

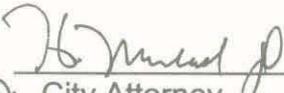
ORDINANCE NUMBER: 1342-X

0-8

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET
ORDINANCE, ESTIMATING FEDERAL GRANT FUNDING AND PROVIDING AN
APPROPRIATION FOR MEMBERSHIP IN THE RAPID TRANSIT CONSORTIUM.

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

- Section 1. That the sum of \$50,000 is hereby estimated to be available from the Federal Transit Administration.
- Section 2. That the sum of \$50,000 is hereby appropriated to the Metropolitan Transit Commission Operating Budget, Fund 7801; 892.00 - Rapid Transit Consortium.
- Section 3. That the project may extend beyond the current fiscal year (1999-2000), and thus shall remain in effect until completion of the project.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective immediately.


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 13th day of September, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 577.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of September, 1999.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NUMBER: 1343-X

0-9

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR ENGINEERING DESIGN SERVICES FOR AIRPORT RAMP D EXPANSION.

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

Section 1. That the sum of \$650,000 is hereby estimated to be available from future FAA Grants and General Aviation Revenue Bonds.

Section 2. That the sum of \$650,000 is hereby appropriated to the Airport Capital Project Fund 2083; 528.29 - Ramp D Expansion.

Section 3. That the Finance Director is hereby authorized to advance the sum of \$650,000 from the Airport Discretionary Fund fund balance (7408) until permanent sources of financing are arranged. Once permanent financing has been secured, 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.

J. H. ...
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 13th day of September, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 578.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of September, 1999.

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

ORDINANCE NUMBER: 1344-X

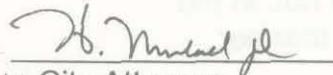
0-10

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1313-X, THE 1999-2000 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR CONSTRUCTION OF AIRPORT RUNWAY SAFETY AREAS.

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

- Section 1. That the sum of \$125,000 is hereby estimated to be available from future Airport Revenue Bonds and future FAA Grants.
- Section 2. That the sum of \$125,000 is hereby appropriated to the Airport Capital Project Fund 2083; 528.28 - R/W Safety Area.
- Section 3. That the Finance Director is hereby authorized to advance the sum of \$125,000 from the Airport Discretionary Fund fund balance (7408) until such time that permanent financing has been arranged. Once permanent financing has been arranged, 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.

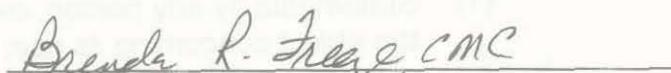
Approved as to form:


City Attorney

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 13th day of September, 1999, the reference having been made in Minute Book 114, and recorded in full in Ordinance Book 49, Page(s) 579.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of September, 1999.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 1345

AMENDING CHAPTER 15

AN ORDINANCE AMENDING CHAPTER 15, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THAT:

Section 1. Chapter 15 shall be amended by adding the following ordinance as 15-32 entitled "Sale of Drug Stem Intended for Illegal Drug Use."

"Sec. 15-32. Sale of Drug Stem Intended for Illegal Drug Use.

(a) Definitions. For the purposes of this section, the following definitions shall apply:

- (1) 'Sell' and 'sale' means the commercial transfer of ownership, possession or use of a drug stem in the regular course of wholesale or retail business for consideration of any type.
- (2) A 'drug stem' means objects that facilitate the ingestion and/or inhalation of crack cocaine, crank methamphetamine or any other controlled substance as defined by North Carolina Controlled Substance Act. A 'drug stem' is further defined as a two to six inch long tube, one eighth inch to three quarter inches in diameter and is made of glass, metal or ceramic or any other material. Drug stems include but are not limited to glass vials or tubes which may contain novelty items of insignificant value or may contain items that are not, in the normal course of business, packaged in such a manner.
- (3) The term 'person' means any natural born person, corporation, legal entity, partnership or association.
- (4) 'Controlled substance' means any substance controlled by the North Carolina Controlled Substances Act as set forth in Section 90-86 et seq., of the North Carolina General Statutes.

(b) In determining whether an object is a drug stem, the following factors, in addition to all other relevant evidence may be considered:

- (1) Statements by any person, owner, or by anyone in control of the object concerning its use;

drug stem is primarily designed and used for a legitimate purpose unrelated to the ingestion of a controlled substance into the human body.

(e) Penalty; additional remedies.

- (1) Civil penalty; injunctive relief. Any person who violates any provision of this section shall be subject to a civil penalty of fifty dollars (\$50.00) for each violation or injunctive relief to restrain the person from continuing the violation or threat of violation, or both injunctive relief and a civil penalty. Upon application for injunctive relief and a finding that a person is violating or threatening to violate any provision of this chapter, the superior court shall grant injunctive relief to restrain the violation. Failure to pay the civil penalty or file an appeal within twenty-one (21) days after notification of the violation shall result in an additional penalty of fifty dollars (\$50.00). The City may establish procedures for the collection of the civil penalties and may enforce the penalties by a civil action in the nature of a debt.
- (2) Continuing violations. Each day of violation of any provision of this chapter shall constitute a separate offense.
- (3) Forfeiture of drug stem. Any item sold or possessed with the intent to sell by any person after a court has adjudicated such an item to constitute drug paraphernalia as defined by this section shall be subject to forfeiture of the drug stem to the municipality upon order of the court entered in any injunction proceedings instituted under the authority of this section or in a separate forfeiture action instituted by the municipality.

(f) Appeal. A Notice of Appeal shall be filed within twenty-one (21) days after notification of the violation. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the citation. Appeals shall be heard through an administrative process established by the Charlotte Mecklenburg Police Department. An individual desiring a hearing must post a bond equal to the amount of the civil penalty before an appeal hearing will be scheduled. The hearing officer's decision is subject to review in the Superior Court of Mecklenburg County by proceedings in the nature of certiorari.

(g) Sunset Provision. This ordinance shall be repealed two (2) years from the date that it becomes effective."