

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL DRS45246-LM-91

Short Title: Local Governments/Unsafe Buildings. (Public)

Sponsors: Senator Perry (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT CLARIFYING THE TIME PERIOD IN WHICH CORRECTIVE ACTION SHALL  
3 BE TAKEN TO REMEDY DEFECTS AND UNSAFE CONDITIONS IN BUILDINGS  
4 AND STRUCTURES AND CLARIFYING THE PROCESS OF GIVING NOTICE TO  
5 PROPERTY OWNERS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 160A-425 reads as rewritten:

8 "**§ 160A-425. Defects in buildings to be corrected.**

9 When a local inspector finds any defects in a building, or finds that the building has not been  
10 constructed in accordance with the applicable State and local laws, or that a building because of  
11 its condition is dangerous or contains fire hazardous conditions, it shall be his duty to notify the  
12 owner or occupant of the building of its defects, hazardous conditions, or failure to comply with  
13 law. The owner or occupant shall ~~each immediately~~ each, within 60 days after notice is given  
14 under this section, remedy the defects, hazardous conditions, or violations of law in the property  
15 he owns. If, at the conclusion of the 60-day time period, material progress, in the opinion of the  
16 local inspector, has been made by the owner to remedy the defects, hazardous conditions, or  
17 violations, the local inspector may grant the owner an extension of an additional 60 days in which  
18 to complete the work to bring the building into compliance. For purposes of this Part, the term  
19 "owner" means the person listed as owner of the property on the property record card recorded  
20 in the local tax assessor's office."

21 **SECTION 2.** G.S. 160A-428 reads as rewritten:

22 "**§ 160A-428. Action in event of failure to take corrective action.**

23 (a) If the owner of a building or structure that has been condemned as unsafe pursuant to  
24 G.S. 160A-426 shall fail to take ~~prompt corrective action,~~ action within 60 days after posting  
25 notice on the building as provided in G.S. 160A-426, the local inspector shall give him written  
26 notice, by certified or registered mail to his last known address or by personal service:

- 27 (1) That the building or structure is in a condition that appears to meet one or  
28 more of the following conditions:  
29 a. Constitutes a fire or safety hazard.  
30 b. Is dangerous to life, health, or other property.  
31 c. ~~Is likely to cause or contribute to blight, disease, vagrancy, or danger~~  
32 ~~to children.~~  
33 d. ~~Has a tendency to attract persons intent on criminal activities or other~~  
34 ~~activities which would constitute a public nuisance.~~  
35 (2) That a hearing will be held before the inspector at a designated place and time,  
36 not ~~later~~ sooner than 10 days after the date of the notice, at which time the



1 owner shall be entitled to be heard in person or by counsel and to present  
2 arguments and evidence pertaining to the matter; and  
3 (3) That following the hearing, the inspector may issue such order to repair, close,  
4 vacate, or demolish the building or structure as appears appropriate.  
5 (b) If the name or whereabouts of the owner cannot after due diligence be discovered, the  
6 notice shall be considered properly and adequately served if a copy thereof is posted on the  
7 outside of the building or structure in question at least 10 days prior to the hearing and a notice  
8 of the hearing is published in a newspaper having general circulation in the city at least once not  
9 later than one week prior to the hearing. The provision of notice, as authorized in this subsection,  
10 may run concurrently with written notice provided under subsection (a) of this section."  
11 **SECTION 3.** This act becomes effective July 1, 2019.