



# MEMORANDUM

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**TO:** Mayor and Members of the City Council

**FROM:** Rich Olson, City Manager  
Matthew Schelly, Community Development Director  
Ernest Ferebee, Code Enforcement Officer/Minimum Housing Inspector

**DATE:** June 4, 2018

**REF:** CONSIDERATION - Condemnation and Demolition of 306 West Cypress Street

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***BACKGROUND:***

During the April 9, 2018 City Council meeting, Ms. Geneva Mosely owner of 306 W Cypress Street, spoke during the public comment portion of the Council meeting; she explained that some kids had broken into her house while she was out of town, therefore, she requested more time to work on repairing her house. City Council approved Ms. Mosely's request and granted her a 45-day extension to obtain a North Carolina licensed engineer. The purpose of the engineer was to do an assessment of the structure and submit the proper paperwork to the Building Inspections Division on the scope of work needed to fix the structure and cost of the repair. On May 29, 2018, Ms. Mosely was mailed a certified letter informing her that the 45 days for her to identify and hire a North Carolina licensed engineer to repair the house's structural issues had expired.

At this time, the house remains substandard, deteriorated, and in a dilapidated condition with no visible efforts made to bring the house into compliance. The extended deadline for compliance for this property expired on Friday, May 25, 2018. To date, no communication has been received from Ms. Mosely, nor have any building permits been requested.

***ANALYSIS:***

Staff is reporting the following regarding the structure located at 306 West Cypress Street:

- The property owner was granted a 45-day extension by City Council to obtain a North Carolina licensed engineer to do an assessment of the house structure and submit the proper paperwork to the Building Inspections Division to bring the house structure into compliance with the various building codes.
- The property owner was mailed a certified letter informing her that the 45-day extension granted by City council had expired.
- The property remains in violation of City and State Building Codes.

Consideration is requested for condemnation and demolition of the house located at 306 West Cypress Street. The lowest demolition bid was submitted by Sunshine of Elizabeth City and is \$1,445, excluding landfill tipping fees. After abatement, the City will bill the property owners for all expenses incurred, including but not limited to any accrued interest after the initial billing.

***FINANCIAL:***

The Finance Committee discussed this matter during their June 7, 2018 meeting. Upon motion made by Councilman Horton, seconded by Councilwoman Hummer, the Committee unanimously recommended on forwarding the item to the full Council with no recommendation.

***STAFF RECOMMENDATION:***

By motion, adopt the attached ordinance declaring the house at 306 West Cypress Street to be condemned and authorized demolition of same upon clearance by the City Attorney.



**ORDINANCE #2018-6-01  
CONDEMNATION AND DEMOLITION**

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**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 **September 28 and October 5, 2017** 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 **306 West Cypress Street (Map 35, Block D, Parcel #31 and Tax I.D. 891420716943)** 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 **September 28 and October 5, 2017** 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 11<sup>th</sup> day of June 2018.

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Bettie J. Parker  
Mayor

*Attest:*

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April D. Onley  
Interim City Clerk

(SEAL)

306 W. Cypress Street











