

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: July 14, 2021

The following is my report to the City Council on issues in which our office has been engaged since the last Council meeting:

1. **City Council eligibility issue.** I am in the process of preparing a written opinion as it relates to volunteers in the City Fire Department running for City Council. My research has indicated that it is permissible, under current revisions of the Incompatibility Act. I have conferred with the City Manager regarding my opinion and I wanted to let the answer be known, and will be filing a written opinion, which will be used for future reference.

2. **Pawn Shop Ordinance.** The City Manager and I have concluded that at this point in time there does not appear to be sufficient interest from the City's standpoint in making that an allowable use. It does appear that an interest was expressed initially, from an individual, but there has been no further consultations with the City indicating a continued interest. At this time, it is my recommendation that no further action be taken as it relates to that issue.

3. **407 W. Stoddard.** As City Council may be aware, there was a fire at this location, which has rendered the property, at this point, uninhabitable. The water has been shut off. City staff and I are working to review the City's options as it relates to this property including, declaring this property a nuisance and require certain actions by the property owner to repair the property or, in the alternative, require the structure's demolition. This would require filing a lawsuit with Circuit Court, for which the City Council, if this arises, will need to approve.

TMH:cf