



MEMORANDUM

To: Members of the Finance Committee

From: Rich Olson, City Manager
Stanley Ward, Director of Inspections

Date: October 1, 2015

Re: Consideration – Adoption of Ordinances Authorizing Condemnation and Demolition of Properties

BACKGROUND:

Consideration is requested regarding condemnation and demolition of the structures located at the following properties. All property owners were duly notified by either certified mail and/or advertisement within the local newspaper in accordance with NC General Statutes requirements. Properties were also posted when the proceedings were advertised.

1. **704 Second Street:** Vacant two story single family dwelling and detached garage. (\$1,236)
2. **812 Morgan Street:** Vacant two story single family dwelling and detached garage. (\$1,499)
3. **406 Roanoke Avenue:** Vacant two story dwelling. (\$1,440)
4. **305 East Elizabeth Street:** Former City Fire Station (\$5,775)

ANALYSIS:

The subject structures are:

- a. Substandard, dilapidated and in various stages of disrepair;
- b. Present a potential liability for the general public and the City;
- c. A title search is being performed by the City Attorney;
- d. No visible effort has been made to either maintain or bring the structures into compliance;
- e. The structures continue to deteriorate and remain in violation of City and State Building Codes;
- f. The Purchasing Agent solicited demolition bids from numerous demolition contractors. The lowest responsible bid, excluding landfill tipping fees is listed above with each address.

STAFF RECOMMENDATION:

By motion, recommend that the City Council adopt the attached ordinances declaring the applicable structures at 704 Second Street, 812 Morgan Street 406 Roanoke Avenue and 305 East Elizabeth Street condemned and authorize demolition of same.

(*Staff Notation:* The owners will be billed for all expenses incurred, including but not limited to any accrued interest after the initial billing.)

Photographs of the properties follow:



704 Second Street



812 Morgan Street

406 Roanoke Avenue



305 E. Elizabeth Street



ORDINANCE # 2015-10-_____
CONDEMNATION AND DEMOLITION

AN ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REPAIR OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR THAT THE STRUCTURE BE DEMOLISHED.

WHEREAS, the City Council of the City of Elizabeth City finds that the property described herein is unfit for human habitation under the local and state codes, and that all the provisions of said codes have been met as a condition of the adoption of this Ordinance; and

WHEREAS, said structure should be repaired to meet the requirements of the Code or demolished as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the premises up to the standards of the subject codes in accordance and pursuant to an order issued by the Building Inspector on **June 29, 2015** and the owner has failed to comply with said order;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elizabeth City that:

Section 1. The Building Inspector is hereby authorized and directed to place on the house at **305 E Elizabeth Street** a sign containing the legend:

“This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful.”

Section 2. The Building Inspector is hereby authorized and directed to proceed to repair or demolish the above-described structure in accordance with his order to the owner thereof dated **June 29, 2015** and after abatement, then charge the property owners for all expenses incurred, including any accrued interest after the initial billing.

Section 3. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

Section 4. This Ordinance shall become effective upon its adoption.

ADOPTED, this 5th day of October 2015.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, CMC/NCCMC
City Clerk

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WHEREAS, the City Council of the City of Elizabeth City finds that the property described herein is unfit for human habitation under the local and state codes, and that all the provisions of said codes have been met as a condition of the adoption of this Ordinance; and

WHEREAS, said structure should be repaired to meet the requirements of the Code or demolished as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the premises up to the standards of the subject codes in accordance and pursuant to an order issued by the Building Inspector on **June 29, 2015** and the owner has failed to comply with said order;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elizabeth City that:

Section 1. The Building Inspector is hereby authorized and directed to place on the house at **406 Roanoke Avenue** a sign containing the legend:

“This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful.”

Section 2. The Building Inspector is hereby authorized and directed to proceed to repair or demolish the above-described structure in accordance with his order to the owner thereof dated **June 29, 2015** and after abatement, then charge the property owners for all expenses incurred, including any accrued interest after the initial billing.

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WHEREAS, the City Council of the City of Elizabeth City finds that the property described herein is unfit for human habitation under the local and state codes, and that all the provisions of said codes have been met as a condition of the adoption of this Ordinance; and

WHEREAS, said structure should be repaired to meet the requirements of the Code or demolished as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the premises up to the standards of the subject codes in accordance and pursuant to an order issued by the Building Inspector on **May 24, 2015** and the owner has failed to comply with said order;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elizabeth City that:

Section 1. The Building Inspector is hereby authorized and directed to place on the house at **812 Morgan Street** a sign containing the legend:

“This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful.”

Section 2. The Building Inspector is hereby authorized and directed to proceed to repair or demolish the above-described structure in accordance with his order to the owner thereof dated **May 24, 2015** and after abatement, then charge the property owners for all expenses incurred, including any accrued interest after the initial billing.

Section 3. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

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WHEREAS, said structure should be repaired to meet the requirements of the Code or demolished as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the premises up to the standards of the subject codes in accordance and pursuant to an order issued by the Building Inspector on **June 29, 2015** and the owner has failed to comply with said order;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elizabeth City that:

Section 1. The Building Inspector is hereby authorized and directed to place on the house at **704 Second Street** a sign containing the legend:

“This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful.”

Section 2. The Building Inspector is hereby authorized and directed to proceed to repair or demolish the above-described structure in accordance with his order to the owner thereof dated **June 29, 2015** and after abatement, then charge the property owners for all expenses incurred, including any accrued interest after the initial billing.

Section 3. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

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