



MEMORANDUM

To: Mayor and City Councilors

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

Date: April 18, 2013

Re: Consideration – Recommendation of Various Condemnations

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.

1. 800 West Colonial Avenue-Detached garage - \$473
2. 906 Hunter Street - One story single family dwelling - \$1,420
3. 743 Riverside Avenue - Two story single family dwelling - \$2,428
4. 406 North Road Street - \$2,499
5. 1614 Peartree Road-Detached Garage - \$1,118
6. 500 West Cypress Street - \$1,932
7. 512 West Cypress Street - One story single family dwelling - \$1,049

ANALYSIS:

All of the structures:

1. Are vacant, in various stages of disrepair, substandard, deteriorated and dilapidated
2. Impose a potential safety hazard to the public;
3. Degrade surrounding property values;
4. Have had a title search performed by the City Attorney
5. The owners have been personally notified by certified mail and/or newspaper advertisement of the on-going condemnation proceedings;
6. No visible effort has been made to bring the properties into compliance.

7. The Purchasing Agent solicited and received seven (7) bids;
8. Properties remain in violation of City and State Building Codes.

To date, the City has spent \$38,000 on condemnations/demolitions; and the City only budgeted \$36,000 for this fiscal year. This round of demolitions should cost approximately \$22,000 once tipping fees have been included. A budget amendment will be presented for Council's approval once the final amount is determined.

STAFF RECOMMENDATIONS:

By motion, adopt the attached ordinances declaring the applicable structures at 800 West Colonial Avenue, 906 Hunter Street, 743 Riverside Avenue, 406 North Road Street, 1624 Peartree Road, 500 West Cypress Street and 512 West Cypress Street condemned; and further, 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 January 3, 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 building (detached garage) at 800 West Colonial 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 January 3, 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 22nd day of April 2013.

Joseph Peel
Mayor, City of Elizabeth City

ATTEST:

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 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 building at 906 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 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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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 January 25, 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 & detached garage at 743 Riverside 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 January 25, 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 April 4, 2011; 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 406 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 April 4, 2011 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 December 12, 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 detached garage at 1614 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 December 12, 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 January 9, 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 detached garage at 500 West Cypress 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 January 9, 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, 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 8, 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 detached garage at 512 West Cypress 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 8, 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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