3 in order to enforce this section in respect to ferrets. The enforcement authority shall include, but not be limited to, all the enforcement authority stated in any provisions that pertain to dogs, except that if the owner has failed to secure a valid and current license for a ferret, then the citation penalty shall be twenty-five (\$25.00) dollars."

4. Amend § 3-37(4), "Wild or exotic", by adding, after "wild animals.", the sentence: "The section only applies to properly permitted wild or exotic animals before the adoption of § 3-30 prohibiting wild and exotic animals."

5. Amend § 3-47, "Spay and neuter services", (a), line 4, by deleting the words "cats and dogs" and in lieu thereof inserting the words: "dogs, cats, rabbits, and ferrets".

6. Amend Code § 3-47(a), line 12, by deleting the words "dogs and cats" and in lieu thereof inserting "dogs, cats, rabbits, and ferrets".

7. Amend Code § 3-47(a), paragraph 2, line 3, by adding the word "ferret" after the word "rabbit" and in line 4 by adding the word "ferret" after the word "rabbit".

8. Amend § 3-47(b), line 2, by deleting the words "dogs and cats" and in lieu thereof inserting the words "dogs, cats, rabbits, and ferrets".

Section 2. This ordinance shall become effective sixty (60) days after its adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 97-101.

Brenda Freeze,
Deputy City Clerk