

ORDINANCE NO. 187-X

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina, has been petitioned under G. S. 160-452, as amended, to annex the area described herein, and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held in the Council Chamber, in the City Hall, at 3 o'clock P.M., on the 29th day of July, 1963, and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160-452, as amended.

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

Section 1. By virtue of the authority granted by G. S. 160-452, as amended, the following described territory is hereby annexed and made part of the City of Charlotte, as of the 29th day of July, 1963.

BEGINNING at a point on the Easterly margin of Squirrel Hill Road, said point being located South 75-10-45 West 138.16 feet from the dividing line of the J. E. Penninger property and the Hidden Valley Builders, Inc. property and running thence across Squirrel Hill Road South 47-37-25 West 56.39 feet to a point; thence South 75-10-45 West 135.06 feet to a point; thence North 14-49-15 West 40.0 feet to a point; thence South 75-10-45 West 150.02 feet to a point; thence South 40-10-05 West 150.78 feet to a point; thence North 86-08-55 West 95.01 feet to a point, the Easterly margin of Bannister Place; thence across Bannister Place South 72-54-10 West 53.65 feet to a point; thence North 86-08-55 West 108.01 feet to a point; thence North 32-46-15 West 54.49 feet to a point; thence South 79-26-30 feet to a point, the Easterly margin of White Plains Road; thence crossing White Plains Road North 75-37-15 West 53.53 feet to a point; thence South 78-43-10 West 139.58 feet to a point; thence North 16-22-10 West 274.54 feet to a point; thence North 16-41-50 West 141.01 feet to a point; thence along the dividing line between the Hidden Valley Builders, Inc. property and the N. T. Ervin property North 71-17-50 East 248.64 feet to a point; thence North 17-21-20 West 37.93 feet to a point; thence North 17-50-40 West 1,252.68 feet to a point; thence North 80-35-10 East 752.86 feet to a point in the Tom Hunter Road; thence South 28-31-10 East 673.63 feet through the Tom Hunter Road to a point; thence South 27-38-05 East 499.07 feet to a point; thence South 22-00-10 East 222.76 feet to a point; thence South 18-00 East 198.05 feet to a point; thence South 14-49-15 East 180.64 feet to a point; thence South 75-10-45 West 138.16 feet to the point or place of beginning and containing 39.0886 acres located in Mallard Creek Township.

Section 2. Upon and after the 29th day of July, 1963, the above described territory and its citizens and property shall be subject to all debts, laws,

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ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes levied for the fiscal year beginning July 1, 1964.

Section 3. The Mayor of the City of Charlotte shall cause to be recorded in the Office of the Register of Deeds of Mecklenburg County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

Section 4. This ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Charlotte.

Adopted this 29th day of July, 1963.

ATTEST:

Lillian R. Hoffman  
City Clerk

Stan R. Brookshire  
Mayor

APPROVED AS TO FORM:

John T. Morrisey, Sr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 29th day of July, 1963, the reference having been made in Minute Book 43, at Page 204, and recorded in full in Ordinance Book 13, beginning at Page 434.

Lillian R. Hoffman  
City Clerk

Published in the Charlotte News - August 6, 1963

ORDINANCE NO. 188

AMENDING CHAPTER 20,  
ARTICLE I

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE I, OF THE  
CODE OF THE CITY OF CHARLOTTE RELATIVE TO OBSTRUCTIONS  
TO CROSS-VISIBILITY AT STREET INTERSECTIONS.

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WHEREAS, the existence of obstructions to the cross-visibility of motorists and pedestrians at street intersections in the City of Charlotte creates a dangerous and hazardous condition contributing to the incidence of accidents at intersections and constitutes a clear and present danger to life and property, and

WHEREAS, the City Council finds and declares that the elimination and prohibition of such obstructions is necessary to protect, promote and preserve the safety, lives and property of the citizens, NOW, THEREFORE,

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

Section 1. That Chapter 20, Article I, of the Code of the City of Charlotte is hereby amended by adding thereto a new section to be numbered "Section 20-15.1" to read as follows:

"Sec. 20-15.1. Obstructions to Cross-Visibility at Intersections.

(a) The following regulations shall apply to property which is located at corners formed by intersecting streets and which lies within that triangular area bounded by the property lines abutting upon said streets and a diagonal line joining points on said property lines thirty-five (35) feet from the point of intersection of said property lines.

(b) Within said described area, and except as provided in subsection (c) below, it shall be unlawful to install, set out or maintain, or to allow the installation, setting out or maintenance of, any sign, hedge, shrubbery, tree, natural growth or other obstruction of any kind which obstructs cross-visibility at a level between thirty (30) inches and seventy-two (72) inches above the level of the center of the adjacent intersection.

(c) The foregoing provisions of subsection (b) shall not apply to:

- (1) Permanent buildings.
- (2) Existing grades which, by reason of natural topography, exceed thirty (30) inches above the level of the center of the adjacent intersection;

provided, that no obstruction to cross-visibility not specifically excepted herefrom shall be installed, set out or maintained on any existing grade which is more than thirty (30) inches but less than seventy-two (72) inches above the level of the center of the adjacent intersection.

(3) Trees having limbs and foliage trimmed in such manner that no limbs or foliage extend into the area between thirty (30) inches and seventy-two (72) inches above the level of the center of the adjacent intersection.

(4) Fire hydrants, public utility poles, street markers and traffic control devices.

(d) Any intersection at which cross-visibility is obstructed by any obstruction excepted herefrom by subsection (c) above, shall be so marked by appropriate traffic control devices as to provide for the safety of motorists and pedestrians at such intersection.

(e) If the provisions of any other law, ordinance or regulation of the City or of the State of North Carolina shall be in conflict with the provisions of this Section, the more stringent provision shall control.

(f) The administration of this Section shall be under the direction of the City Traffic Engineer who shall investigate violations, issue such notices and orders as are required herein, and perform such other duties as may be necessary to the enforcement hereof.

(g) Any obstruction to cross-visibility maintained in violation of this Section shall be deemed to be a public nuisance inconsistent with and detrimental to the public safety and shall be abated in accordance with the following procedure:

(1) The Traffic Engineer shall cause to be served by certified mail a written notice and order of abatement upon the owner, tenant or person in charge of the premises upon which such obstruction exists.

(2) Such obstruction shall be removed by the person responsible therefor within ten (10) days from the date of receipt of such notice and order.

(3) Any person receiving such notice and order may, within ten (10) days from receipt thereof, request in writing a hearing before the City

Council, such hearing to be held not later than the second regular meeting of the City Council following the date of such request. If, after said hearing, the City Council finds that the obstruction in question does in fact constitute a public nuisance, the City Council shall order that such nuisance be abated within ten (10) days from the date of such order. Upon failure by any person to comply with such an order, the Traffic Engineer shall proceed forthwith to remove or cause the removal of such obstruction and the cost thereof shall be a charge against the person responsible and shall be a lien against the property from which such obstruction is removed."

Section 2. 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 29th day of July, 1963, the reference having been made in Minute Book 43, at Page 207, and recorded in full in Ordinance Book 13, beginning at Page 435.

Lillian R. Hoffman  
City Clerk

ORDINANCE NO. 189-Z

An Ordinance Amending Chapter 23  
of the City Code - Zoning OrdinanceAn 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-6MF to B-1 on the Official Zoning Map, City of Charlotte, N. C. and Perimeter Area the following described property:

BEGINNING at the intersection of the northeasterly margin of Bellhaven Boulevard and the southeasterly margin of Linwood Street and running thence with said margin of Linwood Street N. 46-13 E. 173.17 feet; thence S. 48-41 E. 213.69 feet; thence S. 43-46-50 W. 173.23 feet to the northeasterly margin of Bellhaven Boulevard; thence with said margin of Bellhaven Boulevard N. 48 - 32- 40 W. 221.04 feet to the BEGINNING.

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

Approved as to form:

John T. Morrisey

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 29th day of July, 1963, the reference having been made in Minute Book 43, at Page 208, and recorded in full in Ordinance Book 13, at Page 438.

Lillian R. Hoffman  
City Clerk

Ordinance No. 190-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-9MF to O-6 on the Official Zoning Map, City of Charlotte, N. C. and Perimeter Area the following described property:

BEING all of Lts 28-31 in Block D of McDonald Heights as shown on map recorded in Map Book 3, Page 280 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:

John T. Morrisey  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 29th day of July, 1963, the reference having been made in Minute Book 43, at Page 208, and recorded in full in Ordinance Book 13, at Page 439.

Lillian R. Hoffman  
City Clerk