

Attachment 3

Ordinance Book _____ Page _____
Ordinance Number _____

Prepared By and Return To:
Robert B. Blythe, Town Attorney
Town of Huntersville
Post Office Box 664
Huntersville, NC 28070

ORDINANCE

AN ORDINANCE ORDERING THE REPAIRS AND CLOSING OF THE UNIT LOCATED AT 110 S. MAIN STREET, HUNTERSVILLE, NORTH CAROLINA, PURSUANT TO THE TOWN OF HUNTERSVILLE NONRESIDENTIAL BUILDING CODE, CHAPTER 152

WHEREAS, the Board of Commissioners are given authority to provide a just, equitable and practical method, whereby nonresidential buildings or structures which from any cause, endanger the life, limb, health, property or safety or welfare of the general public, or of its occupants, may be required to be repaired, vacated, or demolished pursuant to the authority given in Part 5, Article 19 of Chapter 160A of the North Carolina General Statutes, and Chapter 152 of the Town of Huntersville Code of Ordinances.

WHEREAS, the unit located at 110 S. Main Street in the Town of Huntersville was found by the Code Administrator of the Mecklenburg County to not be properly maintained so that the safety and health of the general public is jeopardized. The owner, Emily Kornegay, was duly served with a Complaint and Notice of Hearing on or about September 1, 2016, via certified mail. A hearing was held on September 19, 2016, to which the owner was present. The Findings and Order was entered on September 20, 2016, whereby the owner was ordered to repair the unit to bring it into compliance with the minimum standards by no later than December 19, 2016. However, the Town considered an alternate solution to repair the unit to a point described as a cold dark shell, which is defined as a building shell that is structurally sound throughout, weathertight, secure, and not suitable for occupancy; and

WHEREAS, the owner, Emily Kornegay, has failed to comply in a timely fashion with the Order entered on September 20, 2016.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Town of Huntersville, North Carolina, that the Code Administrator is hereby ORDERED to cause the repairs of the unit to a point described as a cold dark shell, which is defined as a building shell that is structurally sound throughout, weathertight, secure, and not suitable for occupancy, located at 110 S. Main Street in the Town of Huntersville in accordance with the Nonresidential Building Code, Chapter 152; and the Inspector shall cause to be posted on the main entrance of the nonresidential building so closed a placard with the following words: "*This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful.*", and that the amount of the cost of repairs, alterations, or improvements by the Inspector shall be a lien against the real property as provided in §152.07 of the Town of Huntersville Code of Ordinances.

Adopted this 19th day of June, 2017.

John Aneralla, Mayor

ATTEST:

Janet Pierson, Town Clerk

(SEAL)

APPROVED AS TO FORM:

Robert B. Blythe, Town Attorney