

**AN ORDINANCE AMENDING CHAPTER 14, SECTION 131  
OF THE CHARLOTTE CITY CODE**

**WHEREAS, on May 14, 1984, the Charlotte City Council approved a policy to provide for a 25 miles per hour speed limit on non-thoroughfare residential streets; and,**

**WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that a lowered speed limit on certain streets of the City of Charlotte is not inappropriate; and,**

**WHEREAS, G.S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c) of the Charlotte City Code,**

**NOW THEREFORE BE IT ORDAINED by the City Council of the City of Charlotte,**

**SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring a speed limit on the following City System streets as described below:**

- Big Oak Lane from Holly Hill Road to Ivy Hollow Drive 25 MPH
- Claridge Lane from Buckingham Drive to Valleystream Road 25 MPH
- Columbus Circle from Marlowe Avenue to Marlowe Avenue 25 MPH
- Cortland Road West from Park Road to Valleystream Road 25 MPH
- Cortland Road East from Buckingham Drive to Valleystream Road 25 MPH
- Donna Drive from Old Concord Road to cul de sac 25 MPH
- Holly Hill Road from Pence Road to cul de sac 25 MPH
- Ivory Palm Drive from Ivy Hollow Drive to cul de sac 25 MPH
- Judas Tree Lane from Ivy Hollow Road to cul de sac 25 MPH
- King George Drive from Old Concord Road to cul de sac 25 MPH
- Marlowe Avenue between Camp Green Street and Berryhill Road 25 MPH
- Richmond Place from Buckingham Drive to Valleystream Road 25 MPH
- Valleystream Road from Buckingham Drive to Seneca Place 25 MPH

**SECTION 2: Section 1 shall become effective upon adoption by Charlotte City Council and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.**

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 24<sup>th</sup> day of July, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 46, Page(s) 491.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26<sup>th</sup> day of July, 1995.

Brenda R. Freeze, City Clerk

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS TO FUND THE FEDERAL SHARE OF THE ON GOING PART 150 NOISE COMPATIBILITY PROGRAM.**

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

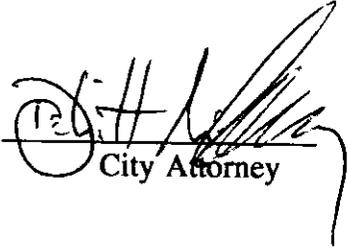
Section 1. That the sum of \$4,358,287 is hereby estimated to be available from a grant from the Federal Aviation Administration.

Section 2. That the sum of \$4,358,287 is hereby appropriated to the Aviation CIP Fund 2073; 562.28.

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

Section 4. It is the intent of this ordinance to be effective upon its adoption.

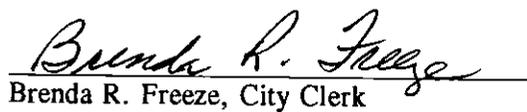
Approved as to form:

  
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 24<sup>th</sup> day of July, 1995, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 46, Page(s) 402.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26<sup>th</sup> day of July, 1995.

  
Brenda R. Freeze, City Clerk

ORDINANCE NO. 339

**AN ORDINANCE EXPANDING THE JURISDICTION OF THE CHARLOTTE BOXING COMMISSION AND PROHIBITING UNREASONABLY OR UNNECESSARILY VIOLENT COMPETITIONS**

BE IT ORDAINED by the City Council of the City of Charlotte:

Section 1. Section 2-48(1) of the Code of the City of Charlotte is rewritten to read as follows:

"(1) Adopt such rules and regulations as may be necessary to insure that competitive wrestling, boxing, kickboxing, martial art, or other pugilistic matches, exhibitions or contests are conducted in a safe and proper manner. The commission may exempt from the prohibition of Sec. 2-49(1) and from its rules and regulations competitive matches, exhibitions or contests sanctioned by certain organizations if it determines that the nature of matches, exhibitions or contests sanctioned, along with the rules established and oversight provided by the sanctioning organization, are sufficient to provide a reasonable degree of safety to competitors and protect the public from exposure to unreasonable or unnecessary violence. Notwithstanding the foregoing, the commission shall not have the authority to adopt rules and regulations that permit unrestrained blows to be delivered with an unpadded hand, elbow, foot or knee or to exempt matches, exhibitions or contests that allow such blows from the prohibition of Sec. 2-49(1) and from commission rules and regulations. In its discretion, the commission is empowered to establish such fees as necessary to defray the costs involved in its regulation of competitive wrestling, boxing, kickboxing, martial art, or other pugilistic matches, exhibitions or contests."

Section 2. Section 2-49 of the Code of the City of Charlotte is rewritten to read as follows:

"Sec. 2-49. Prohibition.

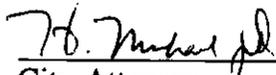
- (1) It shall be unlawful for any person to promote, manage or engage in any competitive wrestling, boxing, kickboxing, martial art, or other pugilistic match, exhibition or contest within the city without first having obtained the written approval of the boxing commission pursuant to the rules and regulations of the commission.
- (2) Exemption. This section shall not apply to:
  - (a) light contact martial arts competitions (point style karate);
  - (b) kickboxing competitions conducted pursuant to the rules and regulations in effect for the Professional Karate Association or the International Sport Karate Association; or

- (c) competitive matches, exhibitions or contests sanctioned by any of the following organizations:

National Association of Intercollegiate Athletics  
National Collegiate Athletic Association  
National Junior College Athletic Association  
North Carolina High School Athletic Association  
Amateur Athletic Union  
United States Olympic Committee  
Golden Gloves Association of America  
Charlotte Police Athletic League  
Other Organizations Approved for Exemption pursuant to Sec. 2-48(1)"

Section 3. This ordinance shall take effect upon adoption.

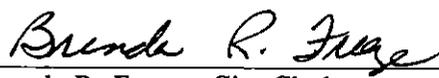
Approved as to form:

  
Dep. 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 24th day of July, 199 5, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 46, Page(s) 493-494.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of July, 199 5.

  
Brenda R. Freeze, City Clerk

ORDINANCE NO. 340

AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CODE OF THE CITY OF CHARLOTTE TO ADD A NEW ARTICLE ENTITLED "FALSE ALARM ORDINANCE."

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

SECTION 1. Chapter 15 of the Code of the City of Charlotte is hereby amended by adding thereto and establishing Article VII, entitled "False Alarm Ordinance" as follows:

ARTICLE VII. FALSE ALARM ORDINANCE

Sec. 15-156. DEFINITIONS

For purposes of this article, the following words shall have the following meanings:

(a) Alarm permit. A permit issued by the city allowing the operation of an alarm system within the city.

(b) Alarm system. Any single device or assembly of equipment designed to signal the occurrence of an illegal entry or other activity requiring immediate attention and to which the police department is expected to respond, but does not include alarms installed in motor vehicles or fire alarms.

(c) Alarm signal. A detectable signal, either audible or visual, generated by an alarm system, to which the police are expected to respond.

(d) Alarm systems coordinator. An employee of the city designated by the Chief of Police to administer this article.

(e) Alarm user. Any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

(f) Automatic dial protection device. An automatic dialing device or an automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically initiates to the Charlotte-Mecklenburg Police Department, a recorded message or code signal indicating a need for police response.

(g) Chief of Police. The Chief of Police of the Charlotte-Mecklenburg Police Department or his designee.

(h) False alarm. The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his employees or agents, and signals activated to summon police personnel unless law enforcement response was cancelled by the alarm user or his agent before police personnel arrive at the alarm location. A false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control

by the alarm user. In addition, an alarm activated during an alarm system testing procedure shall not be considered a false alarm if the alarm user first notifies and receives permission from the user's alarm company, or designee, to test the system. An alarm is false within the meaning of this ordinance when, upon inspection by the Chief of Police, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system.

Sec. 15-157. ALARM USER PERMITS REQUIRED

(a) Permit Required. No person shall use an alarm system, as described in Section 15-156, which is designed to elicit, either directly or indirectly, a police response without first obtaining a permit for such alarm system from the City of Charlotte or its designee. No person shall use an alarm system when the alarm permit for that system has been revoked pursuant to Section 15-162 of this article.

(b) Application. The permit shall be requested on an application form provided by the City of Charlotte. An alarm user has the duty to obtain an application from the City.

(c) Transfer of possession. When the possession of the premises at which an alarm system is maintained is transferred, the person obtaining possession of the property shall file an application for an alarm user permit within thirty (30) days of obtaining possession of the property. Alarm permits are not transferable.

(d) Reporting Updated Information. Whenever the information provided on the alarm user permit application changes, the correct information must be provided by the alarm user to the Alarm Systems Coordinator within thirty (30) days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the Alarm Systems Coordinator a form requesting updated information. The permit holder shall complete and return this form to the Alarm Systems Coordinator when any of the requested information has changed.

(e) Alarm Reset. An alarm user may not install, maintain or use an audible alarm system which can sound continually for more than fifteen (15) minutes.

Sec. 15-158. ISSUANCE OF PERMIT DECALS

No person shall use an alarm system without posting at the front entrance of the premises served by the alarm system the alarm user permit decal issued by the City of Charlotte, or its designee. This decal must be prominently posted at the front entrance of the premises so that the information provided on the decal is visible from outside of the structure.

Sec. 15-159. MULTIPLE ALARM SYSTEMS

If an alarm user has one (1) or more alarm systems protecting two (2) or more separate structures having different addresses, a separate permit will be required for each structure.

(a) Police response. Whenever an alarm is activated in the city and the police department does respond, a police officer on the scene of the activated alarm system shall inspect the area and shall determine whether the police response was in fact necessary as indicated by the alarm system or whether the alarm was a false alarm.

(b) Notification. If the police officer at the scene of the activated alarm system determines the alarm to be false, the officer shall make a report of the false alarm. An alarm user shall be notified of each false alarm determination.

(c) Inspection. The Chief of Police shall have the right to inspect any alarm system on the premises to which a response has been made at any reasonable time thereafter to determine whether it is being used in conformity with the terms of this article.

Sec. 15-161. REVIEW OF FALSE ALARM DETERMINATIONS

(a) Request for Review. The Alarm Systems Coordinator shall, when requested by an alarm user, review the determination that an alarm was false. Such review shall be conducted by the Alarm Systems Coordinator only if the alarm user requests in writing such a review within ten (10) days of the date that the false alarm occurred. The written request for review of a false alarm determination by the Alarm Systems Coordinator shall include the following information:

- (1) alarm user name;
- (2) address at which alarm is installed;
- (3) date of false alarm that is being contested;
- (4) alarm user permit number;
- (5) facts upon which the request for review of the false alarm determination is made.

Sec. 15-162. SERVICE CHARGE ASSESSMENT FOR FALSE ALARMS AND REINSTATEMENT OF ALARM USER PERMITS

(A) Excessive False Alarms. It is hereby found and determined that three (3) or more false alarms within any 12-month period is excessive and constitutes a public nuisance.

(B) Civil Penalties.

(1) The 3rd through 5th false alarms within a 12-month period will be billed a fifty dollar (\$50.00) service charge per occurrence which shall be considered a bill owed by the alarm user to the city and may be collected from the alarm user as a civil penalty. Each fifty dollar (\$50.00) service charge incurred for the 3rd through 5th false alarms at the premises described in the alarm user's permit shall be paid within thirty (30) days from date of receipt of the invoice.

(2) The 6th false alarm within a 12-month period and all false alarms thereafter shall result in the revocation of the alarm user's permit in the following manner:

- (a) The alarm user shall be given ten (10) days advance written notification that the alarm user's permit will be revoked. This written notice shall set forth the reasons for such revocation.

(b) The notice shall specify the specific date of revocation and that the police department will discontinue responding to alarms that occur at the premises described in the revoked permit after the date of revocation.

(c) Reinstatement of both the permit and eligibility for police response to alarm calls will be made only upon receipt of any prior unpaid civil penalties assessed pursuant to this section and receipt of the applicable service charge as set forth below:

6th false alarm - \$100.00  
7th false alarm - \$100.00  
8th false alarm - \$250.00  
9th false alarm - \$250.00  
10th and over false alarms - \$500.00

(C) Permit Year. For the purposes of this section, a permit year is a 12-month period beginning on the date of the permit's issuance.

(D) Discontinuance of Police Response. The failure of an alarm user to make payment of any service charge imposed under this section within thirty (30) days from date of receipt shall result in a discontinuance of police response to alarms that may occur at the premises described in the alarm user's permit until payment is received.

Sec. 15-163. AUTOMATIC DIAL PROTECTION DEVICES PROHIBITED

No automatic dial protection device shall be used to report, or cause to be reported, any recorded message to the Charlotte-Mecklenburg Police Department.

Sec. 15-164. PROHIBITED ACTS

(a) It shall be unlawful for any person to violate any provision of this article.

(b) It shall be unlawful for any person to activate a burglary or robbery alarm for the purpose of summoning police when no burglary or robbery, or other crime dangerous to life or property, is being committed or attempted on the premises, or otherwise to cause a false alarm.

(c) It shall be unlawful for an alarm user to fail to reimburse the City of Charlotte, in accordance with the provisions of this Article, for response(s) by the Charlotte-Mecklenburg Police Department to any false alarm(s).

Sec. 15-165. ENFORCEMENT OF PROVISIONS

(a) Methods of Enforcement. The City may enforce the provisions of this article by one or a combination of the following methods:

(1) Civil Penalty. Any person who violates any provision of this article may be fined by a civil penalty of one hundred dollars (\$100.00) which may be recovered by the city in a civil action in the nature of a debt if the violator does not pay the penalty within thirty (30) days from the date the violator is notified of the penalty. Any other service charges imposed by this article may be collected by the city as a civil penalty in a civil action.

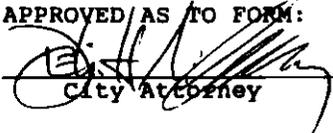
(2) Equitable Remedy. The City may apply to a court of competent jurisdiction for an injunction, abatement order or any other appropriate equitable remedy.

Sec. 15-166. SEVERABILITY

If any provision of this article or the application thereof to any person or circumstance is for any reason held invalid, such invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

SECTION 2. This ordinance shall be effective the 24th day of July, 1995.

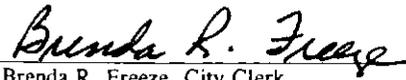
APPROVED/AS TO FORM:

  
\_\_\_\_\_  
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 24th day of July, 199 5, the reference having been made in Minute Book 108, and recorded in full in Ordinance Book 46, Page(s) 495-499.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of July, 19 95.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**AN ORDINANCE TO AMEND ORDINANCE NO. 304-X, THE 1995-96 BUDGET ORDINANCE, PROVIDING APPROPRIATIONS TO FUND THE PURCHASE OF LAP TOP COMPUTERS AND ADD THIRTEEN CIVILIAN POSITIONS FOR POLICE FROM U.S. DEPARTMENT OF JUSTICE GRANT FUNDS, ASSETS FORFEITURE FUNDS AND GENERAL FUND FUND BALANCE.**

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

Section 1. That the sum of \$4,986,615 is hereby estimated to be available from the following sources:

U. S. Department of Justice Grant	\$3,559,961
Assets Forfeiture Funds	905,625
General Fund Fund Balance	521,029
Total	\$4,986,615

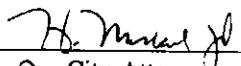
Section 2. That the sum of \$4,986,615 is hereby appropriated to the General Fund-Police Department.

Section 3. Completion of these Projects will extend beyond the end of the fiscal year; therefore, this ordinance will remain in effect for the duration of the process.

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

Section 5. It is the intent of this ordinance to be effective upon its adoption.

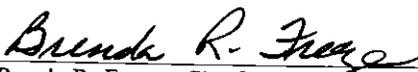
Approved as to form:

  
Dep City Attorney

**CERTIFICATION**

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of July, 1995.

  
Brenda R. Freeze, City Clerk

AN ORDINANCE TO AMEND ORDINANCE NO. 304 - X, THE 1995-96 BUDGET ORDINANCE,  
PROVIDING AN APPROPRIATION FOR THE FIRST WARD MASTER PLAN.

BE IT ORDAINED by the City Council of the City of Charlotte:

Section 1. That the sum of \$100,000 is hereby estimated to be available from the following sources:

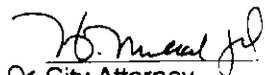
<u>Source</u>	<u>Amount</u>
NationsBank	\$ 30,000
City-Within-A-City Fund (0101;530.64)	20,000
Planning Commission Operating Budget	5,000
Charlotte Uptown Development Corporation	25,000
Charlotte Housing Authority	20,000
Total	\$100,000

Section 2. That the sum of \$100,000 is hereby appropriated to General Fund Non-Departmental 0101;530.53-First Ward Master Plan.

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

Section 5. This ordinance shall be effective immediately.

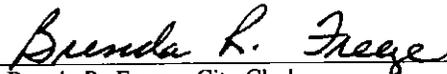
Approved as to form:

  
City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of July, 19 95.

  
Brenda R. Freeze, City Clerk