MEMORANDUM

To: Mayor and Members of the City Council

From: Rich Olson, City Manager
      Matt Schelly, Director of Community Development
      Stanley Ward, Chief Building Inspector

Date: February 22, 2019

Re: Consideration – Condemnation and Demolition of 601 Shepard Street

BACKGROUND:

Consideration is requested regarding the condemnation and demolition of the house located at 601 Shepard Street. The lowest bid received for demolition was submitted by Sunshine of Elizabeth City for $2,389, excluding landfill tipping fees. After abatement, the City will bill the property owners for all expenses incurred, including any accrued interest after the initial billing.

ANALYSIS:

The subjective structure at 601 Shepard Street is:

- A vacant, substandard, deteriorated 1 1/12 story dwelling, in various stages of repair;
- Has not had utilities since March 30, 2005;
- Potentially degrading the surrounding property values;
- A title search is being performed by the City Attorney;
- Condemnation notification was attempted a combination of certified mail, legal advertisement of the on-going condemnation proceedings, and posting the property;
- Bids were solicited by the City’s purchasing agent from numerous demolition contractors to perform the actual abatement;
- No visible effort has been made to bring the structure into compliance;
- The property remains in violation of City and State Building Codes.
FINANCIAL:

The Finance Committee discussed this matter during their February 21, 2019. Upon motion made by Councilwoman Young, seconded by Councilwoman Hummer, the Committee unanimously recommend approval by the City Council.

STAFF RECOMMENDATION:

By motion, adopt the attached ordinance declaring the house at 601 Shepard Street be condemned and authorize demolition of same upon clearance by the City Attorney.
ORDINANCE #2019-02-04
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 May 27 and June 3, 2018; 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 601 Shepard Street (Map 26, Block C, Parcel #1A and Tax I.D. 891308974866) 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 27, 2018** 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 receipt of acceptable Title Search by the City Attorney.

**ADOPTED,** this 25th day of February 2019.

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Bettie J. Parker
Mayor

*Attest:*

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April D. Onley
Interim City Clerk

(SEAL)