

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 664

State Government, Local Government, and Personnel Committee Substitute Adopted 4/21/97

Third Edition Engrossed 4/22/97
House Committee Substitute Favorable 7/17/97

Short Title: Greenville Dwellings/Burlington Sale.

(Local)

Sponsors:

Referred to:

April 2, 1997

A BILL TO BE ENTITLED

AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF FARMVILLE AND BETHEL TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 733 of the 1995 Session Laws reads as rewritten:

"Sec. 2. This act applies to the ~~City~~ Cities of Lumberton and Greenville and the Greenville and the Towns of Farmville and Bethel only."

Section 2. Section 1 of Chapter 733 of the 1995 Session Laws, which applied only to the City of Lumberton, reads as rewritten:

"Section 1. G.S. 160A-443(5a) reads as rewritten:

1 (5a) If the governing body shall have adopted an ordinance, or the public
2 officer shall have:

- 3 a. ~~In a municipality located in counties which have a population in~~
4 ~~excess of 163,000 by the last federal census,~~ other than
5 municipalities with a population in excess of 190,000 by the last
6 federal census, issued an order, ordering a dwelling to be
7 repaired or vacated and closed, as provided in subdivision (3)a,
8 and if the owner has vacated and closed such dwelling and kept
9 such dwelling vacated and closed for a period of one year
10 pursuant to the ordinance or order;
- 11 b. In a municipality with a population in excess of 190,000 by the
12 last federal census, commenced proceedings under the
13 substandard housing regulations regarding a dwelling to be
14 repaired or vacated and closed, as provided in subdivision (3)a.,
15 and if the owner has vacated and closed such dwelling and kept
16 such dwelling vacated and closed for a period of one year
17 pursuant to the ordinance or after such proceedings have
18 commenced,

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

- 33 a. If it is determined that the repair of the dwelling to render it fit
34 for human habitation can be made at a cost not exceeding fifty
35 percent (50%) of the then current value of the dwelling, the
36 ordinance shall require that the owner either repair or demolish
37 and remove the dwelling within 90 days; or
- 38 b. If it is determined that the repair of the dwelling to render it fit
39 for human habitation cannot be made at a cost not exceeding fifty
40 percent (50%) of the then current value of the dwelling, the
41 ordinance shall require the owner to demolish and remove the
42 dwelling within 90 days.

1 This ordinance shall be recorded in the Office of the Register of Deeds
2 in the county wherein the property or properties are located and shall be
3 indexed in the name of the property owner in the grantor index. If the
4 owner fails to comply with this ordinance, the public officer shall
5 effectuate the purpose of the ordinance.

6 ~~This subdivision only applies to municipalities located in~~
7 ~~counties which have a population in excess of 163,000 by the last~~
8 ~~federal census."~~

9 Section 3. Notwithstanding Article 12 of Chapter 160A of the General
10 Statutes, the City of Burlington, North Carolina, may convey certain real property, now
11 declared surplus real property, at a negotiated private sale to HABITAT FOR
12 HUMANITY OF ALAMANCE COUNTY, N.C., INC., with monetary consideration,
13 any and all of its rights, title, and interest to the following described property:

14 A certain tract or parcel of land in Burlington Township, Alamance County, adjoining
15 Gunn Street, Richmond Avenue and the lands of Grace M. Jones, Mary Belle Wilson and
16 Lots 25 and 28 and being more particularly described as follows:

17 BEGINNING at a corner with Mary Belle Wilson and Lot No. 28 in the line of
18 Grace M. Jones and Lot No. 25 and running thence from said beginning point with the
19 line of Mary Belle Wilson and Lot No. 28 south 87 deg. 45' east 185' to a point in the
20 west right-of-way line of Richmond Avenue; thence with the west right-of-way line of
21 Richmond Avenue south 2 deg. 03' west 50.00' to the intersection of the west right-of-
22 way line of Richmond Avenue and the north right-of-way line of Gunn Street; thence
23 with the west right-of-way line of Gunn Street north 87 deg. 45' west 185' to a corner
24 with Grace M. Jones; thence with the line of Grace M. Jones and Lot No. 25 north 2 deg.
25 03' east 50.00' to the BEGINNING and being part of Lot No. 27, subdivision of the
26 Manly Brooks Property on Richmond Hill recorded in Plat Book 1, Page 53, in the office
27 of the Alamance County Register of Deeds.

28 Section 4. This act is effective when it becomes law.