

**CITY OF CLAREMONT
ORDINANCE 04-23**

**AN ORDINANCE DIRECTING THE CITY TO VACATE AND
CLOSE THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR
HUMAN HABITATION AND DIRECTING THAT A NOTICE BE
PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED**

WHEREAS, the City Council of the City of Claremont finds that the **Dwelling** (defined below) located at **3060 Oak St. Claremont, NC 28610 (NC PIN: 376213138719)** is unfit for human habitation under the City's Minimum Housing Code and that all of the procedures of the Minimum Housing Code have been complied with; and

WHEREAS, this dwelling should be vacated and closed as directed by the city official and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of this dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Code in accordance with NCGS Chapter 160D, Article 12 pursuant to an order issued by the Code Enforcement Officer on the 26th day of April, 2022 and the owner has failed to comply with the Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Claremont, that:

Section 1. The owner of such dwelling is hereby ordered to **VACATE AND CLOSE** and remove any occupants and/or personal property therein on or before the 15th day of August, 2022.

Section 2. The city official is hereby authorized and directed to place placards on the dwelling containing the legend:

"This building is unfit for human habitation; The use or occupation of
this building for human habitation is prohibited and unlawful."

Section 3. The city official is hereby authorized and directed to proceed to vacate and close the above described dwelling in accordance with this ordinance, and in accordance with the city's Minimum Housing Code and NCGS 160D-Article 12;

Section 4. Any cost to vacate and close the residence shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of NCGS Chapter 160A;

Section 5. It shall be unlawful for any person to remove or cause to be removed the placard from any dwelling to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any dwelling therein declared to be unfit for human habitation.

Section 6. North Carolina General Statute 160D-102 and City of Claremont Ordinance Chapter 5 Section 9-5-2 define a "Dwelling" as any building, structure, manufactured home or mobile home, or part thereof, which is wholly or partly used or intended to be used for living, sleeping, or habitation by human occupants, and includes any outhouses and appurtenances belonging to or usually enjoyed therewith, except that it does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose. Temporary housing, as hereinafter defined, shall not be regarded as a dwelling. The term shall include within its meaning the terms rooming house and rooming unit, as hereinafter defined.

Section 7. This Ordinance shall become effective upon its adoption.

ADOPTED this 1st day of August, 2022.



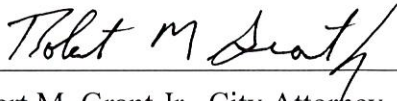
Shawn R. Brown, Mayor

ATTEST:



Wendy Helms, City Clerk

APPROVED AS TO FORM:



Robert M. Grant Jr., City Attorney

