



SENATE BILL 235: Franklin/Nash Municipalities/Unfit Dwellings.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 17, 2019
Introduced by:	Sen. J. Alexander	Prepared by:	Samantha Yarborough*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 235 would grant the municipalities in Franklin and Nash Counties the authority to address abandoned structures in the same manner as municipalities in larger counties and certain other named municipalities.*

BILL ANALYSIS: Senate Bill 235 would give the municipalities in Franklin County additional authority to address abandoned structures. That authority would include the following:

- If the governing body has adopted an ordinance or if the public officer has issued an order requiring that a dwelling be repaired or vacated and closed for a period of one year and the owner has vacated and closed the premises for one year, then the governing body may find that the owner has abandoned the intent to repair and that allowing the building to remain would create a public safety hazard. After the expiration of the one year period, the governing body may adopt an ordinance requiring the owner to do one of the following:
 - If the repair of the dwelling can be made at a cost not exceeding 50% of the current value of the dwelling: *the owner must repair or demolish and remove the dwelling within 90 days.*
 - If the repair of the dwelling cannot be made at a cost not exceeding 50% of the current value of the dwelling: *the owner must demolish and remove the dwelling within 90 days.*
- If the owner fails to comply with one of these orders, then the public officer must effectuate the order with the costs becoming a lien on the property.

EFFECTIVE DATE: The act would be effective when it becomes law.

BACKGROUND: This authority is available to municipalities in counties with populations over 71,000 (including the entirety of any municipality located in more than one county at least one county of which has a population in excess of 71,000) and municipalities with populations exceeding 190,000. The following named municipalities also have this authority: the Cities of Eden, Lumberton, Roanoke Rapids, and Whiteville, the municipalities in Lee County (*population: 57,866*), and the Towns of Bethel, Farmville, Newport, and Waynesville. G.S. 160A-443(5a) and (5b).

**Brad Krehely and Howard Marsilio, attorneys with the Legislative Analysis Division, substantially contributed to this summary.*

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