

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 70

Senate State Government, Local Government, and Personnel Committee Substitute
Adopted 5/15/97

Short Title: Roanoke Rapids Structures.

(Local)

Sponsors:

Referred to:

February 6, 1997

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS 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 act applies to the ~~City of Lumberton~~ Cities of Lumberton and Roanoke
Rapids 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:

- 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~~

1 federal census, issued an order, ordering a dwelling to be
2 repaired or vacated and closed, as provided in subdivision (3)a,
3 and if the owner has vacated and closed such dwelling and kept
4 such dwelling vacated and closed for a period of one year
5 pursuant to the ordinance or order;

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

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

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

38 This ordinance shall be recorded in the Office of the Register of Deeds
39 in the county wherein the property or properties are located and shall be
40 indexed in the name of the property owner in the grantor index. If the
41 owner fails to comply with this ordinance, the public officer shall
42 effectuate the purpose of the ordinance.

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

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