

November 25, 2002  
Ordinance Book 51, Page 865

ORDINANCE NO. 2181-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1242 ALLEN 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 WILLIAM & ROSA LEE SITTON, LAST KNOWN ADDRESS: 1242 ALLEN ST., CHARLOTTE, NC 28205.

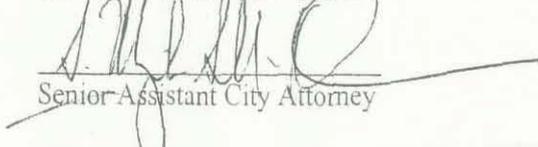
WHEREAS, the dwelling located at 1242 Allen Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners there of have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by certified mail on the 19<sup>th</sup> day of July, 2001; and by hand delivery on the 13<sup>th</sup> of March, 2002

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 1242 Allen 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.

This Ordinance shall become effective upon its adoption.

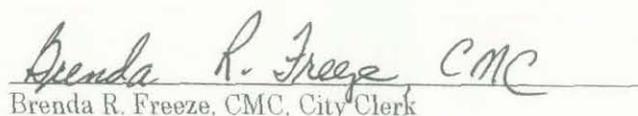
APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 865.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2182-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3908 MCKEE RD. 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 ANNE LAWING COOK RESIDING AT 725 TEMPLETON AVE., CHARLOTTE, NC 28203

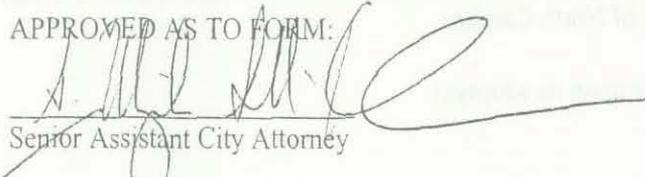
WHEREAS, the dwelling located at 3908 McKee Rd. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Certified Mail on the 2nd day of May, 2002 and on the 24th day June, 2002.

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 3908 McKee Rd. 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.

This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 866.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

November 25, 2002  
Ordinance Book 51, Page 867

ORDINANCE NO. 2183-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1621/23 ALLEN 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 THOMAS F. KERR CO. INC., LAST KNOWN ADDRESS: 124 BREVARD CT., CHARLOTTE, NC 28202.

WHEREAS, the dwelling located at 1621/23 Allen Street 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 there of 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 owner(s) have failed to comply with said order served by Certified Mail on the 5<sup>th</sup> day of July, 200; and by personal delivery on the 13<sup>th</sup> day of August, 2001.

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 1621/23 Allen 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.

This Ordinance shall become effective upon its adoption.

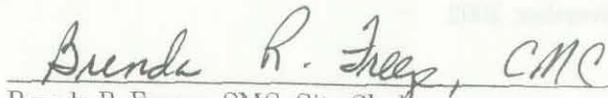
APPROVED AS TO FORM:

  
Senior Assistant City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2184-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2201 VANDERBILT 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 TO-GO COMPANY, LAST KNOWN ADDRESS: 1817 JENNINGS ST., CHARLOTTE, NC 28216.

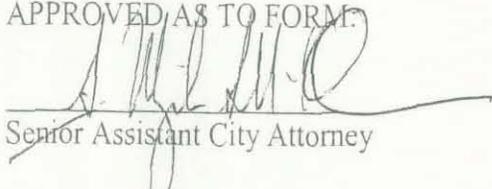
WHEREAS, the dwelling located at 2201 Vanderbilt Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners there of have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Certified Mail on the 22<sup>nd</sup> day of July, 2002 and on the 30<sup>th</sup> day of August, 2002.

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 2201 Vanderbilt 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.

This Ordinance shall become effective upon its adoption.

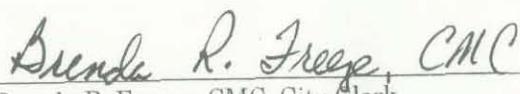
APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 868.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

November 25, 2002  
Ordinance Book 51, Page 869

ORDINANCE NO. 2185-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1100 E WOODLAWN RD. 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 CLAUDE MASSEY, RESIDING AT 1100 E. WOODLAWN RD., CHARLOTTE, NC 28209

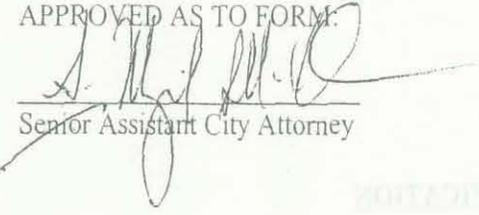
WHEREAS, the dwelling located at 1100 E. Woodlawn Rd. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Certified Mail on the 8th day of November, 2001 and on the 15th day December, 2001.

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 1100 E. Woodlawn Rd. 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.

This Ordinance shall become effective upon its adoption.

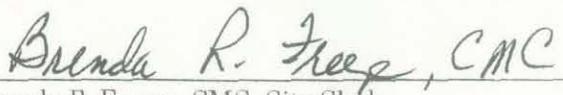
APPROVED AS TO FORM:

  
Senior Assistant City Attorney

**CERTIFICATION**

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2186-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 435 EDGEGREEN DR. 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 KNOWN AND UNKNOWN HEIRS OF ALONZO ADAMS, FORMERLY RESIDING AT 435 EDGEGREEN DR., CHARLOTTE, NC 28217

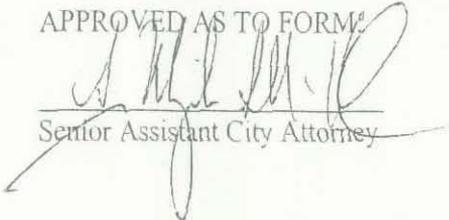
WHEREAS, the dwelling located at 435 Edgegreen Dr. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by advertisement on the 13th day of September, 2001; and by advertisement on the 21st day December, 2001.

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 435 Edgegreen Dr. 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.

This Ordinance shall become effective upon its adoption.

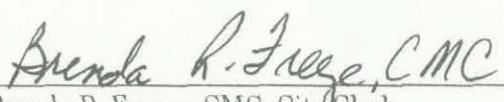
APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 870.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

November 25, 2002  
Ordinance Book 51, Page 871

ORDINANCE NO. 2187-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 700 MATHESON AVE. 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 NELLIE VIRGINIA CUNNINGHAM KING, LAST KNOWN ADDRESS: 700 MATHESON AVE., CHARLOTTE, NC 28205.

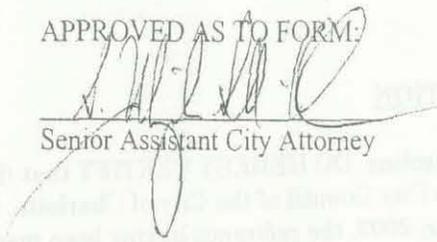
WHEREAS, the dwelling located at 700 Matheson Ave in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners there of have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Certified Mail on the 23<sup>rd</sup> day of June, 2001 and on the 16<sup>th</sup> day of July, 2001.

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 700 Matheson Ave 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.

This Ordinance shall become effective upon its adoption.

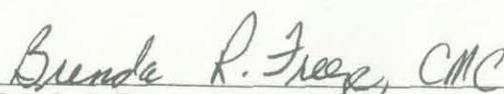
APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 871.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2188-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3423 WEST BOULEVARD 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 HEIRS OF POTTS ALEXANDER ERWIN, JR.

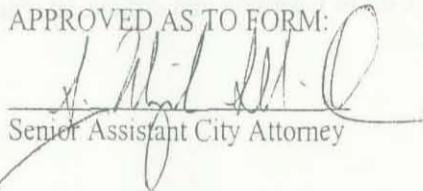
WHEREAS, the dwelling located at 3423 West Blvd. in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by Advertisement on the 31<sup>st</sup> day of May, 2002 and on the 26th day September, 2002.

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 3423 West Blvd. 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.

This Ordinance shall become effective upon its adoption.

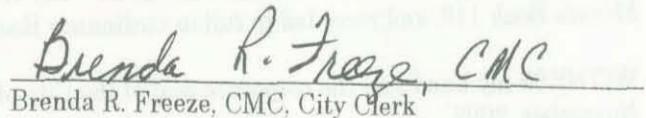
APPROVED AS TO FORM:

  
Senior Assistant 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 872.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

November 25, 2002  
Ordinance Book 51, Page 873

ORDINANCE NO. 2189-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1605 PEGRAM 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 HENRY FAULKNER, JR. & WIFE RUBY R. FAULKNER, LAST KNOWN ADDRESS: 1605 PEGRAM ST., CHARLOTTE, NC 28205.

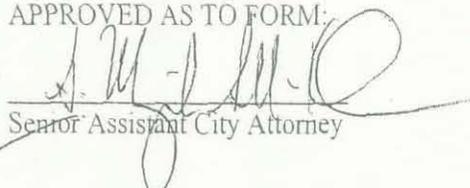
WHEREAS, the dwelling located at 1605 Pegram Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners there of have been ordered to demolish and remove said dwelling, all pursuant 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 owner(s) have failed to comply with said order served by advertisement on the 5<sup>th</sup> & 7<sup>th</sup> day of February, 2002. And on the 21<sup>st</sup> & 22<sup>nd</sup> day of March, 2002.

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 1605 Pegram 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.

This Ordinance shall become effective upon its adoption.

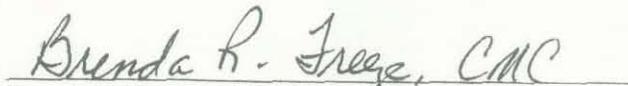
APPROVED AS TO FORM:

  
Senior Assistant City Attorney

**CERTIFICATION**

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2190-X

0-26

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1835-X, THE 2001-2002 BUDGET ORDINANCE, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE.

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

Section 1. That the sum of \$106,359 is hereby estimated to be available from the U.S. Department of Housing and Urban Development to enhance enforcement of the fair housing program.

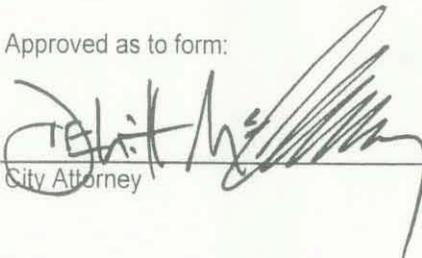
Section 2. That the sum of \$106,359 is hereby appropriated to the General Fund (0101) for the Charlotte-Mecklenburg Community Relations Committee Fair Housing Program (Center 104.02.199).

Section 3. That the existence of the project may extend beyond the end of the fiscal year. This ordinance will remain in effect for the duration of the grant projects.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

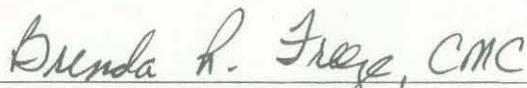
Approved as to form:

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

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

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

ORDINANCE NUMBER: 2191

AMENDING CHAPTER 15

**ORDINANCE AMENDING CHAPTER 15 OF THE CHARLOTTE CITY CODE  
ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS"**

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

Section 1. Article VIII of Chapter 15 of the Charlotte City Code is rewritten to read as follows:

**ARTICLE VIII. FALSE ALARMS**

**Sec. 15-155. Purpose.**

The Charlotte City Council finds that excessive false alarms unduly burden the Charlotte-Mecklenburg Police Department and waste limited police resources. The purpose of this Article is to establish reasonable expectations of alarm users and to ensure that alarm users are held responsible for their use of alarm systems. It is not the intent of the Charlotte City Council in adopting this Article to create new or expand existing legal obligations of the City or the Charlotte-Mecklenburg Police Department or to establish a special duty or special relationship between the City or the Charlotte-Mecklenburg Police Department and alarm users or persons who own real or personal property or are physically present at or in the vicinity of property monitored by an alarm system.

**Sec. 15-156. Definitions.**

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

*Alarm company.* A person, firm, partnership, association, or corporation subject to the licensing requirements of Chapter 74D of the North Carolina General Statutes and engaged in selling, leasing, installing, servicing or monitoring alarm systems.

*Alarm permit.* A permit issued by the city allowing the operation of an alarm system within the city.

*Alarm system.* Any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized 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, fire alarms, domestic violence alarm, or alarms designed to elicit a medical response.

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

*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.

*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.

*City.* The City of Charlotte or its agent.

*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. An alarm is false within the meaning of this ordinance when, upon inspection by the Charlotte-Mecklenburg Police Department, 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.

Notwithstanding the foregoing, 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.

*Permit year.* A twelve-month period beginning on the day and month on which an alarm permit is issued.

*Runaway alarm.* An alarm system that produces repeated alarm signals that do not appear to be caused by separate human action.

**Sec. 15-157. Alarm permit required.**

(a) *Permit required.* No person shall use an alarm system without first obtaining a permit for such alarm system from the city. Each alarm permit shall be assigned a unique permit number.

(b) *Application.* The permit shall be requested on an application form provided by the city. 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 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 permit application changes, the alarm user shall provide correct information to the city within thirty (30) days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the city a form requesting updated information. The permit holder shall complete and return this form to the city when any of the requested information has changed.

(e) *Multiple alarm systems.* If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses, a separate permit shall be required for each structure.

**Sec. 15-158. Other prohibited acts.**

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

(b) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than fifteen minutes.

(c) It shall be unlawful to install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Charlotte-Mecklenburg Police Department.

(d) An alarm company shall provide the permit number for the alarm system that produced the alarm signal at the time the alarm company notifies the Charlotte-Mecklenburg Police Department of an alarm signal to facilitate dispatch.

**Sec. 15-159. Enforcement of provisions.**

(a) *Excessive false alarms.* It is hereby found and determined that three (3) or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year may be assessed against an alarm user as follows:

3 <sup>rd</sup> – 5 <sup>th</sup> false alarm	-	\$50.00
6 <sup>th</sup> false alarm	-	\$100.00
7 <sup>th</sup> false alarm	-	\$100.00
8 <sup>th</sup> false alarm	-	\$250.00
9 <sup>th</sup> false alarm	-	\$250.00
10 <sup>th</sup> and over false alarm	-	\$500.00

(b) *Other civil penalties.* Violations of Sec. 15-157 and Sec. 15-158 may be enforced through the assessment of civil penalties in the amount of \$100.

- (c) *Payment of civil penalties.* Civil penalties shall be paid within thirty (30) days from the date of the invoice.
- (d) *Discontinuance of police response.* The failure of an alarm user to make payment of any civil penalty assessed under this section within thirty (30) days from the date of the invoice shall result in discontinuance of police response to alarm signals that may occur at the premises described in the alarm user's permit until payment is received. The Charlotte-Mecklenburg Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.
- (e) *Equitable remedy.* The city may enforce the provisions of this article by applying to a court of competent jurisdiction for an injunction, abatement order or any other appropriate equitable remedy.
- (f) *Non-criminal violation.* A violation of any of the provisions of this article shall not constitute a misdemeanor or infraction punishable pursuant to North Carolina General Statutes Section 14-4.

**Sec. 15-160. Appeals.**

- (a) *Appeals process.* Assessments of civil penalties and other enforcement decisions made under this article may be appealed by filing a written notice of appeal with the city within ten (10) days after the date of notification of the assessment of civil penalties or other enforcement decision. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalties or other enforcement decision. Appeals shall be heard through an administrative process established by the Charlotte-Mecklenburg Police Department. The hearing officer's decision is subject to review in the Superior Court of Mecklenburg County by proceedings in the nature of certiorari.
- (b) *Appeal standard.* The hearing officer shall review an appeal from the assessment of civil penalties or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalties or other enforcement decision, the hearing officer shall have the discretion to dismiss or reduce civil penalties or reverse any other enforcement decision where warranted.

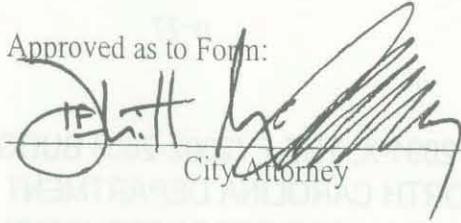
**Sec. 15-161. Severability.**

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. Subsection 15-158(d) shall become effective on May 1, 2003. The remaining portions of this ordinance shall become effective upon adoption.

November 25, 2002  
Ordinance Book 51, Page 879

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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Pages 875-879.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 2192-X

0-27

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE FY2002-2003 BUDGET ORDINANCE, ESTIMATING FUNDING FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND PROVIDING AN APPROPRIATION FOR RECONSTRUCTION OF THE INTERSECTION OF SOUTH BOULEVARD AND WOODLAWN ROAD.

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

Section 1. That the sum of \$3,000,000 is hereby estimated to be available from the following sources of revenue:

Source	Amount
NCDOT	\$ 1,500,000
2002 Street Improvement Bonds	1,500,000
<b>Total</b>	<b>\$ 3,000,000</b>

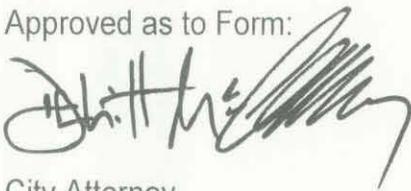
Section 2. That the sum of \$3,000,000 is hereby appropriated to the General Capital Improvement Project Fund 2010; 287.33 - South Boulevard/Woodlawn.

Section 3. That the Finance Director is hereby authorized to advance the sum of \$1,500,000 to the project 2010;287.33) from the Municipal Debt Service Fund fund balance until such time that NCDOT funding is received. Upon receipt of NCDOT funding the advance shall revert to its original source.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective immediately.

Approved as to Form:



City Attorney

November 25, 2002  
Ordinance Book 51, Page 881

**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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Pages 880-881.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

*Brenda R. Freeze, CMC*

Brenda R. Freeze, CMC, City Clerk

**ORDINANCE NO. 2193-X**

**ORDINANCE OF THE CHARLOTTE CITY COUNCIL AUTHORIZING THE CHARLOTTE-MECKLENBURG POLICE DEPARTMENT TO SEEK STATE ACCESS TO SBI / DCI CRIMINAL HISTORY RECORD INFORMATION FOR USE IN DETERMINING THE SUITABILITY OF PERSONS TO SERVE ON BOARDS OR COMMISSIONS OF THE CITY OF CHARLOTTE**

**WHEREAS**, the City Council, the Mayor, and the City Manager of the City of Charlotte are periodically engaged in the process of appointing persons to serve on various governmental boards and commissions; and

**WHEREAS**, persons seeking appointment to boards and commissions are required to complete an application process; and

**WHEREAS**, in order to determine the suitability of such persons to serve on boards and commissions, the Charlotte-Mecklenburg Police Department desires State access to the SBI / DCI Criminal History Record Information to obtain criminal history information on persons making application; and

**WHEREAS**, the Charlotte-Mecklenburg Police Department will obtain said criminal history information on such persons based on the identification information contained in the applications; and

**WHEREAS**, after accessing the SBI / DCI Criminal History Record Information, the Charlotte-Mecklenburg Police Department will obtain public record criminal history information from the Clerk of Court's Office in the appropriate jurisdiction(s) and provide that information to the City Council, the Mayor, and the City Manager; and

**WHEREAS**, appointment to any board or commission may be denied for those persons convicted of crimes against a person, or crimes against property where intent is an element, or any offense involving drugs, alcohol, or gambling; and

**WHEREAS**, the crimes listed above are representative of, but not an exclusive list of, those convictions which may be considered to be sufficient justification to deny an appointment to any board or commission; and

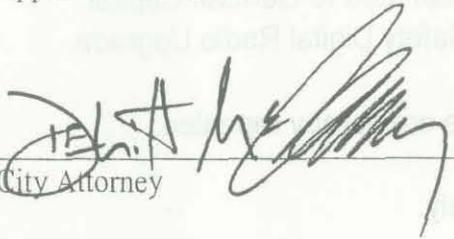
**WHEREAS**, an evaluation of any criminal offense for purposes of appointment to any board or commission shall take into account the nature, circumstances, and time frame of the offense; and

**WHEREAS**, the City Council, the Mayor, and the City Manager shall determine what persons are disqualified as a result of the information received from the Charlotte-Mecklenburg Police Department; and

**WHEREAS**, no applicant shall be disqualified until the Charlotte-Mecklenburg Police Department confirms the identity of the applicant by a match of the applicant's fingerprints to the State Bureau of Investigation and a certified true copy of the public record document is retrieved;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Charlotte that the Charlotte-Mecklenburg Police Department is hereby authorized to seek State access to the SBI / DCI Criminal History Record Information to obtain criminal history information on applicants for appointments to boards or commissions of the City of Charlotte.

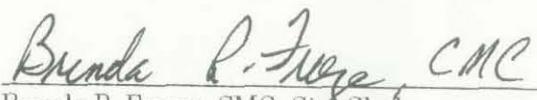
Approved as to Form:

  
\_\_\_\_\_  
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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Pages 881-883.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

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

ORDINANCE NUMBER: 2194-X

0-28

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE FY2002-2003 BUDGET  
ORDINANCE, PROVIDING AN APPROPRIATION FOR UPGRADE OF THE PUBLIC SAFETY  
RADIO SYSTEM.

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

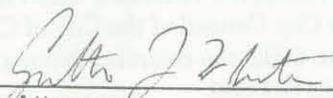
Section 1. That the sum of \$2,100,000 is hereby estimated to be available from  
Certificates of Participation.

Section 2. That the sum of \$2,100,000 is hereby appropriated to General Capital  
Improvement Fund 2010; 481.08 - Public Safety Digital Radio Upgrade.

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

Section 4. This ordinance shall be effective immediately.

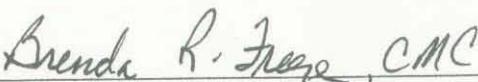
Approved as to Form:

  
\_\_\_\_\_  
Asst. 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 25<sup>th</sup> day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 884.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of November, 2002.

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