



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners Work Session Meeting 4:00 PM Monday, April 25, 2022 Train Depot- 614 Broad Street Beaufort, NC 28516 Minutes

Call To Order

Mayor Harker called the meeting to order at 4:00 p.m.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Mayor Pro Tem Hagle
Commissioner Cooper
Commissioner Hollinshed
Commissioner Oliver
Commissioner Terwilliger

Agenda Approval

Commissioner Hagle made a motion to approve the agenda.

The motion carried unanimously.

Public Comment

There was none.

Items for Discussion and Consideration

1. FY 2022 Audit Contract

Marcie Spivey, partner with Martine Starnes and Associates, discussed the proposed FY 2022 Annual Audit Contract. She provided a tentative timeline for the upcoming year, to ensure goals

are met and the final product is completed on time. She also explained there were not any debt covenants associated with the Town's current loans.

Commissioner Oliver asked if an amended auditor contract was submitted and accepted by the LGC last year, and if so, was a copy provided to the Board of Commissioners.

Ms. Spivey said yes, and she believed the manager would sign that. She explained sometimes the whole board is required to sign documents, while in some cases the Town Manager's signature is acceptable. She said the Local Government Commission would not accept an audit that was late, without the proper documents to go along with it explaining why they did not meet the deadline.

Commissioner Oliver expressed the importance of a timeline and noted he would like the board to be aware of any potential delays as soon as they arise.

Commissioner Oliver made a motion to approve the FY 2022 Audit Contract.

The motion carried unanimously.

2. Minutes- April 11, 2022

The consensus of the board was to place the April 11, 2022 meeting minutes under items of consent for the next regular meeting agenda.

3. Voluntary Annexation- Certificate of Sufficiency; Fix a Public Hearing Date on Question of Annexation

Ms. Lewis presented the below Certificate of Sufficiency:

To the Board of Commissioners of the Town of Beaufort of Carteret County, North Carolina:

I, Elizabeth Lewis, Town of Beaufort Clerk, do hereby certify that I have investigated the attached petitions and hereby make the following findings:

a) The petition for Voluntary Annexation of several portions of the following parcels: 731609153648000; 731609161556000; 731609167703000; totaling 37.07 acres contains an adequate boundary of requested area to be annexed, via the survey map.

b) The area described in the petitions is contiguous to the Town of Beaufort primary corporate limits, as defined by G.S. 160A- 31.

c) The petitions are signed by the owners of referenced parcels above and include addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Beaufort of Carteret County, this 25th day of April 2022.

Commissioner Hagle made a motion to set the Public Hearing for May 9, 2022.

The motion carried unanimously.

4. Code Enforcement

Arey Grady, Town Attorney, discussed Code Enforcement rules and procedures.

The Power Point presentation is attached and referenced as part of the minutes.

The Commissioners asked several questions, suggesting the Town had the tools to handle the cases but time was often the issue, especially if there was difficulty locating an owner.

Mr. Grady explained the timeline of notification procedures and how it can be a lengthy process. He also suggested the process might not always be in the same order and are sometimes on a case-to-case basis, depending on the situation.

Commissioner Oliver made a motion for the Town Attorney to send notice to HUD, regarding the property at 104 Chestnut Drive.

The motion carried unanimously.

5. Case # 22-09 Preliminary/Final Plat - 146 Gibbs Court

Samantha Burdick, Town Planner, requested the item be added to the May 9th agenda under items for discussion and consideration.

Commissioner Hagle made a motion to add it to items for discussion and consideration.

The motion carried unanimously.

6. Final Plat – Beaufort East Village Phase I

Kyle Garner, Planning and Inspections Director, requested the item be added to the May 9th agenda under items for discussion and consideration.

Commissioner Hagle made a motion to add it to items for discussion and consideration.

The motion carried unanimously.

7. Case # 19-19 Site Plan - Compass Hotel - 18 Month extension request/Re-approval

Mr. Garner requested the item be added to the May 9th agenda under items for discussion and consideration. He noted the Planning Board unanimously recommended approval of the Site Plan, with a condition requiring the property owner/developer to install a buffer adjacent to the neighbors on the south side parking area.

Commissioner Hagle made a motion to add it to items for discussion and consideration.

The motion carried unanimously.

8. Sewer Allocation Request- Proposed Compass Hotel

Greg Meshaw, Town Engineer, explained in conjunction with placing the Compass Hotel site plan (Case #19-19) on the agenda for the May 9th meeting, the sewer allocation request be listed under items for discussion and consideration as well.

Commissioner Hagle made a motion to add the request to items for discussion and consideration.

The motion carried unanimously.

9. Comprehensive and CAMA Land Use Plan

Ms. Burdick explained the Town of Beaufort's Comprehensive and Coastal Area Management Act (CAMA) Land Use Plan creates a policy framework to guide responsible growth and natural resource conservation over a 25-year planning horizon. She noted the Town began work on this plan in late 2020 and is presenting the draft prior to review and certification by the NC Division of Coastal Management. She explained Stewart Consulting is the firm the Town worked with to compose the document; she added they have also written a Resilient Strategy that will be incorporated as an appendix to the proposed Land Use Plan. She said their April 18th meeting, the Planning Board unanimously voted to recommend approval of the Comprehensive and CAMA Land Use Plan with staff-recommended edits. She requested a Public Hearing be set for the May 9th Regular Meeting, to consider adoption of the document before being sent to the Division of Coastal Management for review and certification.

After discussion and comments, the Board of Commissioners reached a consensus to delay the Public Hearing request, to ensure adequate time to review the proposed document.

Commissioner Terwilliger suggested a 30-day review process prior to holding a Public Hearing.

Commissioner Hagle agreed with Commissioner Terwilliger and recommended having a Special Meeting to discuss the item.

Commissioner Oliver suggested when staff has a complete document, it be shared with the board and that is when the 30 days would start.

Commissioner Cooper made a motion to hold a future Special Meeting to review the proposed Comprehensive and CAMA Land Use Plan as well as the Resilient Strategy.

The motion carried unanimously.

10. NCDEQ-DWI Spring 2022 Applications

Todd Clark, Town Manager, explained the methodology of the transfers had been provided to the board and confirmed the applications were correct and consistent with the audit and LGC. He shared the deadline to submit the grant applications was May 2, 2022; he suggested approval of the applications and adoption of supporting resolutions.

Commissioner Oliver stated the following: I understand the spreadsheet methodology exist, supporting the \$624,000 transfer from the sewer operations to the general fund in FY 21-22 budget. With absolutely no criticism for the finance director, I believe the author of the budget created a spreadsheet to transfer surplus sewer revenues to the general fund for purposes supplementing the resources of the general fund; this is specifically prohibited by statute. Per N.C. G.S. 159G-37 (b), any such transfers must be, "reasonably allocable to the regular and ongoing operations of the utility". It is my belief that 50% of the finance and 70% of the public service personnel cost are reasonable allocable, meaning we had this worked out between \$360,000-367,000. I make a motion today, to approve the NCDEQ-DWI Spring 2022 Applications, provided this allocation of reimbursement is adopted moving forward.

Commissioner Hollinshed asked if this would jeopardize the Town's chances of receiving the funding.

Mr. Clark did not believe it would.

Mayor Harker asked Commissioner Oliver to repeat his motion.

Commissioner Oliver reiterated his motion was to approve the proposed applications and resolutions, provided a lower amount (\$360,000-367,000) for allocations is adopted moving forward.

Commissioner Hagle commented that he believed this was something that needed to be discussed during the upcoming budget sessions; suggesting the allocation amount could be changed during the budget process, if need be, but was not a requirement in submitting the applications.

Mr. Clark confirmed the grant applications were not depended on the board making any changes to the methodology at that time, but it was their prerogative to do so if they wished.

Commissioner Terwilliger pointed out they could pass the motion and discuss it during the budget process as well; if new information arises, changes could be made accordingly.

Commissioner Hagle said as long as that is clear in the motion, it is fine.

Mayor Harker called for a vote, being there no more discussion.

The motion carried unanimously.

11. Grant Project Budget Ordinance – Federal American Rescue Plan Act 2021

Christi Wood, Finance Director, requested the board approve a new Grant Project Budget Ordinance for the Federal American Rescue Plan Act 2021, as there were some changes in language on the original ordinance adopted; she noted there was not a monetary change.

Mayor Harker asked when the quarterly reporting would start, as referenced in the ordinance.

Ms. Wood shared the first report due to the treasury was due the end of April 30th; she anticipated a report to the board sometime in June.

Commissioner Hagle made a motion to approve the Grant Project Ordinance.

The motion carried unanimously.

12. Financial Notes

Ms. Wood shared the March financial report, notable items are listed below:

- Account 10-305-0011, Special Event Fees reflects the payments for kayak spaces from the lottery held in March.
- Account 10-307-0002, Miscellaneous Revenue, reflects golf cart registration fees collected.
- Sales and Use tax distribution for April is \$150,659 (January sales)
- Local Option Sales Tax currently reports collections for 6 months
- Staff is reviewing the current residential and WBD solid waste rate. According to our GFL agreement the Town is subject to a CPI increase each year. This year the residential increase is 7.4%, WBD 7.8%. The recycle rates will drop from \$131 per ton to \$50 per ton. Additionally, increased amounts are yard debris are being collected driving this cost up as well.

Commissioner Hollinshed noted she would like to request the parking revenue breakdown, as far as expenses and fixed costs moving forward.

Mayor/Commissioner Comments

Commissioner Hagle had no comments.

Commissioner Oliver had no comments.

Commissioner Cooper noted the Farmers Market had begun for the season, taking place on Saturdays.

Commissioner Hollinshed suggested the board consider waving the parking fees for the day of July 4th. She requested a number regarding how many disconnects had resulted from the utility collection efforts. She also brought awareness of the upcoming King Tides, scheduled for May 15-19th.

Commissioner Terwilliger had no comments.

Mayor Harker shared she recently welcomed the NC Association of Chiefs of Police to Town, noting Beaufort Police Chief, Paul Burdette as the Regional Director for the organization. She also mentioned several upcoming events and programs.

Closed Session

1. Pursuant to NCGS 143-318.11 (a) (3)

Commissioner Hagle made a motion to go into closed session.

The motion carried unanimously.

Adjourn

Commissioner Oliver made a motion to adjourn the meeting at 7:52 p.m.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



TOWN OF BEAUFORT

Enforcement Procedures

April 25, 2022

Grady Quattlebaum, PLLC



Due Process Considerations

BEULAH MONROE

v.

CITY OF NEW BERN

Court of Appeals of North Carolina.

June 3, 2003.

The condition of plaintiff's house was described in deposition testimony submitted to the court. The roof of the house had severely deteriorated to the point of partially caving in and there was heavy water infiltration throughout the structure. The plaster or the sheet rock had come off the ceiling of the second floor, and the floors were completely littered. In addition, the brick veneer on the exterior of the house had severe cracks in several locations. The windows were broken out and some of the ceiling joists had rotted from water infiltration over the years. Dead rats were observed in the bathtub. The paint on the walls was cracked. The inspectors were unable to go upstairs due to caved in portions of the house.



Due Process Considerations

BEULAH MONROE

v.

CITY OF NEW BERN

Court of Appeals of North Carolina.

June 3, 2003.

(Cont.)

A civil engineer acting as an expert for plaintiff had reviewed pictures and a video of plaintiff's house and opined in a deposition that for the house to have been saved, it would have had to have been gutted down to the frame and the roof and flooring would have had to have been completely replaced. The engineer testified that the house was not structurally sound and that it presented a danger to anyone who wandered into the house. When asked whether he thought the house was a danger to the public in its boarded up state, the engineer responded that it could be since vagrants might still find a way into the house. When asked whether he thought the house was a danger to the public if it was boarded up and no one was inside, the engineer stated that besides the possibility that animals could get into the house and breed, the house did not present a threat to the safety of the public. The engineer further stated that he did not think there was a danger of the house collapsing onto a passerby.



Due Process Considerations

BEULAH MONROE

v.

CITY OF NEW BERN

Court of Appeals of North Carolina.

June 3, 2003.

(Cont.)

A real estate appraiser testified in a deposition that plaintiff's house was worthless and that the "highest and best use" demanded demolition.



Due Process Considerations

BEULAH MONROE

v.

CITY OF NEW BERN

Court of Appeals of North Carolina.

June 3, 2003.

(Cont.)

Cities may not summarily demolish dwellings pursuant to Section 160A-193 merely because it is quicker and easier than providing the owners notice and an opportunity to be heard. Our interpretation of Section 160A-193 is in accordance with the general rule that "a municipality must, before destroying a building, give an owner sufficient notice, a hearing and ample opportunity to demolish the building or to do what suffices to make it safe or healthy for use and occupancy," as required by due process of law.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article V – Weeds and Noxious Growth

General restrictions

It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any lot or land or any part thereof in the town, to permit or maintain on any such lot or land any growth of weeds, grass or other vegetation to a height greater than six inches on the average, or any accumulation of dead weeds, grass or brush.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title IX, Article V – Weeds and Noxious Growth

Duty of owner or occupant of property

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of § 91.65.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title IX, Article V – Weeds and Noxious Growth

Notice and order to abate; Town action

Upon a determination that the provisions of this article are not complied with, the town official making such determination shall serve written notice upon the owner, lessee, occupant or any person having the care or control of any such lot and shall order the prompt abatement thereof within 14 days from the service of such written notice.

If the person upon whom the notice is served fails, neglects or refuses to cut and remove or to cause to be cut and removed such weeds, grass or other vegetation within the allotted 14 days from the service of such written notice, or if the owner or his or her representative cannot be found, the Town Manager shall cause such weeds, grass and other vegetation to be cut and removed by designated officials.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title IX, Article V – Weeds and Noxious Growth

Recovery of costs

The actual cost of the cutting and removing such weeds, grass or other vegetation by the town, plus five percent for inspection and additional costs in connection therewith shall be paid within two weeks after a statement of such costs is mailed to the owner, lessee or occupant of the land where the violation existed.

Failure to recover costs shall be a lien upon the property, and such costs shall be added to the taxes next to be assessed and levied upon such lot, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title IX, Article V – Weeds and Noxious Growth

Penalty

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

Where there is a violation of any provisions of § 90.01 et seq., the town, at its discretion, may take one or more of the following enforcement actions:

- A police officer may issue a citation subjecting the violator to a civil penalty of \$50.00, which penalty may provide for a delinquency charge upon nonpayment of \$25.00, and which penalty and delinquency charge may be recovered by the town in a civil action.
- A misdemeanor warrant may be issued either immediately or upon issuance of a citation and the violator's failure to pay the citation. Misdemeanors shall be punishable by a fine of up to \$500.00 and/or imprisonment for up to 30 days.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title I – General Provisions

General penalty; enforcement of ordinances; continuing violation (§10.99)

Civil penalty. Any person, firm or corporation who violates any provision of this code shall be subject to a civil penalty in an amount not to exceed \$500.00.

Misdemeanor offense. If any person shall violate any provision of this code he or she shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500.00.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title I – General Provisions

General penalty; enforcement of ordinances; continuing violation, cont. (§10.99)

Equitable remedies. Any provision of this code or other town ordinance may be enforced by injunction, order of abatement, or any other appropriate equitable remedy. When a violation of this code occurs, the town may apply to the appropriate division of the General Court of Justice for an appropriate equitable remedy and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title I – General Provisions

General penalty; enforcement of ordinances; continuing violation, cont. (§10.99)

Injunction and abatement.

Any provision of this code making unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement, and the General Court of Justice shall have jurisdiction to issue such orders. When a violation of this code occurs the town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.

An order of abatement may direct that buildings or other structures on the property be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed from buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with the code.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title I – General Provisions

General penalty; enforcement of ordinances; continuing violation, cont. (§10.99)

If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt, and the town may execute the order of abatement.

The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien.



Enforcement Procedures

Town of Beaufort Code of Ordinances

Title I – General Provisions

General penalty; enforcement of ordinances; continuing violation, cont. (§10.99)

Continuing violation

Except as otherwise specifically provided, each day's continuing violation of this code shall be a separate and distinct offense.



Enforcement Procedures

Building Code Enforcement

Potential Remedies for Building Code Violations

- Temporary certificates of occupancy can be revoked/not extended
- Remedies including provisions for stop work orders are available under 160D
- Revocation of building permits



Enforcement Procedures

Building Code Enforcement Inspections

Inspector may make periodic inspections

Notice that defects in building must be corrected may be given when inspector finds:

- defects, or
- that building has not been constructed in accordance with applicable state and federal laws, or
- building because of its condition is dangerous or a fire hazard



Enforcement Procedures

Building Code Enforcement

Notice

Upon a finding of defects, the inspector must notify the owner or occupant of:

- Defects,
- Hazardous conditions, or
- Failure to comply with law



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Enforcement Procedures

Building Code Enforcement

Revocation of Building Permits

Inspector must give notice in writing by certified letter, including:

- (a) 30 days to correct identified deficiencies
- (b) An explanation of appeals rights



Enforcement Procedures

Building Code Enforcement

Revocation of Building Permits

Building permits may be revoked for:

- Substantial departure from approved application, plans, or specifications, or
- Refusal to comply with any applicable state or local laws, or
- For false statements or misrepresentations made in securing the permit.



Enforcement Procedures

Building Code Enforcement

Unsafe Buildings Condemned

Designation of Unsafe Buildings

Every building that shall appear to the inspector to be especially dangerous to life because of its liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating systems, inadequate means of egress, or other causes shall be held to be unsafe, and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the building.



Enforcement Procedures

Building Code Enforcement

Unsafe Buildings Condemned

Nonresidential Building or Structure

An inspector may declare a nonresidential building or structure within a community development target area to be unsafe if it meets all of the following conditions:

- (1) It appears to the inspector to be vacant or abandoned.
- (2) It appears to the inspector to be in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, or fire or safety hazard, to be a danger to children, or to tend to attract persons intent on criminal activities or other activities that would constitute a public nuisance.

The inspector must affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building.



Enforcement Procedures

Building Code Enforcement

Unsafe Buildings Condemned

Failure of owner of condemned building to take corrective action

If the owner of a condemned building fails to take prompt corrective action, the inspector must give written notice, via certified mail (or personal service) of all of the following:

- 1) That the building or structure is a fire or safety hazard; is a danger to life, health or other property; is likely to cause or contribute to blight, disease, vagrancy or danger to children; and/or is likely to attract persons intent on criminal activities or other activities creating a public nuisance;
- 2) That an administrative hearing will be held before the inspector at a designated place and time, not later than 10 days after the date of the notice
- 3) That following the hearing the inspector may issue such order to repair, close, vacate, or demolish the building or structure as appears appropriate.



Enforcement Procedures

Building Code Enforcement

Unsafe Buildings Condemned

Order of inspector to take corrective action

- Must be given after a *hearing*
- Must be directed to owner
- Must require to owner to remedy the defective conditions by
 - 1) Repairing,
 - 2) Closing,
 - 3) Vacating,
 - 4) Demolishing the building or structure, or
 - 5) Taking other necessary steps within such period to remedy the conditions



Enforcement Procedures

Building Code Enforcement

Unsafe Buildings Condemned

Appeal Rights

Owner has appeal right to Board of Commissioners:

- i) Must give notice to clerk of BOC and inspector
- ii) Must be given within 10 days of issuance of an order for corrective action



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Minimum standards are required under the Code of Ordinances which include adequate:

- dwellings and abandoned structures;
- structure and sound, including roof, walls, ceilings, egress, windows, garages, doors, screens;
- thermal environment;
- safe heating/cooling with no pollutants;
- electrical systems;
- care of premises, including no rubbish/remove dead trees, trash, garbage; and
- extermination (unit and equipment shall be free from vermin and rodent infestation).
- 160D updates (?)



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Duties and powers of inspector

- Investigate dwelling conditions
- Enter upon premises for purposes of exams and inspections
- Take action to effect rehabilitation
- Keep a record of inspections and dwellings that do not meet minimum standards



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Procedure for Enforcement

Preliminary investigation, notice, hearing (can be based on petition with 5 reports that the property is unfit for habitation or investigator's conclusion of same).

Inspector must serve *complaint*, including:

- 1) charges,
- 2) notice of a *hearing* not less than 10 and no more than 30 days after service of the complaint,
- 3) right of owner and parties in interest to file answer and present evidence



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Procedures for Enforcement

Orders

Inspector must state in writing if he or she finds the dwelling unfit for human habitation, and may issue one of the following orders:

- May order owner to repair if cost is less than 50% of the value of home
- If not may issue order to vacate and demolish
 - Demolition requires BOC ordinance



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Procedures for Enforcement

Order of Inspector

Shall state whether the structure is unfit for habitation due to dilapidation; defects increasing fire hazard, accident or calamity; lack of ventilation, light and sanitary facilities, or other conditions rendering dwelling “unsafe or unsanitary, and dangerous or detrimental to the health, safety and morals...of the residents...”



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Appeal

Right of appeal is to Board of Adjustment:

- Must be filed within 10 days after service
- Appeal suspends act ordered to do
 - Unless suspension would cause imminent peril to life or property
- Appeal from BOA determination is to superior court



Enforcement Procedures

Town of Beaufort Code of Ordinances

Article 3 - Minimum Housing Standards

Costs

Inspector's costs, including attorneys' fees and the cost of any repairs, alterations or improvements, or vacating and closing or removal or demolition, are a lien against real property.

Summary ejectment action is a remedy for failure to comply with an order to vacate.



Enforcement Procedures

Other Available Remedies

Action for Common Law Nuisance

General Police Power (160A-174)

Criminal Nuisance (19-1)

Junked Cars (160A-303.2)



Enforcement Procedures

Other Available Remedies

N.C. Gen. Stat. § 160A-193. Abatement of public health nuisances.

A city shall have authority to summarily remove, abate, or remedy everything in the city limits, or within one mile thereof, that is dangerous or prejudicial to the public health or public safety.

The expense of the action shall be paid by the person in default. If the expense is not paid, it is a lien on the land or premises where the nuisance occurred.



Enforcement Procedures

Other Available Remedies

N.C. Gen. Stat. § 160A-193. Abatement of public health nuisances.

A lien established pursuant to this statute shall have the same priority and be collected as unpaid ad valorem taxes.

The expense of the action is also a lien on any other real property owned by the person in default within the city limits or within one mile of the city limits, except for the person's primary residence.



Enforcement Procedures

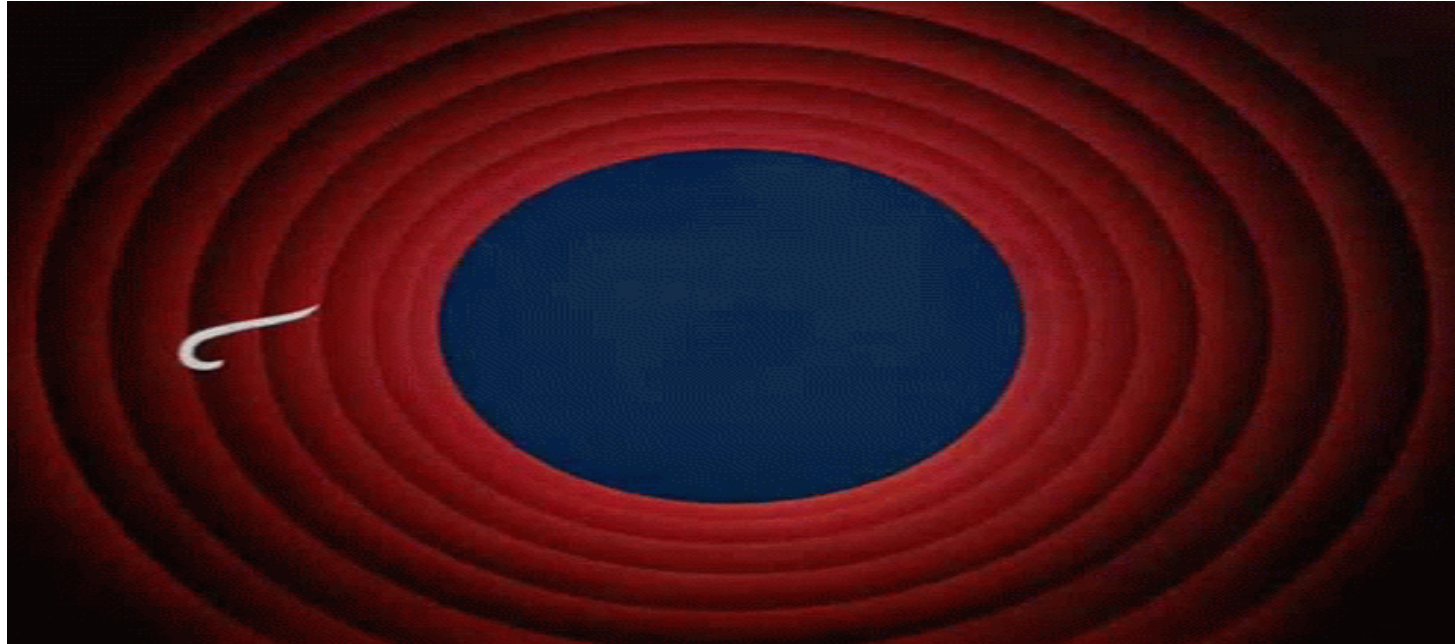
Other Available Remedies

Enforcement under 160D – 175: Enforcement of Ordinances

- Civil penalties/misdemeanors
- Injunction and orders of abatement
 - Contempt is a remedy for noncompliance



**Thank you for your time and
attention.**



Please call if you have any further questions.

252-565-7194

