GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

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SENATE DRS15095-LM-52A (02/23)

	Sanators Kam and Ianking
Short Title:	Greenville Unfit Housing.

Sponsors:	Senators Kerr, and Jenkins.
Referred to:	

1	A BILL TO BE ENTITLED
2	AN ACT AUTHORIZING THE CITY OF GREENVILLE TO ORDER DWELLINGS
3	DETERMINED UNFIT FOR HUMAN HABITATION REPAIRED OR
4	DEMOLISHED AFTER A PERIOD OF SIX MONTHS.
5	The General Assembly of North Carolina enacts:
6	SECTION 1. Section 2 of S.L. 2004-98 reads as rewritten:
7	"SECTION 2.(a) G.S. 160A-443(5b) reads as rewritten:
8	'(5b) If the governing body shall have adopted an ordinance, or the public
9	officer shall have:
10	a. In a municipality other than municipalities with a population in
11	excess of 190,000 by the last federal census, issued an order,
12	ordering a dwelling to be repaired or vacated and closed, as
13	provided in subdivision (3)a, and if the owner has vacated and
14	closed such dwelling and kept such dwelling vacated and closed
15	for a period of one year six months pursuant to the ordinance or
16	order;
17	b. In a municipality with a population in excess of 190,000 by the
18	last federal census, commenced proceedings under the
19	substandard housing regulations regarding a dwelling to be
20	repaired or vacated and closed, as provided in subdivision (3)a.,
21	and if the owner has vacated and closed such dwelling and kept
22	such dwelling vacated and closed for a period of one year six
23	months pursuant to the ordinance or after such proceedings
24	have commenced,
25	then if the governing body shall find that the owner has abandoned the
26	intent and purpose to repair, alter or improve the dwelling in order to
27	render it fit for human habitation and that the continuation of the

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1	dwelling in its vacated and closed status would be inimical to the
2	health, safety, morals and welfare of the municipality in that the
3	dwelling would continue to deteriorate, would create a fire and safety
4	hazard, would be a threat to children and vagrants, would attract
5	persons intent on criminal activities, would cause or contribute to
6	blight and the deterioration of property values in the area, and would
7	render unavailable property and a dwelling which might otherwise
8	have been made available to ease the persistent shortage of decent and
9	affordable housing in this State, then in such circumstances, the
10	governing body may, after the expiration of such one year-six-month
11	period, enact an ordinance and serve such ordinance on the owner,
12	setting forth the following:
13	a. If it is determined that the repair of the dwelling to render it fit
14	for human habitation can be made at a cost not exceeding fifty
15	percent (50%) of the then current value of the dwelling, the
16	ordinance shall require that the owner either repair or demolish
17	and remove the dwelling within 90 days; or
18	b. If it is determined that the repair of the dwelling to render it fit
19	for human habitation cannot be made at a cost not exceeding
20	fifty percent (50%) of the then current value of the dwelling, the
21	ordinance shall require the owner to demolish and remove the
22	dwelling within 90 days.
23	This ordinance shall be recorded in the Office of the Register of Deeds
24	in the county wherein the property or properties are located and shall
25	be indexed in the name of the property owner in the grantor index. If
26	the owner fails to comply with this ordinance, the public officer shall
27	effectuate the purpose of the ordinance.
28	This subdivision applies to the Cities of Eden, Greenville,
29	Lumberton, Reidsville, Roanoke Rapids, and Whiteville, to the
30	municipalities in Lee County, and the Towns of Bethel, Farmville,
31	Newport, and Waynesville only.'
32	SECTION 2.(b) This section applies to the <u>City-Cities of Greenville and Reidsville</u>
33	only."
34	SECTION 2. S.L. 1997-414 as it applies to the City of Greenville is
35	repealed.
36	SECTION 3. This act is effective when it becomes law.