



MEMORANDUM

To: Finance Committee

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

Date: February 19, 2013

Re: Consideration – Condemnation of Various Properties

BACKGROUND:

One of the major recommendations of the Mayor's Energy Efficiency Task Force was to improve the housing stock in Elizabeth City. One way to do this is to be more proactive in addressing substandard structures. The City Council earmarked \$36,000 for the processing of condemnation cases. City staff has identified six homes to be condemned because of their dilapidated state. To date, the City has not condemned any structures; but is following City Code and will have several structures to recommend within the next three months.

ANALYSIS:

Consideration is requested regarding the condemnation and demolition of the 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.

1. 912 Hunter Street - One story single family dwelling - \$1,128
2. 1023 Hunter Street - Two story single family dwelling - \$2,475
3. 1318 Moore Street - One story single family dwelling - \$1,150
4. 1320 Moore Street - One story single family dwelling - \$1,149
5. 502 Brite Avenue - Two story single family dwelling - \$2,425
6. 405 N. Martin Luther King Drive - Two story single family dwelling - \$2,400

All of these structures:

- a. Are vacant, in various stages of disrepair, substandard, deteriorated and dilapidated;
- b. Impose a potential safety hazard to the public;
- c. Degrade surrounding property values;
- d. Have had a title search performed by the City Attorney;
- e. The owners have been personally notified by certified mail and/or newspaper advertisement of the on-going condemnation proceedings;
- f. No visible effort has been made to bring the properties into compliance;
- g. The Purchasing Agent solicited and received seven (7) bids;
- h. The properties remain in violation of City and State Building Codes.

The total amount staff is requesting to tear these structures down is \$10,727. Staff anticipates tipping fees will cost the City an additional \$10,000.

STAFF RECOMMENDATION:

By motion, recommend that the City Council adopt the attached ordinances declaring the structures at 912 Hunter Street, 1023 Hunter Street, 1318 Moore Street, 1320 Moore Street, 502 Brite Avenue and 405 N. Martin Luther King Drive condemned and authorize demolition of same.

RCO/vdw

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 November 5, 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 building at 912 Hunter 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 November 5, 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.

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

Adopted this 25th day of February 2013.

Joseph Peel
Mayor, City of Elizabeth City

ATTEST:

Dianne Pierce-Tamplen, MMC
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 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 December 5, 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 building at 1023 Hunter 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 5, 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 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 30, 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 building at 1318 Moore 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 30, 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 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 30, 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 building at 1320 Moore 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 30, 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, 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 10, 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 building at 502 Brite 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 October 10, 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, 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 November 2, 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 building at 405 N. Martin Luther King Drive 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 November 2, 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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