

DEFINITION OF FAMILY STAKEHOLDERS GROUP

Summary of Presentations

Occupancy Regulations

| Code | Addresses Occupancy | Section | Applicable Text | Summary/Explanation |
|---|---------------------|---|--|--|
| North Carolina State Building Code - Fire Prevention Code | No | Section 102A: Exceptions to Applicability | Provisions of this code shall not apply to the following: 1. One and two family dwellings | Since the Fire Code is not applicable to single family dwellings it sets forth no occupancy limits for single family dwellings. However, under General Statute 160A-292 the Fire Chief does have the duty to “correct conditions dangerous to fire,” so if when responding to a fire call another code violation is observed it can be reported to the appropriate agency for enforcement. |
| North Carolina Residential Building Code | No | -- | -- | The Residential Building Code applies to single family dwellings but does not expressly set (or prohibit) occupancy limits. |
| Chapter 11 of the City Code: Charlotte Housing | Yes | 11-77 Space and Use | (f) There shall be at least 150 square feet of floor space in habitable rooms for the first occupant in each dwelling unit; at least 100 square feet for each of the next three occupants; and at least 50 square feet for each additional occupant over the number of four. (Children one year of age and under shall not be counted). (g) There shall be at least 80 square feet of bedroom floor space for the first occupant; at least 20 square feet for the second occupant; and at least 30 square feet for each occupant over the number of two. (Children one year of age and under shall not be counted). | The Minimum Housing Code sets forth two tests to determine occupancy: (1) based upon the square footage of habitable rooms in the house and (2) based upon the square footage of the bedrooms in the house. Whichever of these test allows the lesser number of occupants prevails. Enforcement of the Minimum Housing Code is done in response to complaints. |

Secondary Impacts

| Code | Issue | Section | Applicable Text | Summary/Explanation |
|--|--|--------------------|--|---|
| Chapter 10 of the City Code: Health and Sanitation Code | Trash | 10-96 10-99 | (b) Each residential premises in the city shall be provided solid waste collection services. (f) Civil penalty. Any customer who places solid waste at curbside prior to the day before the scheduled collection date or who fails to remove solid waste and/or containers from curbside by midnight on the day of collection may be issued a civil penalty the amount of \$50.00. Any person who fails to properly prepare or containerize solid waste for curbside collection may be issued a civil penalty in the amount of \$50.00. | The City's Health and Sanitation Code requires trash collection for all residential dwellings. The amount of trash is limited to two roll-out containers. Penalties can be assessed for trash that is improperly prepared or improperly placed. |
| | Abandoned, Hazardous and Junked Motor Vehicles | 10.271-10.282 | See section of code | The City's Health and Sanitation Code prevents operable cars from being left in an unauthorized location for extended periods of time and prevents property owners from keeping hazardous vehicles or more than one junked motor vehicle on their property. Vehicles in violation can be towed after a notice period of seven days. |
| City of Charlotte Zoning Ordinance | Unlicensed Vehicles | 9.204 | (1) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle. (2) No unlicensed motor vehicle if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle shall be permitted outside of any premises | The Zoning Ordinance prohibits the outdoor presence of more than two unlicensed vehicles registered to an occupant or immediate family member and prohibits all unlicensed vehicles if not registered to an occupant. A citation can be issued for violation of this provision. |
| Chapter 14 of the City Code: Motor Vehicles and Traffic Code | Parking on Lawns | 14.216 | It shall be unlawful to stop, stand or park a vehicle: (25) Between the curb or edge of the pavement of a street and the front building line of a single family detached, duplex, triplex, or quadraplex dwelling unit projected to the side lot other than completely upon an improved driveway or improved parking pad. For purposes of this subsection, "improved" means surfaced with concrete, asphalt, gravel, or any other material commonly used for the parking of vehicles, but not including grass or dirt. | Chapter 14 states that cars are not allowed to be parked in the front lawn of a dwelling unless completely upon an improved driveway or parking pad. A citation can be issued for violation of this provision. |
| | Other Illegal Forms of Parking | 14-216 | See section of code | See section of code |
| Chapter 15 of the City Code: Offenses and Miscellaneous | Noise | 15-61 | It shall be unlawful for any person to create or assist in creating any unreasonably loud and disturbing noise in the city. | In addition to making it unlawful to create any unreasonably loud and disturbing noise, Chapter 15 also prohibits noise activities that impact residential life, restrictions on amplified sound, mechanical sound, animals and motor vehicles. |