

ORDINANCE NO. 455 AMENDING CHAPTER 10, ARTICLE II, OF THE CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO DISPOSITION OF GARBAGE, ASHES AND MISCELLANEOUS REFUSE.

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

Section 1. Chapter 10, Article II, Section 10-13 of the Code of the City of Charlotte is hereby amended by adding a new subsection (o) as follows:

"(o) Rubbish. Rubbish shall mean combustible and noncombustible waste materials except garbage; and the term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, the residue from the burning of wood, coal, coke, and other combustible material."

Section 2. Chapter 10, Article II, Section 10-14 of the Code of the City of Charlotte is hereby amended by rewriting the entire section to read as follows:

"It shall be the duty of the Building Inspection Department to enforce all of the provisions of this article and to make all inspections necessary to determine whether or not the provisions of this article are being met. The collection, removal and disposal of garbage and rubbish from the locations specified elsewhere in this article shall be under the jurisdiction of the superintendent of the Motor Transport Department."

Section 3. Chapter 10, Article II, Section 10-15 of the Code of the City of Charlotte is hereby amended by rewriting subsection (a) and subsection (c) to read as follows:

"(a) Number of receptacles. Every person producing or having refuse collected by the city shall provide and keep on the premises or property occupied or used by him refuse receptacles to handle accumulations of refuse on said premises or property in the interval between collections by the city. Every such person shall dispose of all such refuse, including garbage, rubbish, and any other waste, which accumulates on his premises, in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage storage containers specified herein. Single residences shall be limited to no more than three (3) cans. Multiple residences shall be limited to three (3) cans per dwelling unit."

"(c) Material not required to be placed in receptacles. Shrubbery trimmings, tree trimmings, and rubbish in quantities too great to be placed in receptacles shall be placed, by the occupant, at the front of the premises in the grass strip between the street and the sidewalk where said strips are available, or they shall be placed off that portion of the street right of way normally used by vehicles. Tree limbs shall not be longer than six (6) feet in length."

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

Approved as to form:

J. W. Kiser  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 4th day of April, 1966, the reference having been made in Minute Book 47, and recorded in full in Ordinance Book 14, at Page 302.

Lillian R. Hoffman  
City Clerk

ORDINANCE NO. 456 AMENDING CHAPTER 13, ARTICLE I, OF THE CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO ABANDONED ICEBOXES, FURNITURE AND MOTOR VEHICLES.

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

Section 1. Chapter 13, Article I, Section 13-1 of the Code of the City of Charlotte is amended to add to the end thereof the following:

"This section shall not apply to such icebox, refrigerator or any other container of any kind which is crated, strapped or locked to such an extent that it is impossible for a child to obtain access to any airtight compartment thereof."

Section 2. Chapter 13, Article I of the Code of the City of Charlotte is hereby amended by adding a new section to be numbered 13-1.1 as follows:

"Section 13-1.1. Abandoned Iceboxes, Appliances, etc.

It shall be unlawful for an occupant of any dwelling or dwelling unit to place or leave outside of any such building any dilapidated furniture, icebox, refrigerator, stove or other appliance, machinery, equipment, building material, or other item which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition, and which is not completely enclosed within a building. Any such item or items which remain on the same property of the same occupant for a period of 30 days after such occupant's conviction of violating this section shall be presumed to be abandoned and subject to being removed from the property by the Building Inspection Department of the City of Charlotte without further notice or summons; Provided, this section shall not apply to authorized junk dealers."

Section 3. Chapter 13, Article I of the Code of the City of Charlotte is hereby amended by adding a new section to be numbered 13-1.2 as follows:

"Section 13-1.2. Abandoned Motor Vehicles on Private Property.

(a) Abandonment Unlawful: Removal. It shall be unlawful to abandon any motor vehicle on privately owned property. Whenever any motor vehicle is abandoned on privately owned property, it may be removed by or under the direction of a law enforcement officer or the building inspector to a storage or garage area at the request of the owner, lessee or occupant of such privately owned property or upon a declaration of the City Council that such abandoned motor vehicle is a health or safety hazard. When it is removed from such privately owned property at the request of the owner, lessee or occupant thereof, such person shall indemnify the City of Charlotte against any loss or expense incurred by reason of such removal and storage. Written notice of each removal shall be promptly given to the owner of the vehicle. The owner of such vehicle, before obtaining possession thereof, shall pay to the City of Charlotte all reasonable costs incident to removing, storing and locating the owner of the vehicle.

(b) Sale of Abandoned Motor Vehicles. Should the owner of such vehicle fail or refuse to pay the costs or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, the chief of police may dispose of it by public or private sale and forward the proceeds of the sale to the City Treasurer; Provided (1) the City has given notice to the registered owner at his last known address and to the holder of any lien of record against the vehicle as recorded in the office of the Department of Motor Vehicles, (2) the City has held the vehicle for a period of 30 days, (3) the City has had the value determined by three disinterested dealers or garagemen, and (4) the City has given 20 days notice to the

Department of Motor Vehicles before the date of the sale. The City Treasurer shall pay from the proceeds of the sale (1) costs of removal, (2) costs of storage, (3) costs of investigation as to ownership, (4) costs of sale, and (5) outstanding liens, in that order. If, after the sale, the ownership of the vehicle at the time of its removal is established satisfactorily by the person claiming ownership, he shall be paid so much of the proceeds from the sale as remains. If, however, the owner cannot be ascertained, any remaining proceeds shall be deposited to the general fund of the City.

Whenever any such vehicle shall remain unsold or unclaimed for a period of 60 days from and including the day when the same shall have been delivered under the direction of any municipal officer charged with the keeping or sale of the same, any such vehicle may be destroyed, removed or otherwise disposed of by such municipal officer.

(c) Abandoned Vehicle Defined: A vehicle with no current state license plate or which is either in a wholly or partially wrecked, junked, dismantled or inoperative condition shall be deemed to have been abandoned for the purposes of this section when it has been left on private property for a period of not less than seven days. A vehicle which has a current license plate shall be deemed to have been abandoned for the purposes of this section when it has been left on private property without the permission of the owner or occupant thereof for a period of not less than seven days.

(d) Immunity. No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of any abandoned, lost or stolen vehicle for disposing of such vehicle in accordance with this section.

(e) This section shall not apply to authorized automobile dealers or to authorized junk dealers."

Section 2. This ordinance shall become effective upon its adoption.

Approved as to form:

J. W. Kiser  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 4th day of April, 1966, the reference having been made in Minute Book 47, and recorded in full in Ordinance Book 14, beginning at Page 303.

Lillian R. Hoffman  
City Clerk

Petition 66-33

Ordinance No. 454-Z

An Ordinance Amending Chapter 23  
of the City Code-Zoning Ordinance

An Ordinance Amending the City Code  
with respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That, Chapter 23, Section 23-8, of the Code of the City of Charlotte is hereby amended by changing from R-9 to R-9MF on the Official Zoning Map, City of Charlotte, N. C. and Perimeter Area the following described property:

Being all of lots 49 through 68 in block F of Wilson Heights as recorded in map book 3 at page 565 in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

Section 2. That, this ordinance shall become effective upon its adoption.

Approved as to form:

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City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 4th day of April, 1966, the reference having been made in Minute Book 47, at Page 57, and recorded in full in Ordinance Book 14, beginning at Page 305.

Lillian R. Hoffman  
City Clerk