

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1181*

Short Title: Lumberton Abandoned Structures.

(Local)

Sponsors: Representatives Yongue; Sutton and Cummings.

Referred to: Local and Regional Government I.

May 16, 1996

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON 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. G.S. 160A-443(5a) reads as rewritten:

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

- a. In a municipality ~~located in counties which have a population in excess of 163,000 by the last federal census,~~ other than municipalities with a population in excess of 190,000 by the last federal census, issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in subdivision (3)a, and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or order;
- b. In a municipality with a population in excess of 190,000 by the last federal census, commenced proceedings under the substandard housing regulations regarding a dwelling to be

1 repaired or vacated and closed, as provided in subdivision (3)a.,
2 and if the owner has vacated and closed such dwelling and kept
3 such dwelling vacated and closed for a period of one year
4 pursuant to the ordinance or after such proceedings have
5 commenced,

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

- 20 a. If it is determined that the repair of the dwelling to render it fit
21 for human habitation can be made at a cost not exceeding fifty
22 percent (50%) of the then current value of the dwelling, the
23 ordinance shall require that the owner either repair or demolish
24 and remove the dwelling within 90 days; or
25 b. If it is determined that the repair of the dwelling to render it fit
26 for human habitation cannot be made at a cost not exceeding fifty
27 percent (50%) of the then current value of the dwelling, the
28 ordinance shall require the owner to demolish and remove the
29 dwelling within 90 days.

30 This ordinance shall be recorded in the Office of the Register of Deeds
31 in the county wherein the property or properties are located and shall be
32 indexed in the name of the property owner in the grantor index. If the
33 owner fails to comply with this ordinance, the public officer shall
34 effectuate the purpose of the ordinance.

35 This subdivision only applies to municipalities located in
36 counties which have a population in excess of 163,000 by the last
37 federal census."

38 Sec. 2. This act applies to the City of Lumberton only.

39 Sec. 3. This act is effective upon ratification.