

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 571

Short Title: Local Governments/Unsafe Buildings. (Public)

Sponsors: Senator Perry (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 4, 2019

1 A BILL TO BE ENTITLED
2 AN ACT CLARIFYING THE TIME PERIOD IN WHICH CORRECTIVE ACTION SHALL
3 BE TAKEN TO REMEDY DEFECTS AND UNSAFE CONDITIONS IN BUILDINGS
4 AND STRUCTURES AND CLARIFYING THE PROCESS OF GIVING NOTICE TO
5 PROPERTY OWNERS.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 160A-425 reads as rewritten:

8 "§ 160A-425. Defects in buildings to be corrected.

9 When a local inspector finds any defects in a building, or finds that the building has not been
10 constructed in accordance with the applicable State and local laws, or that a building because of
11 its condition is dangerous or contains fire hazardous conditions, it shall be his duty to notify the
12 owner or occupant of the building of its defects, hazardous conditions, or failure to comply with
13 law. The owner or occupant shall ~~each immediately~~ each, within 60 days after notice is given
14 under this section, remedy the defects, hazardous conditions, or violations of law in the property
15 he owns. If, at the conclusion of the 60-day time period, material progress, in the opinion of the
16 local inspector, has been made by the owner to remedy the defects, hazardous conditions, or
17 violations, the local inspector may grant the owner an extension of an additional 60 days in which
18 to complete the work to bring the building into compliance. For purposes of this Part, the term
19 "owner" means the person listed as owner of the property on the property record card recorded
20 in the local tax assessor's office."

21 SECTION 2. G.S. 160A-428 reads as rewritten:

22 "§ 160A-428. Action in event of failure to take corrective action.

23 (a) If the owner of a building or structure that has been condemned as unsafe pursuant to
24 G.S. 160A-426 shall fail to take ~~prompt corrective action~~, action within 60 days after posting
25 notice on the building as provided in G.S. 160A-426, the local inspector shall give him written
26 notice, by certified or registered mail to his last known address or by personal service:

27 (1) That the building or structure is in a condition that appears to meet one or
28 more of the following conditions:

- 29 a. Constitutes a fire or safety hazard.
30 b. Is dangerous to life, health, or other property.
31 e. ~~Is likely to cause or contribute to blight, disease, vagrancy, or danger~~
32 ~~to children.~~
33 d. ~~Has a tendency to attract persons intent on criminal activities or other~~
34 ~~activities which would constitute a public nuisance.~~

35 (2) That a hearing will be held before the inspector at a designated place and time,
36 not ~~later~~ sooner than 10 days after the date of the notice, at which time the



1 owner shall be entitled to be heard in person or by counsel and to present
2 arguments and evidence pertaining to the matter; and
3 (3) That following the hearing, the inspector may issue such order to repair, close,
4 vacate, or demolish the building or structure as appears appropriate.
5 (b) If the name or whereabouts of the owner cannot after due diligence be discovered, the
6 notice shall be considered properly and adequately served if a copy thereof is posted on the
7 outside of the building or structure in question at least 10 days prior to the hearing and a notice
8 of the hearing is published in a newspaper having general circulation in the city at least once not
9 later than one week prior to the hearing. The provision of notice, as authorized in this subsection,
10 may run concurrently with written notice provided under subsection (a) of this section."
11 **SECTION 3.** This act becomes effective July 1, 2019.