

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-216
HOUSE BILL 619**

AN ACT AUTHORIZING THE TOWN OF LOUISBURG TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO REMOVE OR DEMOLISH THOSE BUILDINGS, AND TO EXEMPT THE TOWN FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG ECONOMIC DEVELOPMENT PROJECT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-425.1(d) reads as rewritten:

"(d) This ~~Section~~ section applies to the Cities of Clinton, Durham, Fayetteville, Goldsboro, High Point, Lumberton, and Whiteville, and the Towns of Garner, Franklin, ~~Hope Mills~~ Hope Mills, Louisburg, and Spring Lake only."

SECTION 2. G.S. 160A-432(a1) reads as rewritten:

"(a1) [Removal of Building: Certain Localities.] – In the case of a residential building or nonresidential building or structure declared unsafe under G.S. 160A-425.1, a city may, in lieu of taking action under subsection (a), cause the building or structure to be removed or demolished. The amounts incurred by the city in connection with the removal or demolition shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as liens for special assessments provided in Article 10 of this Chapter. If the building or structure is removed or demolished by the city, the city shall sell the usable materials of the building and any personal property, fixtures, or appurtenances found in or attached to the building. The city shall credit the proceeds of the sale against the cost of the removal or demolition. Any balance remaining from the sale shall be deposited with the clerk of superior court of the county where the property is located and shall be disbursed by the court to the person found to be entitled thereto by final order or decree of the court.

This subsection applies to the Cities of Clinton, Durham, Fayetteville, Goldsboro, High Point, and Lumberton, and the Towns of Garner, Franklin, ~~Hope Mills~~ Hope Mills, Louisburg, and Spring Lake."

SECTION 3. The Town of Louisburg may contract for construction of the Louisburg Economic Development Project without being subject to the requirements of G.S. 143-128, 143-129, 143-131, and 143-132 provided that:

(1) The Town Council adopts a resolution approving the exemption of the Louisburg Economic Development Project from the competitive bidding requirements of Article 8 of Chapter 143 of the General Statutes;

(2) The Town Council conducts an annual independent audit of all contracts for construction work that would otherwise be subject to the competitive bidding requirements of Article 8 of Chapter 143 of the General Statutes;

(3) The Town Council makes public any contracts awarded pursuant to this act;

(4) The Town Council, after awarding a contract pursuant to this act, prepares, places in the public files, and makes available to the public a document setting forth the reasons for using the authority granted by this act to award the contract; and

(5) The Louisburg Economic Development Project complies with all applicable local zoning and land use regulations.

SECTION 4. This act is effective when it becomes law. Section 3 of this act shall expire January 1, 2009.

In the General Assembly read three times and ratified this the 12th day of July, 2007.

s/ Charlie S. Dannelly
Deputy President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives