

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 496

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

Short Title: Lee/Municipal Structures.

(Local)

Sponsors:

Referred to:

March 11, 1997

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY 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 only to the City of Lumberton ~~only.~~ and to the municipalities located in Lee County."

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~~  
2                           ~~counties which have a population in excess of 163,000 by the last~~  
3                           ~~federal census."~~

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