

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH60484-LB-366 (05/19)

Short Title: Winston-Salem Structures. (Local)

Sponsors: Representatives Womble, McGee, and Parmon (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT CHANGING THE ONE-YEAR WAITING PERIOD FOR DWELLINGS
VACATED AND CLOSED TO SIX MONTHS IN THE CITY OF
WINSTON-SALEM CONCERNING REPAIR, DEMOLITION, AND REMOVAL.

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, or the public officer shall have:

a. In a municipality located in counties which have a population in excess of 71,000 by the last federal census (including the entirety of any municipality located in more than one county at least one county of which has a population in excess of 71,000), other than municipalities with a population in excess of 190,000 by the last federal census, 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~~ six months pursuant to the ordinance or order;

b. In a municipality with a population in excess of 190,000 by the last federal census, commenced proceedings under the substandard housing regulations regarding 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~~ six months pursuant to the ordinance or after such proceedings have commenced,

1 then if the governing body shall find that the owner has abandoned the
2 intent and purpose to repair, alter or improve the dwelling in order to
3 render it fit for human habitation and that the continuation of the
4 dwelling in its vacated and closed status would be inimical to the
5 health, safety, morals and welfare of the municipality in that the
6 dwelling would continue to deteriorate, would create a fire and safety
7 hazard, would be a threat to children and vagrants, would attract
8 persons intent on criminal activities, would cause or contribute to
9 blight and the deterioration of property values in the area, and would
10 render unavailable property and a dwelling which might otherwise
11 have been made available to ease the persistent shortage of decent and
12 affordable housing in this State, then in such circumstances, the
13 governing body may, after the expiration of such ~~one year~~ six month
14 period, enact an ordinance and serve such ordinance on the owner,
15 setting forth the following:

- 16 a. If it is determined that the repair of the dwelling to render it fit
17 for human habitation can be made at a cost not exceeding fifty
18 percent (50%) of the then current value of the dwelling, the
19 ordinance shall require that the owner either repair or demolish
20 and remove the dwelling within 90 days; or
21 b. If it is determined that the repair of the dwelling to render it fit
22 for human habitation cannot be made at a cost not exceeding
23 fifty percent (50%) of the then current value of the dwelling, the
24 ordinance shall require the owner to demolish and remove the
25 dwelling within 90 days.

26 This ordinance shall be recorded in the Office of the Register of Deeds
27 in the county wherein the property or properties are located and shall
28 be indexed in the name of the property owner in the grantor index. If
29 the owner fails to comply with this ordinance, the public officer shall
30 effectuate the purpose of the ordinance.

31 This subdivision only applies to municipalities located in counties
32 which have a population in excess of 71,000 by the last federal census
33 (including the entirety of any municipality located in more than one
34 county at least one county of which has a population in excess of
35 71,000)."

36 **SECTION 2.** This act applies to the City of Winston-Salem only.

37 **SECTION 3.** This act is effective when it becomes law.