

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 648

Short Title: Mooresville Fix Derelict Buildings.

(Local)

Sponsors: Representative Brawley.

Referred to: Local and Regional Government II.

March 30, 1995

A BILL TO BE ENTITLED

AN ACT TO GIVE MOORESVILLE THE POWER TO REPAIR, ALTER, IMPROVE,
CLOSE, REMOVE, OR DEMOLISH ABANDONED COMMERCIAL AND
INDUSTRIAL BUILDINGS THAT ARE EYESORES.

The General Assembly of North Carolina enacts:

Section 1. Part 5 of Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-432.1. Remedies by city to take direct action.

If a commercial or industrial building has been abandoned for a period of at least three years, is unsafe, and constitutes an eyesore reducing the value of other property in the vicinity, the inspector may cause the dwelling to be repaired, altered, improved, removed, or demolished. Such action may not be taken unless the inspector has posted such property as if it had been condemned under G.S. 160A-426, and followed the due process procedures of G.S. 160A-428 and G.S. 160A-429 as if those statutes applied to this section. Such action may not be taken until the governing body shall have by ordinance ordered the inspector to proceed to effectuate the purpose of this Article with respect to the particular property or properties which the inspector shall have found to be unsafe and which constitute an eyesore reducing the value of other property in the vicinity, and which property or properties that the inspector has made findings about shall be described in the ordinance. No such ordinance shall be adopted until the owner has

1 first been given a reasonable opportunity to bring it into conformity. This ordinance shall
2 be recorded in the office of the register of deeds in the county wherein the property or
3 properties are located and shall be indexed in the name of the property owner in the
4 grantor index.

5 The amount of the cost of repairs, alterations, improvements, removal, or demolition
6 by the inspector shall be a lien against the real property upon which the cost was
7 incurred, which lien shall be filed, have the same priority, and be collected as the lien for
8 special assessment provided in Article 10 of this Chapter. If the building or structure is
9 removed or demolished by the inspector, the inspector shall sell the materials, and any
10 personal property, fixtures, or appurtenances found in or attached to the building or
11 structure, and shall credit the proceeds of the sale against the cost of the removal or
12 demolition, and any balance remaining shall be deposited in the superior court by the
13 inspector, shall be secured in a manner directed by the court, and shall be disbursed by
14 the court to the persons found to be entitled thereto by final order or decree of the court.

15 This section does not apply to dwellings as defined by G.S. 160A-442."

16 Sec. 2. This act applies to the Town of Mooresville only.

17 Sec. 3. This act becomes effective with respect to orders issued under G.S.
18 160A-429 or after September 1, 1995.