

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

3

HOUSE BILL 699

Committee Substitute Favorable 4/29/97

Senate State Government, Local Government, and Personnel Committee Substitute
Adopted 7/10/97

Short Title: Newport Minimum Housing.

(Local)

Sponsors:

Referred to:

March 31, 1997

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE
TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS
ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES
IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-
THREE THOUSAND.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 733 of the 1995 Session Laws reads as
rewritten:

"Sec. 2. This applies to the ~~City~~ Cities of Greenville and Lumberton and the Towns of
Bethel, Farmville, and Newport only."

Section 2. Section 1 of Chapter 733 of the 1995 Session Laws, which applied
only to the City of Lumberton, reads as rewritten:

"Section 1. G.S. 160A-443(5a) reads as rewritten:

(5a) If the governing body shall have adopted an ordinance, or the public
officer shall have:

1 a. In a municipality ~~located in counties which have a population in~~
2 ~~excess of 163,000 by the last federal census,~~ other than
3 municipalities with a population in excess of 190,000 by the last
4 federal census, issued an order, ordering a dwelling to be
5 repaired or vacated and closed, as provided in subdivision (3)a,
6 and if the owner has vacated and closed such dwelling and kept
7 such dwelling vacated and closed for a period of one year
8 pursuant to the ordinance or order;

9 b. In a municipality with a population in excess of 190,000 by the
10 last federal census, commenced proceedings under the
11 substandard housing regulations regarding a dwelling to be
12 repaired or vacated and closed, as provided in subdivision (3)a.,
13 and if the owner has vacated and closed such dwelling and kept
14 such dwelling vacated and closed for a period of one year
15 pursuant to the ordinance or after such proceedings have
16 commenced,

17 then if the governing body shall find that the owner has abandoned the
18 intent and purpose to repair, alter or improve the dwelling in order to
19 render it fit for human habitation and that the continuation of the
20 dwelling in its vacated and closed status would be inimical to the health,
21 safety, morals and welfare of the municipality in that the dwelling
22 would continue to deteriorate, would create a fire and safety hazard,
23 would be a threat to children and vagrants, would attract persons intent
24 on criminal activities, would cause or contribute to blight and the
25 deterioration of property values in the area, and would render
26 unavailable property and a dwelling which might otherwise have been
27 made available to ease the persistent shortage of decent and affordable
28 housing in this State, then in such circumstances, the governing body
29 may, after the expiration of such one year period, enact an ordinance
30 and serve such ordinance on the owner, setting forth the following:

31 a. If it is determined that the repair of the dwelling to render it fit
32 for human habitation can be made at a cost not exceeding fifty
33 percent (50%) of the then current value of the dwelling, the
34 ordinance shall require that the owner either repair or demolish
35 and remove the dwelling within 90 days; or

36 b. If it is determined that the repair of the dwelling to render it fit
37 for human habitation cannot be made at a cost not exceeding fifty
38 percent (50%) of the then current value of the dwelling, the
39 ordinance shall require the owner to demolish and remove the
40 dwelling within 90 days.

41 This ordinance shall be recorded in the Office of the Register of Deeds
42 in the county wherein the property or properties are located and shall be
43 indexed in the name of the property owner in the grantor index. If the

1 owner fails to comply with this ordinance, the public officer shall
2 effectuate the purpose of the ordinance.

3 ~~This subdivision only applies to municipalities located in~~
4 ~~counties which have a population in excess of 163,000 by the last~~
5 ~~federal census."~~

6 Section 3. This act is effective when it becomes law.