



# MEMORANDUM

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**To:** Mayor and City Councilors

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

**Date:** April 24, 2015

**Re:** Consideration – Adoption of Condemnation Ordinances authorizing Demolition of Structures

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## **BACKGROUND:**

Consideration is requested regarding condemnation and demolition of the applicable structures located at the following properties. The lowest demolition bid, excluding landfill tipping fees, is included for each property. 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.

1. 901 Hunter Street - two story dwelling (\$2,625)
2. 1104 Wood Street - two story dwelling (\$2,349)
3. 402 E. Burgess Street - two story dwelling (\$2,148)

## **ANALYSIS:**

All of the structures are:

- a. Vacant, in various stages of disrepair (substandard, deteriorated and/or dilapidated, etc.);
- b. Present a potential liability for the City;
- c. Title searches are being performed by the City Attorney;
- d. The owners have been notified by certified mail and/or legal advertisement of the on-going condemnation proceedings;
- e. No visible effort has been made to bring the structures into compliance;
- f. The Purchasing Agent solicited demolition bids from ten demolition contractors;
- g. The structures remain in violation of City and State Building Codes.

***FINANCIAL:***

The Finance Committee discussed this matter during their meeting of April 24, 2015. Upon motion by Mayor Peel, seconded by Councilman Donnelly, the committee unanimously recommended approval by the City Council during the meeting of April 27, 2015.

***STAFF RECOMMENDATION:***

By motion, adopt the attached ordinances declaring the applicable structures at 901 Hunter Street, 1104 Wood Street and 402 E. Burgess Street condemned and authorize demolition of same.

SW/vdw

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REPAIR OR DEMOLISH THE BUILDING 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 of 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 has 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 August 27, 2014; 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 directed to post on the house at 901 Hunter Street (Map 24, Block B, Parcel #20, Tax I.D. 892309076213) 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 August 27, 2014 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 27th day of April 2015.

\_\_\_\_\_  
Joseph Peel  
Mayor, City of Elizabeth City

ATTEST:

\_\_\_\_\_  
Vivian White, City Clerk

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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 has 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 January 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 directed to post on the house at 1104 Wood Street (Map 25, Block B, Parcel #49, Tax I.D. 891312956929) 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 January 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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WHEREAS, the owners of said structure has 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 January 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 directed to post on the house at 402 East Burgess Street (Map 12, Block C, Parcel #5, Tax I.D. 891420911087) 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 January 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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