

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 763

Short Title: Durham Charter Amended.

(Local)

Sponsors: Representative Luebke.

Referred to: Local and Regional Government II.

April 15, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER.

The General Assembly of North Carolina enacts:

Section 1. Section 102.1 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws as amended by Chapter 224 of the 1987 Session Laws, is rewritten to read:

"Sec. 102.1. **Additional Building and Housing Code Remedies.** In addition to any other remedy provided by law, the City Council may impose fines and penalties and take any other action authorized by G.S. 160A-175 in adopting, amending or enforcing any ordinance authorized by Parts 5 or 6 of Article 19 or Chapter 160A of the General Statutes."

Sec. 2. The sixth full paragraph of Section 17 of the Charter of the City of Durham, being Chapter 671 of the 1975 Sessions Laws, is rewritten to read:

"The City Council may delegate authority to the City Manager to purchase real property or any interest in real property, provided:

- (1) The money for the purchase of such real property or interest in real property is available in the then current budget; and
- (2) The City Manager, within 45 days following the purchase, shall submit to the City Council a written report setting forth the names of the persons from whom such property or property interest is purchased, a general description of the property or interest in property acquired, the purchase price paid for therefor, and the intended use of the property or interest in property."

1           Sec. 3. The Charter of the City of Durham, being Chapter 671 of the 1975  
2 Session Laws, is amended by adding a new section to read:

3           "Sec. 102.2. **Building and Housing Code Orders; Notice of Lis Pendens.** Any  
4 ordinance adopted by the City Council under Part 5 or Part 6 of Article 19 of Chapter  
5 160A of the General Statutes may provide that any complaint and notice or order issued  
6 pursuant to that ordinance may be filed in the notice of **lis pendens** in the office of the  
7 Clerk of Superior Court of the county where the property is located. From the date of  
8 recording of such complaint and notice or order, it shall be binding upon the successors  
9 and assigns of the owners of the building or dwelling. The ordinance may authorize a  
10 public officer to cancel the notice of **lis pendens** in specified circumstances."

11           Sec. 4. This act is effective upon ratification.