

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS75146-LM-74\* (02/20)

Short Title: Ayden Unfit Dwellings.

(Local)

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Sponsors: Senator Jenkins.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE TOWN OF AYDEN TO ORDER DWELLINGS  
DETERMINED UNFIT FOR HUMAN HABITATION REPAIRED OR  
DEMOLISHED AFTER A PERIOD OF SIX MONTHS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 160A-443(5b) reads as rewritten:

"(5b) If the governing body shall have adopted an ordinance, or the public officer shall have:

- a. In a municipality 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,

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

1 health, safety, morals and welfare of the municipality in that the  
2 dwelling would continue to deteriorate, would create a fire and safety  
3 hazard, would be a threat to children and vagrants, would attract  
4 persons intent on criminal activities, would cause or contribute to  
5 blight and the deterioration of property values in the area, and would  
6 render unavailable property and a dwelling which might otherwise  
7 have been made available to ease the persistent shortage of decent and  
8 affordable housing in this State, then in such circumstances, the  
9 governing body may, after the expiration of such ~~one year~~six-month  
10 period, enact an ordinance and serve such ordinance on the owner,  
11 setting forth the following:

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

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

27 ~~This subdivision applies to the Cities of Eden, Lumberton,~~  
28 ~~Roanoke Rapids, and Whiteville, to the municipalities in Lee County,~~  
29 ~~and the Towns of Bethel, Farmville, Newport, and Waynesville only."~~

30 **SECTION 2.** This act applies to the Town of Ayden only.

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