

CITY OF HIGH POINT AGENDA ITEM



Title: Ordinance to Vacate – 303 Prospect Street

From: Mike McNair, Director
Community Development and Housing

Meeting Date: March 21, 2016

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Vacate
- C. Maps
- D. Pictures

PURPOSE:

A request by Community Development and Housing to adopt an ordinance ordering the inspector to vacate and close the single family dwelling located at 303 Prospect Street.

BACKGROUND:

An Emergency Repair Notice of Violation was issued January 25, 2016 for not having an operable heating system. The compliance date was January 28, 2016. Due to the emergency nature of the violation a hearing with staff is not held but the case is scheduled for City Council action. To date, the dwelling is still occupied and repairs are incomplete.

BUDGET IMPACT:

There is no budget impact as this ordinance request is for the vacating of the dwelling.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to vacate based upon the enclosed staff report.

PENDING ACTION:

The ordinance becomes effective upon adoption. If the dwelling is not vacated and properly secured, a summary ejection action will be pursued to vacate the tenant.

**COMMUNITY DEVELOPEMNT AND HOUSING
LOCAL CODES HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Vacate - Emergency Repair Order

**PROPERTY
ADDRESS:**

303 Prospect Street

OWNER:

Ruth L Wiseman Testamentary Trust; Lisa Jo Phillips TR; &
Bianca Lea Kennedy TR

**FIRST
INSPECTION:
1-25-16**

Summary of Violation(s):
No heat - heating unit is inoperable

**HEARING
RESULTS:**

Schedule for City Council 3-21-16

**ORDER(S)
ISSUED:
1-25-16**

Emergency Repair Order
Compliance Date: 1-28-16

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

The inspector has had contact from the owner who stated on multiple occasions she would be making the repair. To date, there have been no permits obtained or repairs made.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:**

Conditions still exist. Dwelling is still occupied.

AN ORDINANCE REQUIRING THE INSPECTOR OF THE CITY OF HIGH POINT TO VACATE AND CLOSE CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND TITLE 9 CHAPTER 11 ARTICLE E OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1: That the City Council of the City of High Point find as a fact that the following described property has been ordered vacated and closed, and it further finds as a fact that the owner has been ordered to secure said building at his expense and said owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High is hereby authorized and directed to proceed with the securing of the following described building in accordance with the Code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

303 Prospect Street

OWNER(S)

Ruth Wiseman Testamentary Trust

Lisa Jo Phillips, Tr

Bianca Lea Kennedy, Tr

2307 Fala St

High Point, NC 27260

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by law provided.

Adopted by City Council,
this the 21st day of March, 2016

Lisa B. Vierling, City Clerk



303 Prospect Street

Order to Vacate - Emergency Repair



Location of subject property

**Community & Development
Department**

City of High Point

Date: March 10, 2016



Scale: 1"=200'

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ord-vacte.mxd

