

Board of Commissioners

John Davis, Mayor
Frank Tursi, Mayor Pro Tem
Patricia Turner, Commissioner
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Brent Hatlestad, Commissioner
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Town Manager
J. Scott Chase, AICP
schase@ci.swansboro.nc.us

Town Clerk
Administrative Services Director
Paula W. Webb, MMC-NCCMC
pwebb@ci.swanboro.nc.us

Town of Swansboro

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RE: Parcel ID: 015484 Map # 1405-4

Dear Bobby and Judith Bennett,

Please be advised that the Town of Swansboro's Building Inspector, Jim Stipe; has posted your property located at 205 Walnut Street as "Condemned" in accordance with N.C. General Statute § 160A-426 through § 160A-434.

Herein attached.

§ 160A-426. Unsafe buildings condemned in localities.

- (a) Residential Building and Nonresidential Building or Structure. - 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 system, 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.
- (b) Nonresidential Building or Structure. - In addition to the authority granted in subsection (a) of this section, an inspector may declare a nonresidential building or structure within a community development target area to be unsafe if it meets both 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, 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.
- (c) If an inspector declares a nonresidential building or structure to be unsafe under subsection (b) of this section, the inspector must affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building. For the

If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building or structure in question at least 10 days prior to the hearing and a notice of the hearing is published in a newspaper having general circulation in the city at least once not later than one week prior to the hearing. (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 2000-164, s. 2; 2009-263, s. 4.)

§ 160A-429. Order to take corrective action.

If, upon a hearing held pursuant to the notice prescribed in G.S. 160A-428, the inspector shall find that the building or structure is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he shall make an order in writing, directed to the owner of such building or structure, requiring the owner to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or structure or taking other necessary steps, within such period, not less than 60 days, as the inspector may prescribe; provided, that where the inspector finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible. (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 68; 1977, c. 912, s. 13.)

§ 160A-430. Appeal; finality of order if not appealed.

Any owner who has received an order under G.S. 160A-429 may appeal from the order to the city council by giving notice of appeal in writing to the inspector and to the city clerk within 10 days following issuance of the order. In the absence of an appeal, the order of the inspector shall be final. The city council shall hear and render a decision in an appeal within a reasonable time. The city council may affirm, modify and affirm, or revoke the order. (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 69; 2000-164, s. 4.)

§ 160A-431. Failure to comply with order.

If the owner of a building or structure fails to comply with an order issued pursuant to G.S. 160A-429 from which no appeal has been taken, or fails to comply with an order of the city council following an appeal, he shall be guilty of a Class 1 misdemeanor. (1905, c. 506, s. 15; Rev., s. 3802; 1915, c. 192, s. 19; C.S., s. 2774; 1929, c. 199, s. 2; 1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1993, c. 539, s. 1094; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 160A-432. Enforcement.

- (a) [Action Authorized.] - Whenever any violation is denominated a misdemeanor under the provisions of this Part, the city, either in addition to or in lieu of other

§ 160A-434. Appeals in general.

Unless otherwise provided by law, appeals from any order, decision, or determination by a member of a local inspection department pertaining to the State Building Code or other State building laws shall be taken to the Commissioner of Insurance or his designee or other official specified in G.S. 143-139, by filing a written notice with him and with the inspection department within a period of 10 days after the order, decision, or determination. Further appeals may be taken to the State Building Code Council or to the courts as provided by law. (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1989, c. 681, s. 7A.)

If you have any questions or I can be of assistance, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Stipe', written in a cursive style.

Jim Stipe, Building Inspector

TOWN OF SWANSBORO
INSPECTION DEPARTMENT

THIS BUILDING IS HEREBY
205 WALNUT ST.
CONDEMNED

IN ACCORDANCE WITH
N.C. GENERAL STATUTE
160A - 426 TO 434

THIS BUILDING/STRUCTURE HAS
BEEN DEEMED UNSAFE FOR THE
FOLLOWING REASONS:

 X LIFE SAFETY
 X FIRE HAZARD

DATE: 10/1/18 BUILDING INSPECTOR: Tim Slife

DO NOT REMOVE—REMOVAL IS PUNISHABLE AS A MISDEMEANER

(910) 326-4428