

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

S

1

SENATE BILL 214

Short Title: Inspections/Immediate Threat to Occupants. (Public)

Sponsors: Senators Robinson and Garrett (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 8, 2023

A BILL TO BE ENTITLED

AN ACT AUTHORIZING CITIES TO CONDUCT INSPECTIONS WHERE THERE EXISTS  
A SAFETY HAZARD THAT POSES AN IMMEDIATE THREAT TO OCCUPANTS OF  
A DWELLING UNIT.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 12 of Chapter 160D of the General Statutes is amended by  
adding a new section to read:

**"§ 160D-1207.1. Immediate threat to occupants; inspections.**

(a) Notwithstanding the provisions of G.S. 160D-1207 or any other provision of law, if a complaint is filed with the inspection department by one or more residents charging there exists a safety hazard that poses an immediate threat to the occupant in a dwelling unit within the department's jurisdiction because of an unsafe, unsanitary, or otherwise hazardous or unlawful condition in the dwelling unit, the inspection department may conduct an inspection of the property to determine whether such a safety hazard in fact exists. In exercising this power, members of the inspection department shall have a right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection, upon presentation of proper credentials. If the inspection department determines that a safety hazard posing an immediate threat to the occupant exists in a dwelling unit, the inspection department may inspect, in the absence of a specific complaint and actual knowledge of the unsafe condition, any additional dwelling units owned by the owner of the dwelling unit in the jurisdiction to determine whether that same safety hazard exists. Further, if the owner has a history of three or more violations on a dwelling unit under this section within a 12-month period, the inspection department may inspect, in the absence of a specific complaint and actual knowledge of the unsafe condition, any additional dwelling units owned by the owner of the dwelling unit in its jurisdiction to determine whether the safety hazard remains unabated.

(b) If the inspection department takes action against a dwelling unit under this section, the owner of the dwelling unit may appeal the decision to the housing appeals board or the zoning board of adjustment, if operating, or the planning board if created under G.S. 160D-301 or, if neither is created, the governing board of the local government. The board shall fix a reasonable time for hearing appeals, shall give due notice to the owner of the dwelling unit, and shall render a decision within a reasonable time. The owner may appear in person or by agent or attorney. The board may reverse or affirm the action, wholly or partly, or may modify the action appealed from, and may make any decision and order that in the opinion of the board ought to be made in the matter."

**SECTION 2.** This act is effective when it becomes law.



\* S 2 1 4 - V - 1 \*