CHARLOTTE

Charlotte City Council

Community Safety Committee

Meeting Summary for March 21, 2012

COMMITTEE AGENDA TOPICS

I. Subject: **FY 2013 Focus Area Plan**
Action: Review draft plan and make recommendation to the full City Council

II. Subject: **Rental Property Ordinance**
Action: None

III. Subject: **Next Meeting**
Wednesday, April 18, 12:00 p.m., Room 280

COMMITTEE INFORMATION

Present: Patrick Cannon, Claire Fallon, and Beth Pickering
Time: 12:35 pm – 1:30 pm

ATTACHMENTS

1. Agenda Package

DISCUSSION HIGHLIGHTS

Chairman Cannon called the meeting to order and asked everyone in the room to introduce themselves.

I. FY2013 Focus Area Plan

Chairman Cannon welcomed everyone and turned the meeting over to Assistant City Manager, Eric Campbell.

Mr. Campbell stated that the revised FY2013 Focus Area Plan has had a format change. Staff is requesting a recommendation today on the Focus Area Plan in front of you (copy attached).

Chairman Cannon noted for the record that Council member Dulin is not able to join us because of conflict and Committee member Barnes is out as well. He said that since they have a majority of the Committee they are able to move forward with the recommendations. There were no questions from the Committee.

Council member Fallon made the motion and was seconded by Council member Pickering to recommend the FY13 Focus Area Plan to the full City Council. The vote was recorded as unanimous.

II. Rental Property Ordinance

Mr. Campbell said that based on our last meeting there were some questions that came up about the database and it was confusing to some of the Committee members so we have made it more graphic for you so you can see where the properties are located this time. Also Major Levins is sitting in for Captain Willis who had a conflict today. Mark Newbold will also walk you through the draft ordinance as it stands right now.

Major Levins said he would review the presentation and go through the slides to try to clarify some of the things discussed before. The handouts (copies attached) are pretty detailed as far as the locations and questions about placement in Council districts. They actually answer more of the questions of Committee Members Barnes and Dulin. Properties are divided by Council districts and the key shows the different colors which represent different categories.

Chairman Cannon said that Council member Dulin left him a voicemail and wanted his comments to be entered into the record (he played the voicemail). In essence, he wants to know if the property managers can represent the owners and if there is going to be an allotment of 15 days for people in that situation that was discussed last meeting about the out of town landlord. Any comments or thoughts from staff about that?

Newbold: Regarding the ability for somebody to represent the property owner, I don't think we would object so long as that person has the authority to sign on the dotted line. Something similar to Power of Attorney would have the ability to sign. As far as scheduling a meeting there is nothing legally to prevent that scenario from being put into place. We would like to take a look at how that fits time wise and just run a case through with our folks to make sure that are acceptable to everybody. Those are some options that legally could be done.

Fallon: Are they notified before the 15 days that we may modify it to? Do they know that there is a problem with the property?

Donna Burgess: We put all the information together into a packet and mail that to the owner. We select a date and if they absolutely cannot make that date we don't have any issues with rescheduling them another appointment. We put our contact information on the letter with our phone number, e-mail and all that and they contact us and we set up another date.

Fallon: What would be the purpose of eliminating it and only scheduling it for 15 days before the hearing instead of the actual hearing? What is your purpose of changing that?

Levins: It is happening within a quarter and we want to get the information as quick as possible. So, you really have a 30 day window so the 15 days to get the meeting done and then you have 2 1/2 months to do the work. It is a matter of getting it expedited.

Fallon: So they are aware of it even before they get that notice?

Levins: They should be, yes. To go back to the question about the owners notifying representatives, I suggest doing both. I think our obligation is to tell the owner of the property what is going on.

Cannon: I'm okay with having an authorized representative. What this brings back to mind though is that in the last Community Safety meeting surrounding this topic I want to say that the minutes reflected that you have some property managers who will suggest that this is not what we do. What we are trying to do is amend the definition of the owner to be amended to include their authorized representative. We have some authorized representatives that will simply say that is not their job. How do we get over that hurtle which came up at the last meeting?

Elizabeth Barnhardt: Through the registration process list the owner's name in care of the management company. The management company would have to agree to be the representative. They should decide to be that representative before they register.

Cannon: If they decide no, then what?

Burnhardt: They have no written agreement of the owner and so then you would contact the owner and it would proceed as normal with the ordinance.

Cannon: Any issues with that?

Newbold: I don't think so.

Cannon: I don't either and I think I'm hearing some consensus of the Committee to move in that direction. Is there anything more on the 15 days and any particular issues surrounding that piece of the request as well?

Levins: 15 days to make the call to set the appointment up. I think there still should be a mandate that it happens and say 30 days because we are doing a quarter's worth of data and we need to get it on the table.

Cannon: I don't think that is a problem as long as there is ample time for the meeting to be lined up.

Levins: The majority of them live here so it is not a matter of flying to Oregon.

Major Levins reviewed and discussed the "Residential Rental Property Ordinance" presentation (copy attached).

Cannon: At some point the Committee may want to get some information on what we are doing to deal with burglaries and larcenies. Isn't there a Task Force still in place for burglaries?

Levins: Every Division has an objective to work on it and it's well documented in our Compstat about what their progress is.

Cannon: I'd like to get a report on that.

Levins: No problem.

Fallon: Do you have the statistics on the Light Rail?

Levins: We do have that data. We have a unit within CATS. Our officers can track all the crime from the CATS system.

Fallon: Can you get us those stats?

Levins: Yes.

Cannon: Is there any level of extension between commercial and residential noise?

Levins: Not really. There are code restrictions. There are different ways of dealing with crime defenders now than there was before. For example, years ago we had a problem with a mill and condos and that was just a noise violation based upon the measure of the sound. Whereas it would be handled now, it could be handled as a chronic violator and mediation is required to try to bring that down.

Cannon: When the noise is going on and it is from a chronic offender, are you shutting that noise down and not just dealing with the offender? A couple weeks ago we had an incident where a young man was arrested for being a chronic offender. The party continued, but he was gone. The question becomes why does the party continue with the noise still elevated as high as it was, even in his absence? If I live on that second or third floor I'm still affected by the noise.

Levins: I'm not sure exactly what happened to that restaurant, but I do know that restaurant and Tim Moorefield has done a lot of work on that and is involved with that process.

Walter Abernathy: He was arrested and Mr. Cannon you are right, some of the complaints continued that night. Part of that process is that we sit down with him and

whoever else he wants, including his attorney, to talk about the mitigation plan and try to come up with it. I can't answer the question necessarily that particular night of the arrest, but you are correct, even after he went to jail the noise levels were still high. On the positive side of that picture he is within a day or two of having some new rules that may prevent that from reoccurring.

Cannon: I don't want to get too far from where we are supposed to be today, but I just want to make sure that we are drilling down to be a little bit conscious and consistent about how we move forward. If that is the message we are going to send, people need to know what to expect so they won't be crying the blues and saying this has taken on another form or shaping something else.

Fallon: You arrested him, but do you have a legal right to put a lock on the door and tell everybody to leave?

Newbold: The noise ordinance doesn't specifically have that remedy inside of it. That is something to take a look at, but I do think an officer has a right to start taking people to jail in that situation.

Fallon: You took him to jail but the problem stayed there.

Cannon: At some point we can come back and hopefully visit that. I will say though that we don't want to pad lock folks out. There may be a change in discipline as to how a business can continue, but we don't want to stop businesses.

Fallon: Maybe we should put something in the ordinance, in writing, where they either leave that day or the noise stops totally.

Cannon: Committee member Barnes has this presentation and you need to find out from him if he has any questions about this since a lot of these addresses his questions.

Campbell: We'll do that.

Newbold: We did have a question about public housing and what cities included public housing in their ordinances and the groups we looked at, Houston was the only one that did not including public housing (copy attached).

Cannon: Let me delve into that a little further. Depending on where you are in the country, with regards to authorities, those authorities may operate a little bit different. What we don't know, unless you found this information out as well, is how well they are policing or not policing their properties. What we do know here in Charlotte is that with the vast majority of our public properties that are at least some of the multifamily dwellings because obviously, the single family dwellings wouldn't be applicable largely in part because they are Section 8 voucher type properties. But where there is already cameras in place, other forms of ability to police or have management on site, I think we see that in the Charlotte Housing Authority here. I can't speak to what is happening in

some of the other places. Do you know anything, beyond what is happening outside of here, in terms of how agencies might stack up like our own authority?

Newbold: It would be kind of hard to do that kind of in depth analysis, but I will ask the Charlotte Housing Authority. In my years here I know who to go to, I know who to call and I know their responsiveness and they take it seriously.

Cannon: Does the Housing Authority have an opinion on this subject matter?

Allison Preston: Not at this time.

Cannon: The Chair would say you all need to hurry up because this might move faster than what your commission is able to come back with in terms of rendering an opinion on this matter. It has been out there for a very long time and if there is an opinion you need to get it to us quickly.

Pickering: I just want to clarify the fine amounts that we are considering?

Newbold: The fine amounts are set by State Law. It is in the first part of our set of ordinances that it is a $500 fine to start out with.

Pickering: The administrative fee that would be charged to property owners - what does that mean?

Newbold: We are still trying to determine what that would be. Part of it depends on where we go with this, but we did determine last time that it would be very difficult to recoup the entire costs of the program through the administrative fees. I think we will have that available to you the next time when we get the next draft ready.

Cannon: The appeals process, describe that just so I'm clear on that, how this appeals process will work.

Newbold: The proposed appeals process is streamlined. Rather than having a Review Board in place, rather than having a series of administrative steps, if somebody doesn't register and they are supposed to be registered, they would be hit with a criminal penalty. As we go through the ordinance, you'll see several blocks taken out because we have removed the Review Board because they were reviewing an issue or whether or not we were going to prevent somebody from renting property. We have put in extensive administrative review to make decisions before we take someone's right to rent away and just send people out on the streets. This proposal is if you are required to register you are required to meet them and if you fail to meet those requirements then you get the criminal penalty. You get hit with a criminal penalty each and every day that you are not in compliance. We are not counting somebody who can't rent, what we are telling you is that every day you rent and you supposed to have registered and you are not means you are getting a ticket or somebody is going to jail. That is a significant change, but part of that came about in reviewing how often we've used the Rental Review Board.

Cannon: Who would I appeal directly to?

Newbold: If I was a property owner my option would be plead not guilty and go to court. There is already a process in place.

Cannon: The person following the intern from the Tax Office, when I posed a question she indicated this other entity that is engaged in helping to identify properties. I guess there would be a little bit of hit and miss and I'm trying to determine who that happens to be?

Cheryl Parks: I think it was Land Records (Register of Deeds).

Cannon: I posed that question about Land Records because I want to make sure that we are doing all that we can to try to firm this up a little bit tighter, which is what the Police Department is after.

Levins: We met with the Register of Deeds, Mr. Quimby, and they weren't very receptive to changing the process and making it easy for us to basically stand in line and go search the records.

Cannon: That is exactly what I mean. We ought to try to find ways to have them to cooperate a little better than they have been cooperating because that doesn't help us along the way in this process.

Levins: We met with the Tax Office, Register of Deeds and anybody we could get to talk to us and we are always going to the table asking them to change their process and that is not a comfortable stance to go into and we have no ticket to back it up.

Fallon: Is that County?

Levins: Yes.

Newbold: Regarding the "Proposed Changes to Rental Registration Ordinance slide", that first bullet point there should read provides for mandatory registration, but free. It doesn't provide for volunteer. There was some discussion that we had internally about those terms. It was a part of this proposal that everybody has to register, but it would be for free. We don't charge them a registration.

Mr. Newbold continued reading and describing the other proposed changes. He also pointed out and discussed the draft ordinance (copy attached).

Cannon: With regard to the no registration fee until this is reviewed, am I paying you to come out and we see that the activity happen to be just loud music? How are you reviewing these type things? How do we measure what is nature disorder because I don't view music in my mind as being a major disorder, unless it is repetitive for an ongoing

timeframe. I'm concerned that if you come to see me on one offense and there is no registration fee, then you slap one on me.

Newbold: We have a sliding scale right now. The violent crimes, drugs and those things it doesn't take very many to get you into our focus. The threshold is a little bit higher if it has to be repeated before it kicks in. It may be best to have one of the folks who run the program to explain the disorder activity. Sometime it can be a precursor to disorder if it is repeated. If a person has a crazy party once in a while that is different than a place where it may be going on all night long repeatedly, tenants are complaining, but the landlord or the manager is not responsive to that. The next thing the party carries over to 2:00 or 3:00 in the morning with juveniles. Just because there is loud music doesn't mean that it is automatically something that should fall into this. I guess the best example is the dance hall ordinance. You remember people looked at us and said "what in Heaven's name are you trying to do?" We were trying to limit it to some company, some buildings that only kids were invited to. We had several places where the advertisement make it look like it was a youth center, but it was nothing close to that. I think we can bring some of that back to you to look at.

Fallon: Do you find that the criminal violation is going to be more effective than revocation?

Newbold: We don't know. We have to try.

Fallon: The other wasn't working.

Newbold: It is working, but we never got to the point where we ever revoked the ability of somebody to rent. Because it is on a quarterly basis, I think it is harder to take away someone's ability to rent.

Fallon: This makes them stand up more and pay attention.

Campbell: I would like to bring some clarity to bullet #1 on behalf of the industry. Emails went out earlier today regarding their support of a voluntary program based on this line that didn't have mandatory written in there. I just wanted to make it clear that they have not responded to a proposal with a mandatory registration. Their proposal to this body was not to have registration fee.

Cannon: I want to ask the Housing Authority staff to engage with City staff between the Assistant City Manager's Office, Captain Levins and Attorney Newbold because of the constraints that we are currently working on. They will be coming back I would imagine in terms of next steps of the draft for us to consider to move forward to the Council. I don't know what the agenda or timeline is for the Board to meet for the Housing Authority, but want you all to continue to engage. I think they have been having that discussion already. I want you to pick that pace up a little bit so that if there are any issues we can know what they are beforehand.

Campbell: We will follow up on the questions that you have in this meeting and bring them back to the next one. We will also bring back a revised ordinance based on conversations today and with staff.

Newbold: I think it would be pretty close to being the final version at that point.

Cannon: The next meeting is scheduled for Wednesday, April 18th. I think that meeting is probably okay. There is a May meeting that we will need to check because of some other business.

Campbell: Based on the April meeting we were going to determine if we were to cancel or reschedule the May meeting.

Cannon: By at least the April 18th meeting we will be able to have a draft in front of us for consideration to make recommendation to the Council which could be late May maybe.

Campbell: The Committee meeting will be June before the summer break.

Cannon: Is there a rush on this?

Newbold: There is, in the sense that this process when it works, prevents us from using Title 19 on places which is very cumbersome, which prevents us waiting until we get a forfeiture situation. I really think that it needs to move along based upon what we are trying to accomplish. It breaks up the chain of activity before it gets out of hand.

Cannon: When is the next business meeting after the April 18th meeting?

Maynard: The second Monday in May.

Cannon: That would be right before Council goes on that trip. Unless there is some other outstanding issues we can expect a potential decision to be made the second Monday in May.

Meeting adjourned at 1:30 p.m.

Community Safety Committee

Wednesday, March 21, 2012; 12:30 – 2:00 pm
Room 280

Committee Members:	Patrick Cannon, Chair Beth Pickering, Vice Chair Michael Barnes Andy Dulin Claire Fallon
Staff Resource:	Eric D. Campbell

AGENDA

I. **FY2013 Focus Area Plan**
Staff Resource: Eric Campbell
The Committee will continue reviewing the draft Community Safety Focus Area Plan and is asked to recommend the Plan to the full City Council.
Attachment: 1. FY13 Draft Focus Area Plan.doc

II. **Rental Property Ordinance**
Staff Resource: Eddie Levins
CMPD staff will continue discussions regarding suggested changes to the Rental Property Ordinance and respond to Committee questions from the previous meeting.
Attachment: 2. Rental Property Ordinance presentation
3. 2010 & 2011 Data and Districts
4. Draft Ordinance

Next Meeting: Wednesday, April 18; 12:00 p.m., Room 280

Distribution:	Mayor/City Council Bob Hagemann Captain Willis	Curt Walton, City Manager Stephanie Kelly	Leadership Team Rodney Monroe

FY2013 Strategic Focus Area Plan – *DRAFT*

"Charlotte will be America's safest community."

Community Safety is one of the major priorities for the City of Charlotte. The City's approach to building a safe community is focused on reducing crime and the loss of life and property resulting from fires. The Charlotte-Mecklenburg Police Department takes a neighborhood-based approach to crime reduction with an emphasis on collaborative partnerships with citizens and other service providers to address crime and the conditions that enable it. The Charlotte Fire Department takes a proactive approach to fire prevention through education programs, fire code inspections, and aggressive investigation of arson incidents. Both Police and Fire are served by highly motivated professional work forces that are reflective of the communities they serve. Police and Fire personnel are provided updated training, equipment and technology that enables them to provide quality services to the citizens of Charlotte.

Focus Area Initiative	Measure	Prior Year Actual	Current Year Target
Reduce crime and life/property damages from fires	Number of FBI UCR Part One Crimes and rate of UCR Part One Crimes per 100,000 population	5.2% reduction in rate per 100,000 population	6% reduction in number of UCR Part One reported crimes and 6% reduction in UCR Part One crime rates per 100,000 population
	Percent of arson cases cleared by investigators	45.7%	36% clearance rate
	Percent of incidents where first fire unit arrives on scene within six minutes or less of 911 call	83.2%	80%
Enhance citizen perception of safety through citizen partnerships and crime and fire prevention and education activities	Survey ratings on citizen satisfaction with police and their safety in neighborhoods in spring 2013	7.6-overall impression of CMPD; 7.9-courtesy; 8.0-professional;8.2-safe in neighborhood	Ratings of 7% or above on 10 point scale
	Percent of fire code inspections conducted within state mandated frequencies	100%	95%
Develop recruitment strategies that attract diverse applicant pools to the Police and Fire Departments	Percentage of women and minorities in police officer and firefighter applicant pools	New	20% of police officer applicants
		New	20% of firefighter applicants

Focus Area Initiative	Measure	Prior Year Actual	Current Year Target
Build collaborations with partners that enhance community safety initiatives	Reduction in gangs operating in Charlotte-Mecklenburg	730 Murder Mob disbanded	Work with other state and federal law enforcement agencies to make significant progress in dismantling one gang per year
	Partner with other City agencies in addressing specific neighborhood issues that are enablers of crime	New	25 neighborhood projects that impact enablers of crime will be successfully addressed with reductions in calls for service and/or reported crime
	Partner with other City, County, state, federal and private agencies in planning and preparedness efforts for radiological, natural, and man-made disasters	8 exercises	6 exercises or training courses
	Leverage infrastructure improvements associated with the DNC for public safety initiatives	New	Include legacy infrastructure in public safety initiatives

Residential Rental
Property Ordinance
Community Safety Committee
Responses
POLICE
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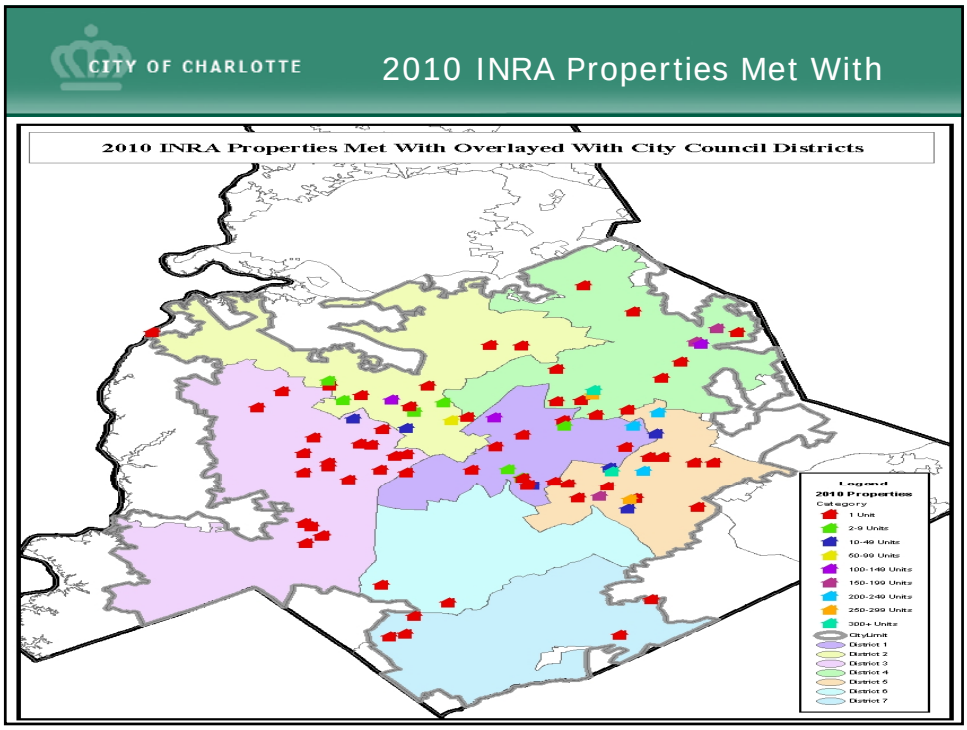
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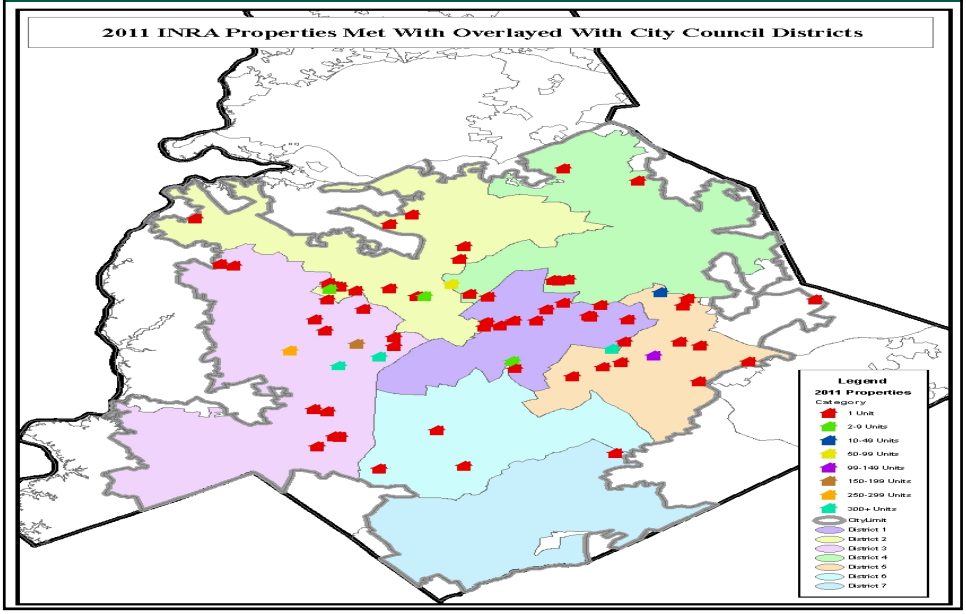
2010 INRA Properties Met With
2010 INRA Properties Met With Overlayed With City Council Districts
Legend
2010 Properties
Category
1 Unit
2-9 Units
10-49 Units
50-99 Units
100-149 Units
150-199 Units
200-249 Units
250-299 Units
300+ Units
CityLimit
District 1
District 2
District 3
District 4
District 5
District 6
District 7

CITY OF CHARLOTTE

2011 INRA Properties Met With



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Rental Owner Location

Owner Location	Number	Percent of 93 Total Meetings
Outside of North Carolina	15	16.13%
In Mecklenburg County, Not in Charlotte City Limits	***6***	***6.45%***
In North Carolina, outside of Mecklenburg County	14	15.05%
In Charlotte City Limits	58	62.37%
Total Properties Not In Charlotte	35	37.63%

For the Category of "Mecklenburg County, Not in Charlotte" there are five Category 1 properties with different owners, and one Category 2. Five of the owners live in Matthews, and one owner lives in Huntersville.

The properties are as follows:
- *1224 Riverside Dr., Owner in Matthews, Category 1, District 2*
- *2125 Flint Glenn Rd, Owner in Matthews, Category 1, District 4*
- *3549 Marvin Rd, Owner in Matthews, Category 1, District 1*
- *4702 Topsail Ct, Owner in Matthews, Category 1, District 5*
- *6806 Fieldvale Pl, Owner in Huntersville, Category 1, District 3*
- *1500 E. Sugar Creek Rd, Owner in Matthews, Category 2, District 1*

•All the above properties fell below the six month review threshold and are no longer under the Ordinance.

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Owner Location By Category 1

Location of Category 1 Property Owners 2009-2010 Cases (93)	Total Category 1 Properties (66)	Total Category 2-9 Properties (27)
Out of State	6	9
Outside of Charlotte, NC, In Meck. County	5	1
In Charlotte, NC	46	12
Outside of Meck. County, inside NC	9	5
Total	**66**	**27**

Location of Category 1 Property Owners 2010-2011 Cases (71)	Total Category 1 Properties (60)	Total Category 2-9 Properties (11)
Out of State	4	3
Outside of Charlotte, NC In Meck. County	6	0
In Charlotte, NC	42	5
Outside of Meck. County, inside NC	8	3
Total	**60**	**11**

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Owner Location By Category

- The total number of Category 2-9 property owners that were met with is 27.
- Of the 93 total properties that the rental unit met with, the category 2-9 meetings represented 29% of all meetings with property owners.
- The remainder of the meetings (71%) were property owners of single category 1
- ***The one property located "In Mecklenburg County, Outside of Charlotte City Limits" is located at 1500 E. Sugar Creek; owner lives in Matthews. This is located in District 1.***

Location of Category 2-9 Properties	Number of Properties	Percent of Category 2-9 Properties of the
Number of Category 2-9 Property Owners Located Out of State	14	51.85%
Category 2-9 In Mecklenburg County , Outside of Charlotte City Limits	***1***	***3.7%***
Category 2-9 Located In Charlotte City Limits	12	44.44%

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Multi-Family Crime Breakdown

- 4 Homicides
  - 2 Category 9 ***(3543 Taurus Dr, District 5)***
  - 1 Category 6 ***(5858 Monroe Rd, District 5)***
  - 1 Category 4 ***(1215 Rising Oak Dr, District 2)***
- 8 Rapes
  - 2 Category 9 ***(336 Blackhawk Rd, District 4; 3543 Taurus Dr, District 5)***
  - 2 Category 8 ***(6217 Dove Tree Ln, District 4, both reported at location)***
  - 1 Category 7 ***(4501 Perth Ct, District 1)***
  - 2 Category 5 ***(2600 N. Pine St., District 1, both reported at location)***
  - 1 Category 3 ***(820 Villa Ct, District 1)***

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Category 9 Summary

- Category 9 Properties
  - 2 Properties
    - 3543 Taurus Dr, Greenbryre Apts., District 5
    - 336 Blackhawk Rd, North Pointe, District 4
  - 428 and 390 respectively (818 units)
  - Combined total of 337 disorder calls for service
  - Combined, index 1 property crimes
    - 28 Residential Burglaries
    - 23 Larceny From Auto
    - 10 Auto Theft
    - 2 Arson
  - Combined, index 1 violent crimes
    - 2 Homicides
    - 27 Armed Robberies
    - 4 Strong Armed Robberies
    - 4 Aggravated Assault-Knife
    - 2 Aggravated Assault-Gun

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Category 8 Summary

- Category 8 Properties
  - 2 Properties
    - 5707 Electra Ln, Ashley Place, District 5
    - 6217 Dove Tree Ln, Woodland Hollow, District 4
  - 266 and 252 respectively (518 units)
  - Combined total of 372 disorder calls for service
  - Combined, index 1 property crimes
    - 25 Residential Burglaries
    - 15 Larceny From Auto
    - 16 Auto Theft
  - Combined, index 1 violent crimes
    - 18 Armed Robberies
    - 5 Strong Armed Robberies
    - 3 Aggravated Assault-Knife
    - 4 Aggravated Assault-Gun

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Category 7 Summary 2009-2010 Cases

- Category 7 Properties
  - 3 properties
    - 5929 Regal Estate Lane, District 5
    - 4501 Perth Court, District 1
    - 4210 John Penn Circle, District 5
  - 207, 231, and 240 respectively (678 units)
  - Combined total of 209 disorder calls for service
  - Combined, index 1 property crimes
    - 37Residential Burglaries
    - 29 Larceny From Auto
    - 23 Auto Theft
    - 6 Arson
  - Combined, index 1 violent crimes
    - 16 Armed Robberies
    - 2 Strong Armed Robberies
    - 2 Aggravated Assault-Knife
    - 4 Aggravated Assault-Gun

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Category 6 Summary 2009-2010 Cases

- Category 6 Properties
  - 3 Properties
    - 4015 Collegiate Avenue, District 4
    - 5858 Monroe Road, District 5
    - 1127 Gold Rush Blvd, District 4
  - 158, 168, and 192 respectively (518 units)
  - Combined total of 422 disorder calls for service
  - Combined, index 1 property crimes
    - 41 Larceny From Auto
    - 7 Auto Theft
    - 29 Larceny-Other
  - Combined, index 1 violent crimes
    - 1 Homicide
    - 7 Armed Robberies
    - 5 Strong Armed Robberies
    - 2 Aggravated Assault-Knife
    - 2 Aggravated Assault-Gun

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Category 5 Summary 2009-2010 Cases

- Category 5 Properties
  - 4 properties
    - 3624 Hashem Drive, District 3
    - 1505 Rebecca Bailey Drive, District 4
    - 2600 N. Pine St., District 1
    - 3112 Southwest Blvd., District 2
  - 101, 123, 130, and 137 respectively (491 units)
  - Combined total of 338 disorder calls for service
  - Combined, index 1 property crimes
    - 37 Residential Burglaries
    - 60 Larceny From Auto
    - 10 Auto Theft
    - 1 Arson
  - Combined, index 1 violent crimes
    - 11 Armed Robberies
    - 7 Aggravated Assault-Knife
    - 9 Aggravated Assault-Gun

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Category 4 Summary 2009-2010 Cases

- Category 4 Properties
- 1 Property
    - 1215 Rising Oak Drive, District 2
  - 89 units
  - Combined total of 86 disorder calls for service
  - Combined, index 1 property crimes
    - 8 Residential Burglaries
    - 7 Larceny From Auto
    - 5 Larceny-Other
    - 1 Arson
  - Combined, index 1 violent
    - 1 Homicide
    - 1 Armed Robberies
    - 1 Aggravated Assault-Knife

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Category 3 Summary 2009-2010 Cases

- Category 3 Properties
  - 5 Properties
    - 1707 Sumter Ave., District 2
    - 3509 Burner Drive, District 5
    - 4001 Sunridge Lane, District 5
    - 816 Villa Court, District 1
    - 7124 Wallace Road, District 5
    - 18, 47, 48, and 48 respectively (209 units)
  - Combined total of 182 disorder calls for service
  - Combined, index 1 property crimes
    - 11 Residential Burglaries
    - 7 Larceny From Auto
    - 4 Auto Theft
  - Combined, index 1 violent crimes
    - 3 Armed Robberies
    - 4 Aggravated Assault-Knife
    - 3 Aggravated Assault-Gun

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CITY OF CHARLOTTE

Category 2 Summary 200-2010 Cases

- Category 2 properties
  - 7 Properties
    - 1415 Catherine Simmons Ave., District 2
    - 2320 Tate Street, District 3
    - 4419 Wildwood Ave., District 1
    - 511 Alpha Street, District 1
    - 206 First St., District 2
    - 2526 Weddington Ave., District 1
    - 1500 E. Sugar Creek, District 1
  - 2, 2, 2, 3, 4, 5, and 8 respectively (26 units)
  - Combined total of 73 disorder calls for service.
  - Total combined index 1 property crimes
    - 2 Residential Burglaries
    - 1 Larceny From Auto
    - 2 Larceny-Other
  - Total combined, index 1 violent crimes
    - 1 Armed Robbery
    - 3 Aggravated Assault-Knife
    - 5 Aggravated Assault-Gun

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CITY OF CHARLOTTE

Category 1 Summary 2009-2010 Cases

- 16 had 1 violent crime and no other crime or CFS
  - 7 Aggravated Assault-Other ***(1826 Watlington, Dist. 7; 1144 Choyce Av, Dist. 3;; 1744 Wilmore Av, Dist. 3; 1625 N. Sharon Amity, Dist. 5; 1629 Baxter, Dist. 1, 8029 Tifton Rd, Dist. 7; 2044 Choyce Av, Dist. 3)***
  - 4 Aggravated Assault-Gun ***(2125 Longleaf, Dist. 7; 2306 Ellen Av, Dist. 3; 3549 Marvin Rd, Dist. 1; 4719 Palm Breeze, Dist. 2)***
  - 2 Aggravated Assault-Knife ***(629 Miller St, Dist. 3; 3131 Seymour, Dist 3)***
  - 2 Armed Robbery ***(3741 Ashley Hall Dr, Dist. 5; 4827 McAlpine, Dist. 5)***
  - 1 Homicide 5823 ***(Rocky Mount Ct, Dist. 3)***

- 13 had 1 violent crime, 1 property crime
- 7 had 1 violent crime, 1 property, and 1 or more CFS
- 6 had 1 violent crime, 2 or more property crimes, and 1 or more CFS
- 1 had 2 violent crimes and no other crime or CFS
- 4 had 2 violent crimes and 2 or more CFS
- 2 had 3 violent crime and 5 or more CFS
- 1 had 2 violent crimes, 1 property crime and 1 CFS

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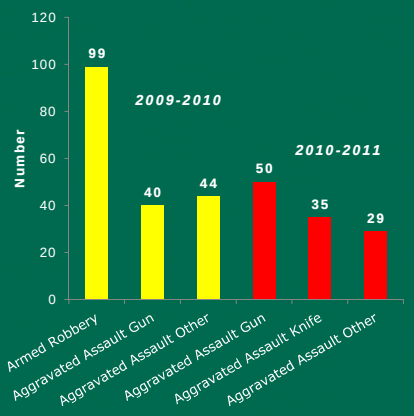
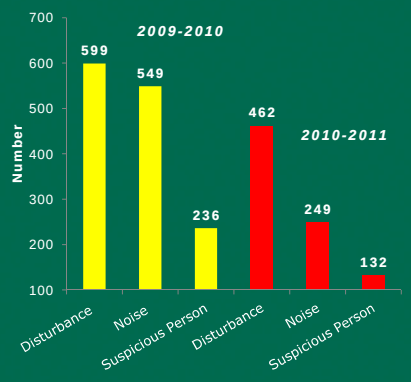
CITY OF CHARLOTTE

Top 3 Violent Crime and CFS

Violent Crimes



Calls for Service



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CITY OF CHARLOTTE

Multiple Properties Owned by Same Owner 2009-2010 Cases

Owner	Owner Location	Property Address	Category	District
Alpha 40 LLC	Charlotte, NC	500 Alpha St	1	1
Alpha 40 LLC	Charlotte, NC	511 Alpha St	2	1
HSRE Preiss Charlotte	Raleigh, NC	1505 Rebecca Bailey DR (University Club Apts)	5	4
HSRE Preiss Charlotte	Raleigh, NC	1127 Gold Rush Bv (University Village Apts)	6	4
TPM Prop.	Charlotte, NC	2104 Camp Greene St	1	3
TPM Prop.	Charlotte, NC	2044 Choyce Cr	1	3

All properties except for University Club Apartments fell under the threshold after their six month review and are no longer under the Ordinance.

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CITY OF CHARLOTTE

Category 1 Properties with Property Management Companies

Owner Location	Property Address	District	Category
Freemont, CA	10311 Olde Ivy Way	1	1
San Jose, CA	2031 Aberglen Dr	4	1
Charlotte, NC	2120 B Avenue	2	1
Charlotte, NC	2427 Elmin St	3	1
Charlotte, NC	2522 Dion Avenue	5	1
Hickory, NC	5467 Real Tree	2	1

These 6 properties or 9% of the single family homes from the 2009-2010 cases had a known property management company overseeing the rental property. Whether or not a an owner has hired a professional management company is not specifically tracked.

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CITY OF CHARLOTTE

Neighborhood Leaders

- Neighborhood Leaders Meeting Held February 23, 2012
  - Favored the threshold formula to include officer initiated calls for service
    - Citizens call their community police officer directly to report activities
    - Since not called into 911, call will not be counted in threshold formula
  - Full free registration of all rental properties
    - Was proposed to be part of current ordinance
    - Could help reduce crime at rental properties having accurate owner contact information

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CITY OF CHARLOTTE

Category Definitions

- Categories are based on the number of rental units that the property has for rent. As the size of the rental property grows, so to does the category number in which it is placed. There are nine total categories of properties starting with category one, which is the smallest of all properties, and increases to category nine which is the largest of all properties. Here are all nine categories as defined by their size:
  - Category 1: Single Family Home. This has 1 unit for rent.
  - Category 2: There are 2 to 9 rental units available for rent.
  - Category 3: The property has 10 to 49 units for rent.
  - Category 4: There are 50 to 99 units for rent.
  - Category 5: This has 100 to 149 units for rent.
  - Category 6: There are 150 to 199 units for rent.
  - Category 7: This has 200-249 units for rent.
  - Category 8: There are 250 to 299 units for rent.
  - Category 9: The largest category has 300 to 700 units for rent.

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CITY OF CHARLOTTE

Proposed Changes to Rental Registration Ordinance

- Provides for voluntary registration with no fee. 6-582 (f)
- Changes determination of Disorder Threshold from a yearly basis to quarterly. 6-583
- Shorter time periods for notification and establishing mandatory meeting. 6-584 and 585.
- No registration fee until Disorder Activity Count is reviewed. 6-585
- Removed Revocation procedures and review process including all provisions related to the rental registration review board. 6-587 – 593
- Replaced revocation process with criminal violations. 6-595

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CITY OF CHARLOTTE

QUESTIONS

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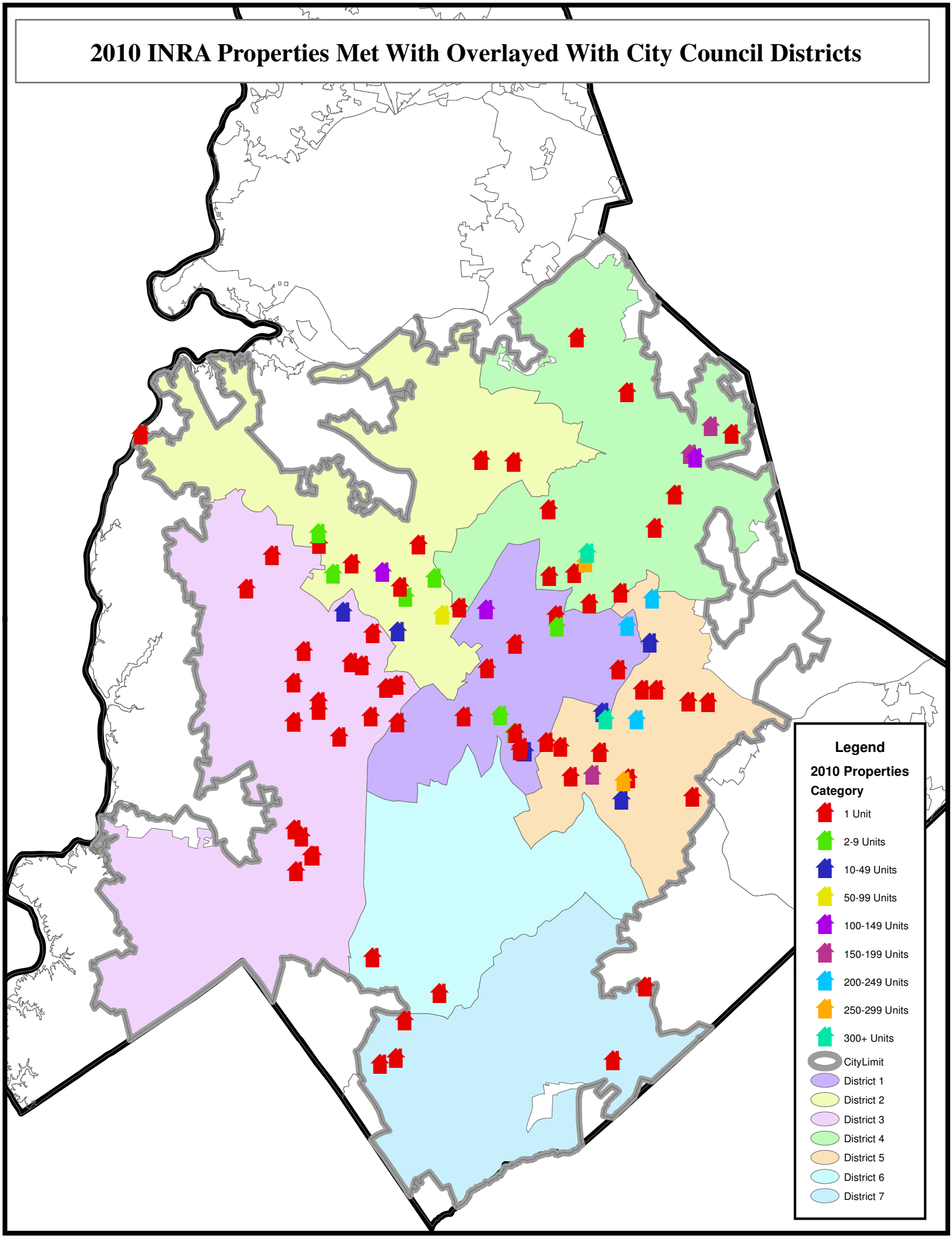
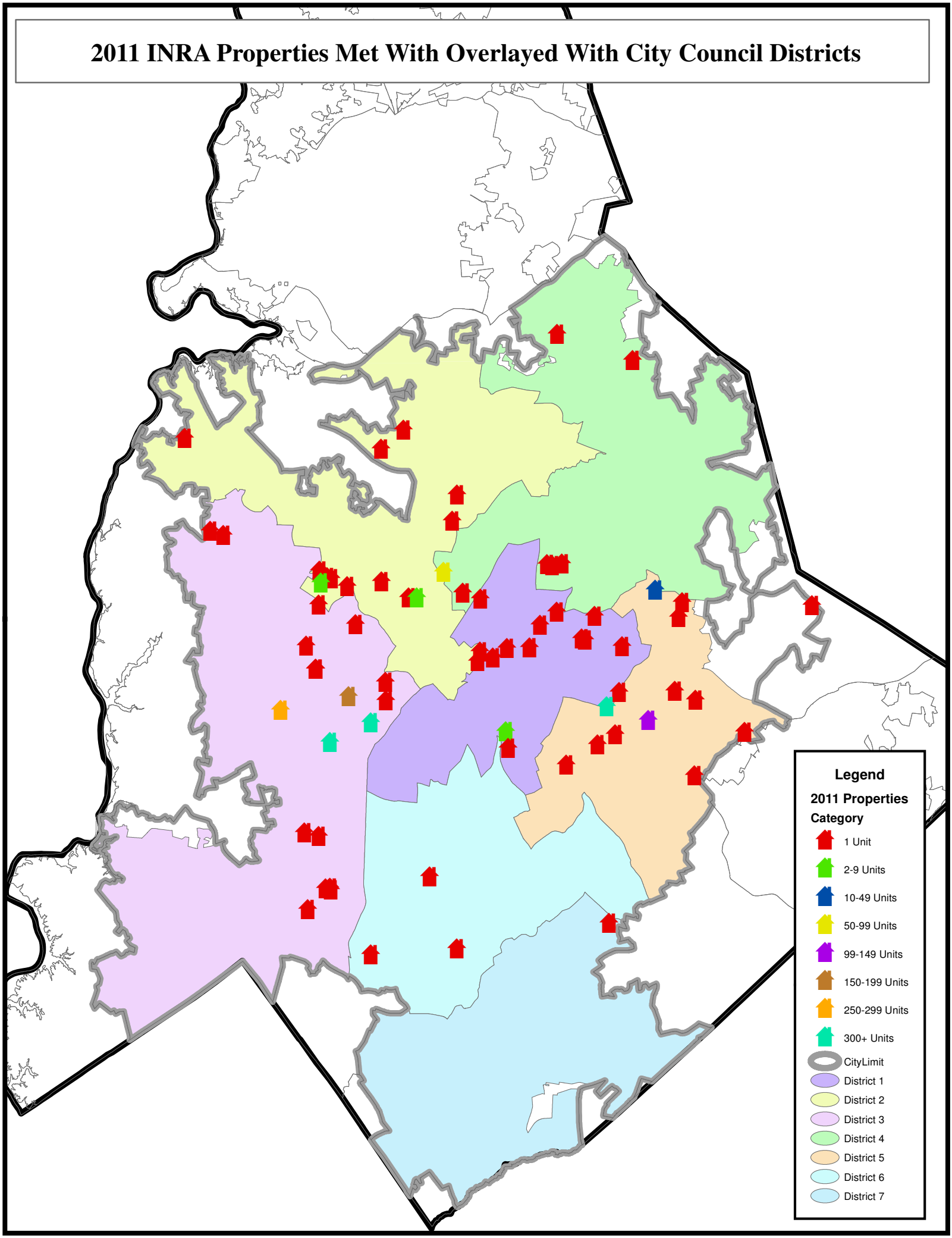
2010 INRA Properties Met With Overlayed With City Council Districts



INRA Properties Met With In 2010

Council District	Property Type	Property Group	# Units	Block Number	Street Direction	Street Name	Street Type	Parcel ID	Police Division	Apartment Name
District 1	Apartment	3	18	816				15705124	Providence	Villa Courts
District 1	Apartment	5	137	2509	N	PINE	ST	07908101	Metro	Dillehay Courts
District 1	Apartment	7	231	4529		PERTH	CT	10701104	North Tryon	Park Creek
District 1	DupTri	2	2	1500	E	SUGAR CREEK	RD	09302331	Eastway	
District 1	DupTri	2	2	2526		WEDDINGTON	AV	12709238	Providence	
District 1	DupTri	2	2	511		ALPHA	ST	15702235	Providence	
District 1	Single-Fam	1	1	1201		LOUISE	AV	08115108	Eastway	
District 1	Single-Fam	1	1	2600		DUNCAN	AV	08314212	Eastway	
District 1	Single-Fam	1	1	4207		THE PLAZA		09103103	North Tryon	
District 1	Single-Fam	1	1	4411		SOMERDALE	LN	10103409	Eastway	
District 1	Single-Fam	1	1	300		IVERSON	WY	12107451	Providence	
District 1	Single-Fam	1	1	1929		BAXTER	ST	12523305	Providence	
District 1	Single-Fam	1	1	500		ALPHA	ST	15702304	Providence	
District 1	Single-Fam	1	1	3549		MARVIN	RD	15705122	Providence	
District 1	Single-Fam	1	1	3516		JONQUIL	ST	15705216	Providence	
District 1	Single-Fam	1	1	3559		BURKLAND	DR	15705611	Providence	
District 2	Apartment	2	6	4419		WILDWOOD	AV	06310314	Freedom	Wildwood Apts
District 2	Apartment	3	44	1703		SUMTER	AV	07107137	Metro	Seversville Apartments
District 2	Apartment	4	89	0		STROUD PARK	CT	07510599	Metro	Park at Oaklawn
District 2	Apartment	5	123	3112		SOUTHWEST	BV	06914420	Metro	University Gardens
District 2	DupTri	2	3	2320		TATE	ST	06906305	Metro	
District 2	DupTri	2	8	1415		CATHERINE SIMMONS	AV	07504431	Metro	Catherine Simmons
District 2	Single-Fam	1	1	1224		RIVERSIDE	DR	03116209	North	
District 2	Single-Fam	1	1	4314		ROZZELLES FERRY	RD	03903406	Freedom	
District 2	Single-Fam	1	1	2120		B	AV	04105420	Metro	
District 2	Single-Fam	1	1	4831		CHRISTENBURY	RD	04304103	North	
District 2	Single-Fam	1	1	5812		GREENE	ST	04311305	North	
District 2	Single-Fam	1	1	4719		PALM BREEZE	LN	05701156	Freedom	
District 2	Single-Fam	1	1	1630		MCDONALD	ST	06909330	Metro	
District 2	Single-Fam	2	4	260		FIRST	ST	05709305	Freedom	
District 3	Apartment	3	32	3709		HASHEM	DR	06506135	Metro	Glenwood Point Apts
District 3	Single-Fam	1	1	5467		REALTREE	LN	05717454	Freedom	
District 3	Single-Fam	1	1	5823		ROCKY MOUNT	CT	05927219	Freedom	
District 3	Single-Fam	1	1	2614		THORNTON	RD	06110424	Freedom	
District 3	Single-Fam	1	1	2400		MORTON	ST	06705139	Metro	
District 3	Single-Fam	1	1	2104		CAMP GREENE	ST	06706723	Metro	
District 3	Single-Fam	1	1	1008		STATE	ST	07109521	Metro	
District 3	Single-Fam	1	1	3131		SEYMOUR	DR	11503211	Westover	
District 3	Single-Fam	1	1	2427		ELMIN	ST	11707412	Westover	
District 3	Single-Fam	1	1	1523		WILMORE	DR	11908224	Central	
District 3	Single-Fam	1	1	1744		WILMORE	DR	11909504	Central	
District 3	Single-Fam	1	1	2306		ELLEN	AV	14306608	Westover	
District 3	Single-Fam	1	1	629		MILLER	ST	14501514	Westover	
District 3	Single-Fam	1	1	3820		BLANDWOOD	DR	14515319	Westover	
District 3	Single-Fam	1	1	3013		RIDGE	AV	14518702	Westover	
District 3	Single-Fam	1	1	635		ECHODALE	DR	16709115	Steele Creek	
District 3	Single-Fam	1	1	6806		FIELDVALE	PL	16709411	Steele Creek	
District 3	Single-Fam	1	1	1144		CHOYCE	AV	16713102	Steele Creek	
District 3	Single-Fam	1	1	1200		CHOYCE	AV	16713323	Steele Creek	
District 3	Single-Fam	1	1	2044		CHOYCE	CR	16717302	Steele Creek	
District 4	Apartment	5	130	1505		REBECCA BAILEY	DR	05101134	University	University Club
District 4	Apartment	6	158	4015		COLLEGIATE	AV	05106110	University	901 Place
District 4	Apartment	6	168	1127		GOLD RUSH	BV	05101114	University	University Village
District 4	Apartment	8	252	6150		ELGYWOOD	LN	08923110	North Tryon	Woodland Hollow
District 4	Apartment	9	428	6335		COUNTRYSIDE	DR	08923202	North Tryon	University Pointe
District 4	Single-Fam	1	1	10311		OLDE IVY	WY	02901235	University	
District 4	Single-Fam	1	1	10214		STONEYKIRK	LN	02946312	University	
District 4	Single-Fam	1	1	2031		ABERGLEN	DR	04702231	North Tryon	
District 4	Single-Fam	1	1	2832		OLD IRONSIDE	DR	04921308	University	
District 4	Single-Fam	1	1	9528		ROBERT BURNS	CT	04935168	University	
District 4	Single-Fam	1	1	2125		FLINT GLENN	LN	05125236	University	
District 4	Single-Fam	1	1	2111		VANDERBILT	RD	07904509	Metro	
District 4	Single-Fam	1	1	425		WELLINGFORD	ST	08903202	North Tryon	
District 4	Single-Fam	1	1	701		DAWN	CR	08921109	North Tryon	
District 4	Single-Fam	1	1	5406		BARRINGTON	DR	09707231	North Tryon	
District 4	Single-Fam	1	1	901		HIGHLAND MIST	LN	09720218	North Tryon	
District 5	Apartment	3	48	4021		SUNRIDGE	LN	10703105	Hickory Grove	Sunridge Apartments
District 5	Apartment	3	48	3509		BURNER	DR	13104208	Eastway	Winterfield Apartments
District 5	Apartment	3	48	7128		WALLACE	RD	19105101	Independence	Wallace Housing
District 5	Apartment	6	192	5858		MONROE	RD	16305129	Independence	Advenir Monroe
District 5	Apartment	7	207	4210		JOHN PENN	CR	10708106	North Tryon	Mission Reedy Creek Apartments
District 5	Apartment	7	240	5929		REGAL ESTATE	LN	10311117	Hickory Grove	Garden Terraces
District 5	Apartment	8	266	5707		ELECTRA	LN	16501205	Independence	Ashley Place
District 5	Apartment	9	390	3543		TAURUS	DR	13105133	Eastway	Greenbryre Apartments
District 5	Single-Fam	1	1	4702		TOPSAIL	CT	10309160	Hickory Grove	
District 5	Single-Fam	1	1	4827		MCALPINE	LN	10315519	Hickory Grove	
District 5	Single-Fam	1	1	7414		PRINDLE LAKE	DR	10914123	Hickory Grove	
District 5	Single-Fam	1	1	6202		BLUE JAY	LN	10945163	Hickory Grove	
District 5	Single-Fam	1	1	4814		KEATS	AV	13302431	Independence	
District 5	Single-Fam	1	1	3741		ASHLEY HALL	DR	13512166	Independence	
District 5	Single-Fam	1	1	718		CRATER	ST	15906163	Providence	
District 5	Single-Fam	1	1	1401		CHIPPENDALE	RD	16104218	Providence	
District 5	Single-Fam	1	1	1625	N	SHARON AMITY	RD	16110404	Providence	
District 5	Single-Fam	1	1	2522		DION	AV	16517537	Independence	
District 6	Single-Fam	1	1	2125		LONGLEAF	DR	20712153	Steele Creek	
District 6	Single-Fam	1	1	7319		SHADOWLAKE	DR	21133135	South	
District 7	Single-Fam	1	1	11504		FIVE CEDARS	RD	22132127	South	
District 7	Single-Fam	1	1	8028		TIFTON	RD	22139136	South	
District 7	Single-Fam	1	1	11005		VISTA HAVEN	DR	22146139	South	
District 7	Single-Fam	1	1	1826		WATLINGTON	DR	22727274	South	
District 7	Single-Fam	1	1	3908		MCKEE	RD	23103129	South	

2011 INRA Properties Met With Overlayed With City Council Districts



INRA Properties Met With In 2011

Council District	Property Type	Property Group	# Units	Block Number	Street Direction	Street Name	Street Type	Parcel ID	Police Division	Apartment Name
District 1	Apartment	9	336	4925		CENTRAL	AV	10121226	Eastway	ADVENIR @ CENTRAL 4933
District 1	DupTri	2	2	237		ORANGE	ST	15701310	Providence	
District 1	Single-Fam	1	1	628	E	18TH	ST	08110312	Eastway	
District 1	Single-Fam	1	1	1522		PEGRAM	ST	08116614	Eastway	
District 1	Single-Fam	1	1	2416		BARRY	ST	08314704	Eastway	
District 1	Single-Fam	1	1	2719		GRIMES	ST	08504320	Metro	
District 1	Single-Fam	1	1	4223		DINGLEWOOD	AV	09103354	North Tryon	
District 1	Single-Fam	1	1	1011		DADE	ST	09303202	Eastway	
District 1	Single-Fam	1	1	1608		MATHESON	AV	09501431	Eastway	
District 1	Single-Fam	1	1	2139		JENNIE LINN	DR	09905309	North Tryon	
District 1	Single-Fam	1	1	2217		JENNIE LINN	DR	09906211	North Tryon	
District 1	Single-Fam	1	1	5213		RUTH	DR	09909104	North Tryon	
District 1	Single-Fam	1	1	3136		STANCILL	PL	15703605	Providence	
District 1	Townhouse	1	1	3910		BRIARHILL	DR	09917320	North Tryon	
District 2	Apartment	2	4	2012		VINTON	ST	07507703	Metro	
District 2	Apartment	2	8	1028		MARBLE	ST	06308457	Freedom	
District 2	Single-Fam	1	1	9735		HARWOOD	LN	03117211	North	
District 2	Single-Fam	1	1	9001		FELDBANK	DR	03713103	North	
District 2	Single-Fam	1	1	5825		GREENWAY VISTA	LN	03731206	North	
District 2	Single-Fam	1	1	4813		STATESVILLE	RD	04115115	North	
District 2	Single-Fam	1	1	3541		DURHAM	LN	04532249	North	
District 2	Single-Fam	1	1	819		WABASH	AV	05703741	Freedom	
District 2	Single-Fam	1	1	4139		BLENHEIN	RD	06302210	Freedom	
District 2	Single-Fam	1	1	4416		ROADWAY	ST	06307210	Freedom	
District 2	Single-Fam	1	1	735		MARBLE	ST	06308201	Freedom	
District 2	Single-Fam	1	1	2220		TATE	ST	06906316	Metro	
District 2	Single-Fam	1	1	621		PENNSYLVANIA	AV	06910436	Metro	
District 2	Single-Fam	1	1	835		BELMONT	AV	08109906	Eastway	
District 3	Apartment	4	96	5703		LEAKE	ST	11504403	Westover	
District 3	Apartment	6	163	1723		WEST	BV	14504124	Westover	SANDHURST
District 3	Apartment	9	388	401		BENJAMIN	ST	14505113	Westover	
District 3	Apartment	9	504	1237		PRESSLEY	RD	14520103	Westover	PRESSLEY RIDGE
District 3	Single-Fam	1	1	8509		HAMMONDS	ST	05504312	Freedom	
District 3	Single-Fam	1	1	501		TILDEN	RD	05505229	Freedom	
District 3	Single-Fam	1	1	1214		MARLENE	ST	05901122	Freedom	
District 3	Single-Fam	1	1	3626		WILKINSON	BV	06102709	Freedom	
District 3	Single-Fam	1	1	3608		WILKINSON	BV	06102710	Freedom	
District 3	Single-Fam	1	1	2424		AFTON	LN	06110325	Freedom	
District 3	Single-Fam	1	1	3220		ROGERS	ST	06504429	Metro	
District 3	Single-Fam	1	1	2232		WILMORE	DR	11906402	Central	
District 3	Single-Fam	1	1	1724		DUNKIRK	DR	11909312	Central	
District 3	Single-Fam	1	1	617		EDGEGREEN	DR	16709304	Steele Creek	
District 3	Single-Fam	1	1	205		EDGEGREEN	DR	16710432	Steele Creek	
District 3	Single-Fam	1	1	300		HUNTSMOOR	DR	16720426	Steele Creek	
District 3	Single-Fam	1	1	116		HUNTSMOOR	DR	16720436	Steele Creek	
District 3	Single-Fam	1	1	8800		NATIONS FORD	RD	16720927	Steele Creek	
District 3	Single-Fam	1	1	617		GENTLE BREEZE	DR	20319426	Steele Creek	
District 4	Single-Fam	1	1	4817		LONE TREE	CT	02755251	University	
District 4	Single-Fam	1	1	1527		BREEZEWOOD	DR	02957311	University	
District 4	Single-Fam	1	1	2447		JULIA	AV	07705248	Metro	
District 4	Single-Fam	1	1	1226		MORETZ	AV	07905221	Metro	
District 4	Single-Fam	1	1	4700		HIDDEN VALLEY	RD	08904745	North Tryon	
District 4	Single-Fam	1	1	4918		SNOW WHITE	LN	08909216	North Tryon	
District 4	Single-Fam	1	1	815		PONDELLA	DR	08913623	North Tryon	
District 5	Apartment	3	32	2314		ST JOHNS CHURCH	RD	09703110	North Tryon	
District 5	Apartment	5	112	5401		HAZELNUT	CR	10316113	HG	EAGLE WOODS
District 5	Single-Fam	1	1	4318	N	SHARON AMITY	RD	10307113	HG	
District 5	Single-Fam	1	1	5010		DOGWOOD	PL	10321119	HG	
District 5	Single-Fam	1	1	2732		BRAMBLE RIDGE	CT	10720372	HG	
District 5	Single-Fam	1	1	7234		WILLIAM REYNOLDS	DR	10721415	HG	
District 5	Single-Fam	1	1	5811		OLD MEADOW	RD	10942315	HG	
District 5	Single-Fam	1	1	6410		BURNING BUSH	CT	10946165	HG	
District 5	Single-Fam	1	1	2813	N	SHARON AMITY	RD	13301307	Independence	
District 5	Single-Fam	1	1	5615		STARKWOOD	DR	13304310	Independence	
District 5	Single-Fam	1	1	7200		BRADLEY	CT	13511214	Independence	
District 5	Single-Fam	1	1	326		ROSS MOORE	AV	16109202	Providence	
District 6	Single-Fam	1	1	6417		LONG MEADOW	RD	17904433	South	
District 6	Single-Fam	1	1	2024		LONGLEAF	DR	20712441	Steele Creek	
District 6	Single-Fam	1	1	4328		DEEPWOOD	DR	20927121	South	
District 6	Single-Fam	1	1	10708		GREATFORD	CT	11107424	HG	
District 7	Single-Fam	1	1	7837		MEADOWVIEW	LN	21314314	Independence	

ORDINANCE NO. 4307 AMENDING CHAPTER 6

AN ORDINANCE AMENDING CHAPTER 6 OF THE CHARLOTTE CITY CODE ENTITLED "BUSINESSES AND TRADES"

WHEREAS, the City of Charlotte has a significant governmental interest in protecting the health, safety, and welfare of the general public and preserving the public order; and

WHEREAS, G.S. 160A-174 allows a city by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the city; and

WHEREAS, there are residential rental properties in the City of Charlotte that have become a haven for various criminal or disruptive activities that cause disorder in our community; and

WHEREAS, the City Council desires to minimize and control the adverse effects caused by illegal activities occurring on and in these properties and thereby protect the health, safety, and welfare of the citizens, preserve the quality of life and property values and the character of neighborhoods and businesses, and deter the spread of urban blight; and

WHEREAS, the City Council recognizes that it is necessary for the City to apply its limited police and other municipal resources in accordance with the needs of the community at large, and to adjust the application of those resources as necessary to address activity that is injurious to the health, safety and welfare of the public; and

WHEREAS, the City Council recognizes that deterring crime in residential rental properties is a dynamic partnership between police, property owners, property managers, residents, and neighbors, each with responsibilities in cooperation with the other; and

~~**WHEREAS**, the City Council desires to implement a registration requirement for those residential rental property owners whose rental property has an unacceptable level of disorder activity occurring on or in the property; and~~

WHEREAS, there is a significant and demonstrative need to implement a program designed to assist residential rental property owners and managers who have experienced excessive levels of criminal activity and disorder; and

WHEREAS, the City Council desires to enact a remedial residential rental action program for residential rental property owners in order to implement

recommended measures to curb excessive levels of criminal activity and disorder at rental properties; and

WHEREAS, the City Council, finds that a residential rental property owner's failure or refusal to successfully complete the remedial action program is injurious to the public's health, safety and welfare.

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

Section 1. Chapter 6 "Businesses and Trades" of the Charlotte City Code is amended by creating Article XII entitled "Residential Rental Remedial Action Program", to read as follows:

"ARTICLE XII. Residential Rental Remedial Action Program.

Section 6-580. Purpose.

The purpose of this article is to establish a requirement that Owners of Residential Rental Property whose property is within the Disorder Risk Threshold as established by this ordinance must register with the City sufficient identification information so that the City may expeditiously identify and contact the Owner when excessive levels of disorder activity have occurred on or in the property. In addition, the City desires to establish a method to hold Owners of Residential Rental Property accountable for failing to use effective methods to reduce Disorder Activity on their property. It is not the intent of this article to determine the rights and liabilities of persons under agreements to which the City is not a party. This article shall not be construed to alter the terms of any lease or other agreement between a landlord and a tenant or others relating to property that is the subject of this Article; provided that no provision of any lease or other agreement shall be construed to excuse compliance with this article. Additionally, a violation of this article shall not in and of itself create a negligence per se standard or otherwise expand existing liability in tort for either a landlord or a tenant.

Section 6-581. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

Disorder Activity: Activity occurring on or in a Residential Rental Property categorized as either reported violent crimes, reported property crimes, and certain types of disorder-related, person-initiated requests for police service only as listed in the appendix of this ordinance entitled" Appendix A -Disorder Activity." A domestic violence call for service is not a Disorder Activity.

Disorder Activity Count: A number assigned to a Residential Rental Property that represents the amount of Disorder Activity occurring within a specified time period in or on the Property. For purposes of determining a Disorder Activity Count, the number of violent crimes is multiplied by 1, the number of property crimes is multiplied by 0.25, and the number of disorder calls for service is multiplied by 0.10.

Disorder Risk Threshold: For each Residential Rental Property Category, the Disorder Activity Count for the Residential Rental Property that is at the 96th percentile of Residential Rental Properties within the Residential Rental Property Category.

In Need of Remedial Action: (INRA): A designation by the Police Official that a Residential Rental Property has been identified for enforcement action under this ordinance.

Manager: The person, persons or legal entity appointed or hired by the Owner to be responsible for the daily operation of the Residential Rental Property.

Owner: The person, persons or legal entity that holds legal title to a Residential Rental Property.

Police Official: A person designated by the Chief of Police who is primarily responsible for the administration of this Article.

Registered Agent: The person identified by the Owner of the Residential Rental Property in the registration filed pursuant to this Article who is authorized to receive legal process and or notice required or provided for in this Article.

Remedial Action Plan: A written plan agreed upon and signed by both the Police Official and Owner whereby the Owner agrees to implement remedial measures on a Residential Rental Property whose Disorder Activity Count exceeds the Disorder Risk Threshold for its Residential Rental Property Category.

Remedial Measures: Mandatory and voluntary measures as stated within the Remedial Action Plan Manual, a copy of which is on file at the City Clerk's Office.

Residential Rental Property: Property that contains a single-family rental dwelling unit or multi-family rental dwelling units for use by residential tenants including but not limited to the following: mobile homes, mobile home spaces, town homes, and condominium unit(s).

Residential Rental Properly Category: Residential Rental Properties will

be categorized by the number of residential units contained in the property as follows:

Category 1 -1 unit
Category 2 -2 to 9 units
Category 3 -10 to 49 units
Category 4 -50 to 99 units
Category 5 -100 to 149 units
Category 6 -150 to 199 units
Category 7 -200 to 249 units
Category 8 -250 to 299 units
Category 9 -300 or more units

~~*Residential Rental Properly Review Board*: The Board created pursuant to this Article.~~

Section 6-582. Registration of Residential Rental Property.

(a) . Each Owner of Residential Rental Property that falls at or above the Disorder Risk Threshold for its Residential Rental Property Category as set forth by this ordinance shall register by providing the following information at the initial mandatory meeting:

(1) The address(s) for the Residential Rental Property which shall include the street name(s), number(s) and zip code;

(2) The name(s), business or personal address, telephone number, and email address of the Owner;

a. If the property is owned by multiple natural persons, then the required information shall be that of one person who has legal authority to act on behalf of the other Owners.

b. If the property is owned by a corporation, whether foreign or domestic, then the required information shall be that of a Registered Agent and of an officer who has authority to act on behalf of the corporation.

c. If the property is owned by a partnership, then the required information shall be that of the managing partner and one alternate who have legal authority to act on behalf of the partnership.

d. If the property is owned by an unincorporated association or any other legal entity not mentioned above, then the required information shall be that of a

person who has legal authority to act on behalf of that association or entity.

(3) The number of units located on the residential property.

(b) The address(s) required in subsection (a) (2) shall not be a public or private post office box or other similar address.

(c) An Owner that is required to register under this ordinance who sells the property shall notify the Police Official of all purchaser information within thirty (30) days from the date of change of ownership. Purchaser information shall include the name, address, phone number and e-mail address for the purchaser.

(d) An Owner that is required to register under this ordinance shall post proof of registration as provided by the City in the business office of the property or in a common area or other conspicuous place accessible at all times to the tenant(s).

(e) Each residential rental property parcel shall be registered separately.

(f) Nothing in this section shall prevent any owner of Residential Rental Property from voluntarily registering property at any time with the information set forth in this section. No administrative fee will be charged for any voluntary registration that occurs prior to a notice being sent pursuant to Sec 6-584 of this ordinance.

~~(g)~~

Section 6-583 Disorder Risk Threshold and Disorder Activity Count.

~~By June 1 of each year, t~~The Police Official shall determine the Disorder Activity Count for each Residential Rental Property and the Disorder Risk Threshold for each Residential Rental Property Category on a quarterly calendar basis. These determinations- shall be made using the Disorder Activity during the previous calendar quarter. ~~year for each year~~.

Section 6-584. Notification of Mandatory Meeting.

(a) The Owner of Residential Rental Property that falls at or above the Disorder Risk Threshold shall be sent a notice no later than 10 days after the Disorder Risk Threshold is calculated for that quarter by certified mail to the name and address listed with the Mecklenburg County's Office of Tax Assessor for that property.

(b) The notice shall include the following information:

(1) The date, time and location for the mandatory initial meeting between the Police Official and the Owner; and

(2) The Disorder Activity Count for the Residential Rental Property; and

(3) A statement that the Owner may provide additional evidence at the initial mandatory meeting to be considered by the Police Official; and

(4) A detailed summary of the Disorder Activity that has occurred on or in the property.

(5) The amount of the registration fee.

Section 6-585. Mandatory Initial Meeting.

(a) ~~Unless otherwise agreed to by the Owner and Police Official, within thirty (30) days after notice has been provided to the Owner that a property falls at or above the Disorder Risk Threshold, a~~ A mandatory initial meeting shall be held between the owner and the Police Official within 15 days from the date the notice was sent to the owner the property. The notice shall be sent to the address listed with the Mecklenburg County's Office of Tax Assessor or to the address provided through voluntary registration. The initial meeting may be held in person or by telephone. In the event there are multiple property Owners, the Owner attending the initial meeting must have power of attorney to execute the remedial action plan on behalf of the other Owners

.

(b) At the mandatory initial meeting, the Police Official and the Owner shall, at a minimum, review the following:

(1) The data that established the Disorder Activity Count for that property; ~~and~~

(2) Any relevant evidence provided by the Owner that may establish that the property does not fall at or above the Disorder Risk Threshold;

~~.~~

(c) After reviewing all the evidence, any previously identified Disorder Activity that is found to either not have occurred on or in the property or does not clearly meet the definition of a Disorder Activity shall be discounted and an adjusted Disorder Activity Count

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shall be determined. In the event that the adjusted Disorder Activity Count for the property falls at or above the Disorder Risk Threshold, then the Owner and Police Official shall develop and sign a Remedial Action Plan and the property will be set for a three ~~six~~ month review date pursuant to section 6-586. In the event the adjusted Disorder Activity Count is below the Disorder Risk Threshold, then no further action shall be taken by the Police Official. No administrative fee shall be charged if the adjusted Disorder Activity Count is below the Disorder Risk Threshold. Any property that is required to pay an administrative fee shall do so within seven days after the conclusion of the mandatory meeting.

~~.~~

~~(d)~~ ~~-~~.

(d) In the event the Owner fails to attend the initial meeting without just cause, the Police Official shall review all the evidence concerning the property pursuant to Subsections (b) and (c) of this Section and determine whether the Disorder Risk Threshold is accurate and determine if further action is warranted. ~~Upon a finding that the adjusted Disorder Activity Count for the property is at or above the Disorder Risk Threshold, the Police Official shall refer the property to the City Attorney's Office for determination of whether a public nuisance action or any other legal or equitable remedy is warranted.~~

~~(e) The Owner of Residential Rental Property that is required to register under this ordinance shall pay a registration fee on or before the Mandatory Meeting in the amount established pursuant to Section 2-1 of this Code.~~

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Section 6-586. Remedial Action Plan and Review.

(a) At the first quarterly ~~six (6) month~~ review, the Owner and Police Official shall review the Disorder Activity in or on the property since the date of the Remedial Action Plan and determine the Disorder Activity Count for the property during that time period. If the Disorder Activity Count is no longer at or above the Disorder Risk Threshold, then no further action will be taken. If the Disorder Activity count continues to fall at or above the Disorder Risk Threshold, then the property will be designated In Need of Remedial Action (INRA) and the Police Official and the Owner shall amend and sign the Remedial Action Plan and a second quarterly ~~six (6)~~ month review date will be set.

(b) At the second quarterly ~~six (6)~~ month review, the Owner and Police Official shall review the Disorder Activity in or on the property since the date of the amended Remedial Action Plan and determine the Disorder Activity Count for the property during that time period. If the Disorder Activity Count is no longer at or above the Disorder Risk Threshold, then no further action will be taken. If the Disorder Activity Count continues to fall at or above the Disorder Risk Threshold, then the property will be designated In Need of Remedial Action (lNRA) and the Police Official and the Owner shall amend and sign the Remedial Action Plan

and a third six (6) month review date will be set.

(c) At the third quarterly ~~six (6)~~ month review, the Owner and Police Official shall review the Disorder Activity in or on the property since the date of the amended Remedial Action Plan and determine the Disorder Activity Count for the property during that time period. If the Disorder Activity Count is no longer at or above the Disorder Risk Threshold, then no further action will be taken. If the Disorder Activity Count continues to fall at or above the Disorder Risk Threshold, then the Police Official shall ~~revoke the rental registration for the property unless it is~~ determine~~d~~ ~~that~~ whether the Owner has complied in good faith with the remedial action plans.

(1) In determining whether the Owner has acted in good faith, the Police Official shall weigh the following factors:

a. Whether the Owner has regularly met with the Police Official; and

b. Whether the Owner has exhausted all resources reasonably available to the Owner in order to comply with the terms of the Remedial Action Plans; and

c. Whether the Owner has intentionally ignored a term of a Remedial Action Plan; and

d. Whether the Disorder Activity on the property constitutes a public nuisance.

(2) If the Owner has been found to have acted in good faith, then the Police Official may remove the designation of INRA and continue to work with the Owner. A property that continues to fall at or above the Disorder Risk Threshold ~~for a second year~~ will be referred to the City Attorney's Office for determination as to whether a public nuisance action or any other legal or equitable remedy is warranted.

(d) All Remedial Action Plans will be based on the procedures and practices set forth in the CMPD *Remedial Action Plan Manual; A Guide to Managing Rental Properties to Prevent Crime*.

~~**Section 6-587. Additional Grounds for Revocation of Rental Registration.**~~

~~In addition to the grounds stated in Section 6-586(c), the Police Official may revoke the Owner's rental registration based on a determination that:~~

~~(a) The Owner provided materially false or misleading information during~~

~~the registration process.~~

~~(b) The Owner refused to meet with the Police Official and/or develop a Remedial Action Plan as required under Section 6-586 without just cause.~~

~~**Section 6-588. Notice of Revocation.**~~

~~A notice of revocation shall be sent by certified mail or delivered in person to the address listed on the rental registration.~~

~~**Section 6-589. Transition Plan and Notification of Tenants.**~~

~~Upon revoking a rental registration, the Police Official shall develop a transition plan for the Owner's lawful disengagement from the operation and management of the rental property. The transition plan may include a referral to the City Attorney for the evaluation of the property as a public nuisance or for any other legal or equitable remedy available under law necessary to fairly assist in the disengagement process. Upon revocation and issuance of a transition plan, the Police Official shall take reasonable steps to notify the residents of the property.~~

~~**Section 6-590. Residential Rental Property Review Board.**~~

~~(a) A Residential Rental Property Review Board (hereinafter "Board") is hereby established, to be composed of seven members: four members to be appointed by the City Council, two members to be appointed by the mayor and one to be appointed by the City Manager. The appointing authorities shall ensure that the members of the Board are representative of the residential rental, tenant and homeowner community.~~

~~(b) One member from the Charlotte-Mecklenburg Police Department who has obtained the rank of captain or above and one employee of the City's Neighborhood and Business Services Department who has the authority to investigate code violations will sit on the Board as advisors only.~~

~~(c) Individuals with a felony conviction within the last ten (10) years shall not be eligible to serve on the Board. Further, conviction of or a plea of nolo contendere to a felony during the term of office shall automatically terminate membership on the Board, irrespective of any appeals. Board members charged with a felony during a term of office shall be automatically suspended until disposition of the charge, and a quorum shall be established from the remaining membership.~~

~~(d) Board members shall keep all information about criminal investigations confidential.~~

~~(e) The Board shall elect a chairperson and vice-chairperson from its~~

~~membership.~~

~~(f) All members of the Board serve without compensation.~~

~~(g) The terms of office shall be for three (3) years with no member serving more that two consecutive full terms. The terms of one-third of the Board shall expire each year. If a vacancy occurs, the original appointing authority shall appoint a person to serve for the unexpired term of the vacant position.~~

~~(h) Five voting members shall constitute a quorum. Members are required to attend all business meetings and hearings in accordance with the attendance policies promulgated by the City Council. Vacancies resulting from a member's failure to attend the required number of meetings shall be filled as provided in this section~~.

~~Section 6-591. Duties and Responsibilities of the Residential Rental Property Review Board.~~

~~The Board shall hear appeals from an Owner of Residential Rental Property whose registration has been revoked.~~

~~Section 6-592. Notice of Appeal of Revocation.~~

~~A Residential Rental Property owner may appeal a notice of revocation of rental registration to the Board. All revocation appeals to the Board must be filed in writing with the City Clerk's office within ten (10) calendar days of the date the notice of revocation is served on the Owner. The Owner shall provide a valid current address for the purpose of all notifications required to be made pursuant to this ordinance. The request must state the reason for the appeal.~~

~~Section 6-593. Hearing Procedure and Appeal of Board's Findings.~~

~~(a) The City Clerk shall forward an appeal of revocation of rental registration to the Police Official and to the Chair of the Board. The Police Official shall prepare a summary of the case, including all relevant data. The summary shall be provided to the Board and the Owner at least five working days before the hearing.~~

~~(b) Unless a quorum cannot be obtained or as otherwise agreed to by the Owner and Police Official, the Board shall hold a hearing within thirty (30) calendar days of the date the appeal is received by the City Clerk. Should the Owner or the Police Official desire a hearing date other than that set by the Board, the Owner or the Police Official shall submit a written request for a change of the hearing date, stating the reason for the request. The Chair shall approve or disapprove such request, provided that such request is received by the Board at least seven (7) calendar days prior to the date of the hearing. For~~

~~good cause, the Chair may continue the hearing from time to time. The hearing shall be conducted with at least five (5) voting members of the Board present.~~

~~(c) The Owner shall appear at the hearing in person and shall have the right to representation by a person of his or her choice. The North Carolina Rules of Evidence, G.S. Chapter BC, shall not strictly apply to the hearing, but all parties shall have an opportunity to offer evidence, cross-examine witnesses, and inspect documents. Only swom testimony shall be accepted. The Chair of the Board, as well as any Board member designated by the Chair, shall have the authority to administer the oath as set forth for witnesses in a civil matter by G.S.~~

~~(i) Members shall be subject to removal from the Board with or without cause by the appointing authority.~~

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~~(b) Unless a quorum cannot be obtained or as otherwise agreed to by the Owner and Police Official, the Board shall hold a hearing within thirty (30) calendar days of the date the appeal is received by the City Clerk. Should the Owner or the Police Official desire a hearing date other than that set by the Board, the Owner or the Police Official shall submit a written request for a change of the hearing date, stating the reason for the request. The Chair shall approve or disapprove such request, provided that such request is received by the Board at least seven (7) calendar days prior to the date of the hearing. For good cause, the Chair may continue the hearing from time to time. The hearing~~

~~shall be conducted with at least five (5) voting members of the Board present.~~

~~(c) The Owner shall appear at the hearing in person and shall have the right to representation by a person of his or her choice. The North Carolina Rules of Evidence, G.S. Chapter BC, shall not strictly apply to the hearing, but all parties shall have an opportunity to offer evidence, cross-examine witnesses, and inspect documents. Only swom testimony shall be accepted. The Chair of the Board, as well as any Board member designated by the Chair, shall have the authority to administer the oath as set forth for witnesses in a civil matter by G.S. § 11-11. All hearings before the Board shall be de novo and recorded. The Board has the authority to develop rules and regulations consistent with this ordinance to facilitate the hearing process.~~

~~(d) The City shall have the burden of proof and must establish by the preponderance of the evidence that the Owner's property is In Need of Remedial Action and the owner has failed to act in good faith to comply with the Remedial Action Plan. After reviewing the evidence and hearing testimony from the witnesses, the Board shall issue findings of fact and conclusions of law and issue an order either affirming or reversing the decision of the Police Official.~~

~~(e) An Owner has the right to appeal the Board's decision to the City Council by filing a notice of appeal with the City Clerk within (10) ten days after the Board issues its written decision. When feasible, the matter will be set for review by the City Council at the next regularly scheduled business meeting. The City Council shall make its decision based on the record below, and no additional evidence will be considered. A majority vote by the City Council in favor of the Board's decision is required to uphold the Board's decision to revoke the Owner's registration. An appeal to City Council will stay the proceedings until it completes its review.~~

~~(f) If the City Council upholds the Board's decision, the Owner shall have the right to seek judicial review of the Board's decision in a proceeding in the nature of certiorari instituted in the Superior Court of the county within 30 days after the City Council votes to uphold the Board's decision. Judicial review shall not automatically stay the revocation.~~

Section 6-587~~594~~. INRA Designation Binding on Subsequent Owner.

The designation of a property as INRA and the application of the procedures set forth in this article shall be binding upon all subsequent Owners or other transferees of an ownership interest in the Rental Residential Property. However, the revocation may be stayed during the implementation of a transition plan.

Section 6-588~~595~~. Enforcement, Remedies and Penalties.

(a) The remedies provided herein are not exclusive and may be exercised singly, simultaneously, or cumulatively. In addition, the remedies provided herein may be combined with any other remedies authorized by law and exercised in any order. This ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

~~(b) It shall be a civil violation of this ordinance for any Owner of Residential Rental Property or person or entity on behalf of that Owner to commit any of the following acts:~~

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(b) It shall be unlawful for any Residential Rental Property Owner to knowingly fail to register Residential Rental Property as required by this ordinance.

(c) It shall be unlawful for any Residential Property Owner to provide materially false or misleading residential rental property registration information.

(d) It shall be unlawful for the owner of Residential Rental Property to fail to pay a Residential Rental Property administrative fee that is required under this ordinance.

(e) It shall be unlawful for any owner of Residential Rental Property to fail to attend the mandatory initial meeting or any other quarterly meeting after notice has been timely sent pursuant to Sec 6-585 of this ordinance.

~~(1) Lease or rent Residential Rental Property to another person or entity when the rental registration for that property has been revoked except pursuant to a transition plan as set forth in Section 6-589 of this ordinance.~~

~~(2) Lease or rent Residential Rental Property to another person or entity after the Owner has been served with notice of the mandatory meeting and fails to attend the meeting without just cause as set forth in Section 6-585 of this ordinance.~~

(f~~e~~) Notwithstanding that ~~the Owner's~~ an Owner of rental registration property has been charged with a violation of this ordinance. o~~property registration has been revoked~~ or the Owner has failed to attend the mandatory meeting as set forth in Section 6-585 of this ordinance, the owner shall not commit the following acts:

(1) Refuse or fail to comply with any order of the City to repair a dwelling pursuant to Section 11-38 of the Housing Code, or

(2) Terminate the utility services of any occupants or otherwise violate the rights of residential tenants under Article 2A, Article 5, or Article 6 Chapter 42 of the General Statutes.

~~(d) Notwithstanding that the Owner's property registration has been revoked, the Owner's compliance with its obligations in subsection (c)(1) and (2) hereinabove shall not be deemed as offenses under subsection (e) below.~~

~~(e) Failure to comply with the provisions of this section shall subject the offender to a civil penalty of fifty dollars ($50.00) a day for the first 30 days, one hundred dollars ($100.00) a day for the next thirty days, and five hundred dollars ($500.00) a day for each subsequent day.~~

~~(f) A civil penalty that is assessed under this ordinance may be recovered by the City in a civil action in the nature of a debt if the owner does not pay the penalty fee within thirty (30) days after a notice of the penalty is issued by the Police Official.~~

Section 6-589~~596~~. Adoption of Remedial Action Plan Manual.

The Remedial Action Plan Manual, a copy of which is on file in the Office of the City Clerk, is hereby adopted. The City Council hereby finds and determines the remediation strategies set out therein to be reasonable and appropriate to address the public health, safety and welfare issues addressed by this article entitled the "Remedial Action Plan Manual; a Guide to Managing Rental Properties to Prevent Crime". The Chief of Police or his designee is hereby authorized to amend the Remedial Action Plan Manual.

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Section 2. This ordinance shall become effective ----------

M Newbold 03/16/12