

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 211

Short Title: Demolition Orders.

(Public)

Sponsors: Representatives Oldham; Esposito, Gray, Kennedy, and Rhodes.

Referred to: Commerce.

March 5, 1991

A BILL TO BE ENTITLED
AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443
FOLLOWING AN ORDER OF THE PUBLIC OFFICER.

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~~ ordinance, or the public officer shall have 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, ordinance or order,~~ then if the governing body shall find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the governing body may, after the expiration of such

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1 one year period, enact an ordinance and serve such ordinance on the
2 owner, setting forth the following:

3 a. If it is determined that the repair of the dwelling to render it fit
4 for human habitation can be made at a cost not exceeding fifty
5 percent (50%) of the then current value of the dwelling, the
6 ordinance shall require that the owner either repair or demolish
7 and remove the dwelling within 90 days; or

8 b. If it is determined that the repair of the dwelling to render it fit
9 for human habitation cannot be made at a cost not exceeding
10 fifty percent (50%) of the then current value of the dwelling, the
11 ordinance shall require the owner to demolish and remove the
12 dwelling within 90 days.

13 This ordinance shall be recorded in the Office of the Register of
14 Deeds in the county wherein the property or properties are located and
15 shall be indexed in the name of the property owner in the grantor
16 index. If the owner fails to comply with this ordinance, the public
17 officer shall effectuate the purpose of the ordinance.

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

21 Sec. 2. This act is effective upon ratification.