

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 619

Senate State & Local Government Committee Substitute Adopted 7/5/07

Short Title: Louisburg/Unsafe Buildings.

(Local)

Sponsors:

Referred to:

March 14, 2007

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE TOWN OF LOUISBURG TO DECLARE
2 RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY
3 DEVELOPMENT TARGET AREAS UNSAFE AND TO REMOVE OR
4 DEMOLISH THOSE BUILDINGS, AND TO EXEMPT THE TOWN FROM THE
5 COMPETITIVE BIDDING REQUIREMENTS FOR THE LOUISBURG
6 ECONOMIC DEVELOPMENT PROJECT.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 160A-425.1(d) reads as rewritten:

10 "(d) This ~~Section~~section applies to the Cities of Clinton, Durham, Fayetteville,
11 Goldsboro, High Point, Lumberton, and Whiteville, and the Towns of Garner, Franklin,
12 ~~Hope Mills~~ Hope Mills, Louisburg, and Spring Lake only."

13 **SECTION 2.** G.S. 160A-432(a1) reads as rewritten:

14 "(a1) [Removal of Building: Certain Localities.] – In the case of a residential
15 building or nonresidential building or structure declared unsafe under G.S. 160A-425.1,
16 a city may, in lieu of taking action under subsection (a), cause the building or structure
17 to be removed or demolished. The amounts incurred by the city in connection with the
18 removal or demolition shall be a lien against the real property upon which the cost was
19 incurred. The lien shall be filed, have the same priority, and be collected in the same
20 manner as liens for special assessments provided in Article 10 of this Chapter. If the
21 building or structure is removed or demolished by the city, the city shall sell the usable
22 materials of the building and any personal property, fixtures, or appurtenances found in
23 or attached to the building. The city shall credit the proceeds of the sale against the cost
24 of the removal or demolition. Any balance remaining from the sale shall be deposited
25 with the clerk of superior court of the county where the property is located and shall be
26 disbursed by the court to the person found to be entitled thereto by final order or decree
27 of the court.

1 This subsection applies to the Cities of Clinton, Durham, Fayetteville, Goldsboro,
2 High Point, and Lumberton, and the Towns of Garner, Franklin, ~~Hope Mills~~Hope Mills,
3 Louisburg, and Spring Lake."

4 **SECTION 3.** The Town of Louisburg may contract for construction of the
5 Louisburg Economic Development Project without being subject to the requirements of
6 G.S. 143-128, 143-129, 143-131, and 143-132 provided that:

7 (1) The Town Council adopts a resolution approving the exemption of the Louisburg
8 Economic Development Project from the competitive bidding requirements of Article 8
9 of Chapter 143 of the General Statutes;

10 (2) The Town Council conducts an annual independent audit of all contracts for
11 construction work that would otherwise be subject to the competitive bidding
12 requirements of Article 8 of Chapter 143 of the General Statutes;

13 (3) The Town Council makes public any contracts awarded pursuant to this act;

14 (4) The Town Council, after awarding a contract pursuant to this act, prepares,
15 places in the public files, and makes available to the public a document setting forth the
16 reasons for using the authority granted by this act to award the contract; and

17 (5) The Louisburg Economic Development Project complies with all applicable local
18 zoning and land use regulations.

19 **SECTION 4.** This act is effective when it becomes law. Section 3 of this act
20 shall expire January 1, 2009.