

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1737  
Committee Substitute Favorable 6/24/04  
Senate State Government, Local Government, and Veterans' Affairs Committee  
Substitute Adopted 7/7/04

Short Title: Winston-Salem/Reidsville Structures.

(Local)

Sponsors:

Referred to:

May 27, 2004

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE CITIES OF WINSTON-SALEM AND REIDSVILLE  
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.(a)** 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 1.(b)** This section applies to the City of Winston-Salem only.

37 **SECTION 2.(a)** G.S. 160A-443(5b) reads as rewritten:

38 "(5b) If the governing body shall have adopted an ordinance, or the public  
39 officer shall have:

- 40 a. In a municipality other than municipalities with a population in  
41 excess of 190,000 by the last federal census, issued an order,  
42 ordering a dwelling to be repaired or vacated and closed, as  
43 provided in subdivision (3)a, and if the owner has vacated and  
44 closed such dwelling and kept such dwelling vacated and closed

1 for a period of ~~one year~~ six months pursuant to the ordinance or  
2 order;

- 3 b. In a municipality with a population in excess of 190,000 by the  
4 last federal census, commenced proceedings under the  
5 substandard housing regulations regarding a dwelling to be  
6 repaired or vacated and closed, as provided in subdivision (3)a.,  
7 and if the owner has vacated and closed such dwelling and kept  
8 such dwelling vacated and closed for a period of ~~one year~~ six  
9 months pursuant to the ordinance or after such proceedings  
10 have commenced,

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

- 26 a. If it is determined that the repair of the dwelling to render it fit  
27 for human habitation can be made at a cost not exceeding fifty  
28 percent (50%) of the then current value of the dwelling, the  
29 ordinance shall require that the owner either repair or demolish  
30 and remove the dwelling within 90 days; or  
31 b. If it is determined that the repair of the dwelling to render it fit  
32 for human habitation cannot be made at a cost not exceeding  
33 fifty percent (50%) of the then current value of the dwelling, the  
34 ordinance shall require the owner to demolish and remove the  
35 dwelling within 90 days.

36 This ordinance shall be recorded in the Office of the Register of Deeds  
37 in the county wherein the property or properties are located and shall  
38 be indexed in the name of the property owner in the grantor index. If  
39 the owner fails to comply with this ordinance, the public officer shall  
40 effectuate the purpose of the ordinance.

41 This subdivision applies to the Cities of Eden, Greenville,  
42 Lumberton, Reidsville, Roanoke Rapids, and Whiteville, to the  
43 municipalities in Lee County, and the Towns of Bethel, Farmville,  
44 Newport, and Waynesville only."

- 1           **SECTION 2.(b)** This section applies to the City of Reidsville only.
- 2           **SECTION 3.** This act is effective when it becomes law.