



# MEMORANDUM

**To:** Mayor and City Councilors

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

**Date:** June 5, 2013

**Re:** Consideration – Condemnation of Various Properties

## **BACKGROUND:**

Consideration is requested regarding condemnation and demolition of the applicable structures located on the properties listed below. The lowest bid, excluding landfill tipping fees, is included for each property. After demolition, the City will bill the owners for all expenses incurred, including but not limited to any accrued interest after the initial billing. (Note: Pictures of each structure are attached for reference.)

1. 804 Bunnells Avenue - "burned" two story single family dwelling - \$1,048
2. 113 West Burgess Street - two story single family dwelling - \$1,950
3. 815 North Road Street - two story duplex apartment - \$1,948
4. 1015 West Church Street - two story single family dwelling - \$2,499
5. 1400 Peartree Road - two story single family dwelling - \$1,119
6. 607 Walson Street - two story single family dwelling - \$1,249

## **ANALYSIS:**

All of the structures:

- Are vacant, in various stages of disrepair, substandard, deteriorated and dilapidated;
- Could impose a potential safety hazard to the public;
- Degrade surrounding property values;
- Staff requested a title search be performed by the City Attorney for each property;
- The owners have been personally notified by certified mail and/or newspaper advertisement of the on-going condemnation proceedings;
- No visible effort has been made to bring the properties into compliance;
- The Purchasing Agent solicited and received four demolition bids per property;
- Properties remain in violation of City and State Building Codes.

The Finance Committee discussed this matter during their meeting held on June 5, 2013 and recommends approval.

**STAFF RECOMMENDATION:**

By motion, adopt the attached ordinances declaring the applicable structures at 804 Bunnells Avenue, 113 West Burgess Street, 815 North Road Street, 1015 West Church Street, 1400 Peartree Road and 607 Walson Street condemned and authorize demolition of same.

804 Bunnells Avenue



113 West Burgess Street



815 North Road Street



1015 W. Church Street



1400 Peartree Road



607 Walson Street



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

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 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 March 7, 2013; 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 804 Bunnells 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 March 7, 2013 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 10th day of June 2013.

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

ATTEST:

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Dianne Pierce-Tamplen, MMC  
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 February 12, 2013; 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 113 West Burgess 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 February 12, 2013 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 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 March 7, 2013; 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 815 North Road 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 March 7, 2013 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 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 October 26, 2012; 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 1015 West Church 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 October 26, 2012 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 March 15, 2013; 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 1400 Peartree Road 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 March 15, 2013 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, 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 December 18, 2012; 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 607 Walson 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 December 18, 2012 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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