



June 21, 2013

UPCOMING MEETINGS

- June 25 @ 3pm Council Work Session

TO: Mayor and Members of Council

FROM: Denise Turner Roth, City Manager

Handwritten signature of Denise Turner Roth, with the initials "DTR" written below it.

SUBJECT: Items for Your Information

Council Follow-Up Items

- **Downtown Greenway Update**

As a follow-up to the small group Capital Improvement Plan meetings', attached is a memorandum from Transportation Director Adam Fischer, dated June 20, 2013, providing an update on the Downtown Greenway.

Council Work Session Agenda

Attached is the draft agenda for Council's Work Session which is scheduled for June 25, 2013 and associated items.

Heritage House Update

Attached is a memorandum from Planning and Community Development Director Sue Schwartz, dated June 21, 2013 providing an update on the minimum-housing code compliance activities and the Police Department's efforts to work with unit owners and the Homeowners Association at the Heritage House.

Public Information Request Report

Attached is the weekly Public Information Request Report for the week of June 17, 2013.

Contact Center Feedback

Attached is the weekly report generated by our Contact Center for the week of June 10, 2013 through June 16, 2013.

Small Group Meetings

Attached is the weekly Small Group Meeting report for the week of June 17, 2013 through June 21, 2013, between City Staff and [more than two but less than five] Councilmembers.

DTR/mm
Attachments

cc: Office of the City Manager
Global Media



June 20, 2013

TO: David Parrish, Assistant City Manager
FROM: Adam Fischer, Director of Transportation
SUBJECT: Downtown Greenway Update

Background:

Planning for the Downtown Greenway began in 2001 with the development of the Center City Plan. In 2007 the Greensboro Bicentennial Commission designated the Downtown Greenway as the signature project to commemorate the City's 200th birthday and in 2008 the citizens of Greensboro voted to support a street improvement Bond which included \$7 million dedicated to the Downtown Greenway. The Downtown Greenway is a collaborative undertaking by the City of Greensboro and Action Greensboro which will loop downtown with a very unique 4 mile multi-use trail. The multi-use trail will be used by walkers, joggers, and bicyclists for recreation and fitness as well as to travel around downtown. The Greenway also features many works of art and both natural and urban scenery to be enjoyed by all who utilize the trail. By enhancing the urban landscape it is also envisioned that the Downtown Greenway will generate economic development as investors look to locate close to this very attractive amenity. The total cost for the entire Downtown Greenway is estimated at \$26 million.

Phases:

The 4 mile downtown Greenway is being built in 4 phases and will pass through more than a dozen neighborhoods connecting with several other walking/multi-use trails. (see attached phasing map)

- Phase 1:** Phase 1 is split up into 4 sections and runs east-west parallel to Lee Street:
- Section 1 (Five Points) - runs from Freeman Mill Road to South Eugene Street
 - Section 1A (Morehead Park) – runs from Lee Street to Spring Garden Street
 - Section 1B – runs from Eugene Street to MLK Jr. Drive
 - Section 1C – runs from MLK Jr. Drive to Lee Street

- Phase 2:** Phase 2 features a rebuild of Murrow Boulevard and runs along a portion of Fisher Avenue and is split up into 5 sections:
- Section 2A,B,C,D – features a rebuild of Murrow Boulevard and runs north-south, then east-west from Lee Street to Greene Street at Fisher Avenue.
 - Section 2E – Will run east-west along Fisher Avenue from Greene Street to Eugene Street

- Phase 3:** Phase 3 will run along Eugene Street and Smith Street.
- Section 3A will run along Eugene Street from Fisher Avenue to Smith Street
 - Section 3B will run along Smith Street from Eugene Street to Spring Street.
 - Section 3C will run along Smith Street from Spring Street to Prescott Street
- Phase 4:** Phase 4 will run north-south along the Norfolk Southern rail line from Smith Street to Spring Garden Street.

Construction:

- Phase 1 was the first section of the Downtown Greenway that was built which runs for ¼ mile from Lee Street/Freeman Mill Road to South Eugene Street. Construction on the ¼ mile Section 1 was funded totally by Action Greensboro and was completed in 2010 for a total cost of about \$800,000.
- Phase 1A was the second section of the Downtown Greenway completed which runs ¼ mile from Lee Street to Spring Garden Street. Construction on Phase 1A was completed in 2012 for a total cost of \$1.1 million which was funded by City of Greensboro Transportation bonds. Action Greensboro also contributed \$800,000 in artwork and landscaping for Phase 1A.
- Phase 3B was the third section of the Downtown Greenway that was built along Smith Street from Eugene Street to Spring Street and along Eugene Street from Smith Street to Battleground Avenue. This section of 3B was completed in 2013 at a total cost of \$790,000 and was funded by City of Greensboro Transportation Bonds.

Pending Construction:

- Phase 3A along Eugene Street from Fisher Avenue to Smith Street, Phase 3C along Smith Street from Spring Street to Prescott Street, and Phase 2E along Fisher Avenue from Eugene Street to Greene Street. The total estimated cost to construct these sections of the downtown greenway is \$3.5 million and is being funded with a Federal Grant of \$2.8 million with the city of Greensboro providing a match of \$600,000 and Action Greensboro providing \$100,000 to cover the matching portion of the Federal grant. Construction on this section of the Greenway is scheduled to start in the spring of 2014 and be complete by the spring of 2015.
- Design is underway for section 1B which runs from South Eugene Street to MLK Jr. Drive. Construction on this section of the Downtown Greenway will be funded by City of Greensboro Transportation Bonds.

Future Unfunded Construction:

- Phase 2A,B,C,D of the Downtown Greenway is currently under design and will feature a rebuild/reconfiguration of Murrow Boulevard from 6 lanes to 4 lanes. The total estimated cost for Phase 2A,B,C,D is \$10.5 Million. The 2008 Transportation Bond funds will not cover the cost to build this phase. An additional funding source will need to be identified to build Phase 2A,B,C,D.
- Phase 4 of the Downtown Greenway will run north-south along the Norfolk Southern rail line from Spring Garden Street to Smith Street and possibly further north along the Norfolk Southern rail line to connect with the A&Y Greenway. The total estimated cost to build Phase 4 is \$5 million and it is estimated that it will cost an additional \$5 million to extend the greenway north to connect with the A&Y greenway.

Funding:

Public Funds:

Voter approved City Bond Funds = \$7,000,000

- The City has spent or encumbered \$2,565,319 in Bond funds towards design and construction.
- The City has designated an additional \$600,000 in Bond funds to match a Federal STP-DA grant to construct Phase 3A, a portion of 3B, and a portion of 2E.
- The City has issued \$835,371 in Bond funds to be used for construction of Phase 1B or for the design of Phase 4.
- Total City Bond Funds issued to date = \$4,000,690.

Federal Funding:

- The City secured a \$2,800,000 Federal STP-DA grant to fund construction of Phase 3A, a portion of 3B, and a portion of 2E.
- The City secured a \$487,000 Federal Earmark sponsored by Senator Kay Hagan and an additional \$206,000 in Federal STP-DA funds to fund the design of Phase 2A,B,C,D.
- \$163,550 in ARRA funds were spent on Phase 1A for solar lighting.
- \$50,000 in CDBG funds have been appropriated for the design of Phase 1B.
- \$94,956 in Metro Planning funds were used for project design expenses.
- Total Federal funds spent or available to date = \$3,801,506.

Total Public Funds spent or available to date = \$7,802,196.

Private Funds:

Private funds raised to date through various sources = \$8,416,705

Total private funds spent to date = \$3,738,502.

Private funds have been used to:

- design and construct Phase 1
- design Phase 1A
- provide artwork and enhanced landscaping for phase 1
- provide artwork, including the refurbished railroad underpass, and enhanced landscaping for phase 1A
- provide enhanced landscaping for phase 3B
- provide partial local match for Federal STP-DA grant to fund construction of Phase 3A, a portion of 3B, and a portion of 2E.
- provide local match for Federal STP-DA grant to fund design of Phase 2A,B,C,D.

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Agenda

Greensboro City Council

COUNCIL WORK SESSION
TUESDAY
JUNE 25, 2013
3:00 P.M.
PLAZA LEVEL CONFERENCE ROOM

1. Presentation on Shift Accelerator by Zack Mohorn.
2. Post RUCO Committee update.

Prior to the date of the briefing, contact Greensboro Television Network at 333-6922 if you have electronic presentations.

Any individual with a disability who needs an interpreter or other auxiliary aids or services for this meeting may contact the City Clerk's Office at 373-2397 or 333-6930 (TDD).

MEMBERS OF COUNCIL

ROBBIE PERKINS, Mayor
YVONNE J. JOHNSON, Mayor Pro Tem
NANCY VAUGHAN, At Large
MARIKAY ABUZUAITER, At Large

T. DIANNE BELLAMY-SMALL, District One
JIM KEE, District Two
ZACK MATHENY, District Three
NANCY HOFFMANN, District Four
TONY G. WILKINS, District Five



City of **GREENSBORO**
North Carolina

Post-RUCO Committee Update

- Proposed Ordinance Amendments to the Minimum Housing Code
- Code Compliance Program Improvements Update

Department of Planning and Community Development
City Council Work Session

June 25, 2013

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City of **GREENSBORO**
North Carolina

City Council Post-RUCO Committee

Nancy Hoffmann, Chair
Marikay Abuzuaiteer
Yvonne Johnson
Nancy Vaughan

- The purpose of the committee was to review recommendations from the Post-RUCO study committee and to receive public input on proposed changes to the minimum housing code.

Committee met: March 7, 2013 – May 29, 2013

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City of **GREENSBORO** *North Carolina*

How Did We Get Here?

- 2003 - Rental Unit Certificate of Occupancy ordinance
- 2011 - Changes in NC General Statutes
- 2012 - Post RUCO Study Committee
- 2013 – Benchmark Study for Code Compliance
- 2013 – City Council Post-RUCO Committee
- 2013 – **Recommended changes to Minimum Housing Standards, Chapter 11**

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City of **GREENSBORO** *North Carolina*

**CITY COUNCIL POST-RUCO COMMITTEE
RECOMMENDATION:**

**PROPOSED ORDINANCE AMENDMENTS TO
THE MINIMUM HOUSING CODE**

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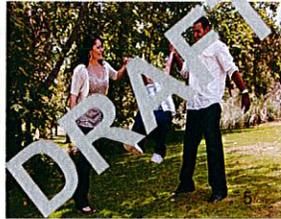



City of GREENSBORO *North Carolina*

Ordinance Objectives

- To ensure everyone in Greensboro lives in a habitable, safe home
- To strengthen existing minimum housing codes as allowed under state statute
- To implement recommendations per the Code Compliance Benchmark Study






City of GREENSBORO *North Carolina*

Significant Changes

Subject	Proposed	Purpose
Appeals for Extensions	•11-39 •11-40 (b)	•Extensions of up to 90 days by inspector •PCD director has discretion after 90 days •Appeals must be made to applicable City agent in writing PRIOR to end of cure period
		To reduce time from 270 days to 90 for inspector New
Re-Inspection Fees	11-42 (c)	Outlines conditions for re-inspection fees
		New
Property Registration and Fees	11-40 (b)	Fees for residential rental property /dwelling unit registration for more than 5 violations
		New

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City of **GREENSBORO** *North Carolina*

Significant Changes

Subject	Proposed	Purpose
Periodic Inspections	11-38 (a) 11-40 (a) Reasonable Cause	Outlines 5 criteria for inspections due to Reasonable Cause Added new criteria
General Owner Responsibilities	•11-7(2) •An owner shall not be responsible for penalties caused solely by the acts of tenants, tenants' guests or invitees. •Owner shall be responsible for ensuring that the building/dwelling unit is brought into compliance with this Code.	For Clarification
Written Report	11-32 (c) Outlines criteria for reporting to City Council	For Clarification
Other changes	Minor changes to definitions, to correct typos, and to reflect change in department name	

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City of **GREENSBORO** *North Carolina*

Appeals for Extensions, 11-40 (b),11-39 (b)

- Extensions up to 90 days, in 30-day increments, to complete work can be given by the Code Compliance Inspector
 - Appeals for Extensions must be made in **writing** to the inspector **PRIOR** to the expiration of the current time allowance
 - *Previously the Inspector could give up to 270 days without a written request*
- Extensions beyond 90 days must be granted by the PCD Director. Appeals must be made in **writing PRIOR** to the expiration of the current time allowance.
- The grant of any extensions shall be in writing and must state the cause and conditions of the extension and the amount of time allowed by the extension.

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City of **GREENSBORO** North Carolina

Re-inspection Fees, 11-42 (c)

- If the necessary repairs are not made within the applicable cure period, including any extension, the fees authorized by Section 11-42 shall be charged.
- *No re-inspection fees will be charged for the Initial inspection of a dwelling unit or for any re-inspection during the applicable cure period, including any extension, in the enforcement of this ordinance.*
- *Owners shall not be charged for violations attributed to Tenants Cited in Section 11-9 of this Chapter of the Greensboro Code of Ordinances.*

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City of **GREENSBORO** North Carolina

Re-Inspection Fees

Order to Repair, Alter or Improve Notice	First Re-Inspection	Second and Subsequent Re-Inspections	
	\$150	\$300	\$400
The Order to Repair, Alter or Improve gives 30 days for compliance, unless appeals have been granted. *See appeals below. Start of Applicable Cure Period	If the Inspector finds uncorrected violation(s) on the 1 st Re-Inspection then the owner(s) will be charged a \$150 Re-Inspection fee and the case remains open until compliance is achieved.	If the Inspector finds uncorrected violation(s) on the 2 nd Re-Inspection, then the owner(s) is charged a \$300 Re-Inspection fee, and case remains open until compliance achieved.	Dwelling is Re-Inspected every 30 days and the owner is charged a \$400 fee for each Re-Inspection until all violations corrected.

Appeals for Time Extensions

The inspector under Chapter 11-39 can grant a total time to repair of up to 90 days if requests are made in writing within the time frame for making repairs or any extension.

The Director of Planning and Community Development or a designee can grant additional time if requests are made in writing within the time frame for making repairs or any extension.

Case remains open until all violations are corrected and all applicable fees and/or penalties are paid in full.

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City of **GREENSBORO** *North Carolina*

Registration Lists and Fees, 11-40 (b)

More than 5 Violations

- The City of Greensboro may levy a fee for residential rental property registration under this section for those rental dwelling units which have been found with more than five (5) verified violations of local ordinances within the previous 12 months.
- The fee shall be set by the Director of Planning and Community Development in an amount that covers the cost of operating a residential registration program and shall not be used to supplant revenue in other areas.

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City of **GREENSBORO** *North Carolina*

Civil Penalties and Fines, 11-42 (a)(b)

Civil Penalties

- **\$200 for the first violation**
- **\$75 per day** for each day the violation is not corrected
 - *Civil penalties assessed under this section are considered restorative; intended to provide compensation to the city for costs associated with the city's program to monitor, control, prosecute, cure and/or correct the violation.*

Criminal Fines

- Each violation shall constitute a class 3 misdemeanor, punishable by a fine of not more than (\$500) five hundred dollars or imprisonment of not more than twenty (20) days.

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Inspections, 11-38

- It shall be the duty of the inspector to diligently examine buildings...for the purpose of locating and taking action with respect to such buildings, dwellings, units, and structures as appear to be unfit for human habitation.
- **Reasonable Cause to Inspect**
means any of the following:

A **complaint** has been made

A **request** for inspection has been made

Code Compliance has actual **knowledge** of a violation

Violations are **visible** from the outside

Owner has **histor** of mor than 2 **ncured** **violations** within 12 months



Periodic Inspections of Residential Rental Dwelling Units, 11-40 (a)

The inspection department may make periodic inspections, subject to the council's directions, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in residential rental buildings and/or rental dwelling units...

- **Reasonable Cause to Inspect**
means any of the following:

A **complaint** has been made

A **request** for inspection has been made

Code Compliance has actual **knowledge** of a violation

Violations are **visible** from the outside

Owner has **histor** of mor than 2 **ncured** **violations** within 12 months

 *City of* **GREENSBORO** *North Carolina*

Reporting Procedures, 11-32 (c)

- Reports should include the following data for the end of each calendar quarter
 - The number of active cases
 - Data on cases granted extensions by the PCD director (beyond the 90 days granted by the inspector)
 - The number of cases heard by the Minimum Housing Commission with a summary of the actions taken
 - Number of outstanding demolitions orders
 - Any other items requested by Council
- Reports due at 30 days after the end of each calendar quarter of the fiscal year

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 *City of* **GREENSBORO** *North Carolina*

Intended outcomes

- Increased compliance with Minimum Housing Standards
- Tightened timeframes for compliance
- Clear understanding of the process and the expectations from all parties
- Safer housing options for our residents

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City of **GREENSBORO** *North Carolina*

Moving Forward

- Adopt ordinance changes in July 2013
- PCD will develop Operational Guidelines based on approved ordinance changes
- Beyond the ordinance changes, time is needed for the following:
 - Computer system updates
 - Education for Landlords, Tenants
 - Staff training
 - Reporting tools
- Registration list for properties with more than 5 uncorrected violations available February 2014

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CODE COMPLIANCE PROGRAM IMPROVEMENTS UPDATE

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Neighborhood Services Division
December 2012

Code Compliance	Housing Development	Housing Rehabilitation Programs
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 *City of* **GREENSBORO** *North Carolina*

Greensboro's Code Compliance Program

		
MINIMUM HOUSING CODE	ZONING	NUISANCE

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City of **GREENSBORO** North Carolina

Code Compliance Benchmark Study



GREENSBORO

Requested June 2012 by PCD.
Completed by Budget & Evaluation
and released November 2012

Compared Greensboro's program
to Charlotte, Durham, Raleigh,
Salisbury & Winston Salem

Conducted by the Budget and Evaluation Department

November 2012

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City of **GREENSBORO** North Carolina

Benchmark Study Recommendations and Status

Use lis pendens instead of doing multiple full title searches	• Being implemented in FY 13-14
Give an individual in the program responsibility of quality control of the processes	• Code Compliance Coordinator position has QA responsibility
Reduce time necessary to complete title searches	• Done
The Code Compliance Section should research obtaining a case management system	• Existing system is being enhanced to provide better tracking, data collection, & reporting
Evaluate the need for additional staff	• Two mid-year positions added. Additional staff included for FY 13-14
Give inspectors less latitude in providing extensions	• Post RUCO Committee work/proposed ordinance changes

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	<h2>Code Compliance Strategic Work Plan</h2>
<ul style="list-style-type: none">• Ordinance Revisions<ul style="list-style-type: none">– For more effective and efficient process, decreased timeframes and to reflect current organizational structure• IT/Technology Upgrades<ul style="list-style-type: none">– 30 items identified to improve case management, data analysis and reporting• Staffing<ul style="list-style-type: none">– Standardized case management, operating procedures, performance expectations and customer service• Resources for Property Owners<ul style="list-style-type: none">– Inspectors making direct referrals to City housing rehab programs• Public education campaign<ul style="list-style-type: none">– Community partnership effort - to be launched in FY 13-14• Minimum Housing Commission<ul style="list-style-type: none">– Number of cases being heard monthly has more than doubled since 2011• Legal<ul style="list-style-type: none">– Ensure legal authority for actions, align processes with code and decrease timeframes for reaching compliance	

	<p><i>City of</i> GREENSBORO <i>North Carolina</i></p>
<h3>Where are we now?</h3> <ul style="list-style-type: none">• Active cases• Timelines for processing cases• Cases brought into compliance in 2013• Cases pending action before Minimum Housing Commission• Cases pending demolition	
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Coming Attractions

- Compliance Procedures Manual
- Continued Interdepartmental R/W sign clean up
- Enhanced reporting
- Enhanced public education efforts
 - Targeted landlord/ tenant education
 - Additional educational materials on basic zoning items

Chickens & Poultry



City of Greensboro
Signs in the Right-of-Way
Protocol



Authority
2010 12.2 Signs in Right of Way App.
Signs installed on public property
are subject to sign, except as may be
with the written or verbal agreement
with NC DOT or the City will be
removed to the public and accessible to
the public.

Signs for
Businesses in the
City of Greensboro



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- CODE OF ORDINANCES
Chapter 11 - HOUSING CODE

ARTICLE I. - IN GENERAL

ARTICLE I. - IN GENERAL May, 21

Sec. 11-1. - How chapter known and cited.

This chapter shall be known as the "Minimum Housing Code," may be cited as such, and will be referred to herein as "this chapter."

(Code 1961, § 10-1; Ord. No. 00-215, § 1, 12-5-00)

Sec. 11-2. - Definitions.

Certain abbreviations, terms, phrases, words, and their derivatives shall be construed as specified in this chapter. Terms, words, phrases, and their derivatives used but not specifically defined in this chapter shall have the meaning specifically defined in the building code, and any terms, words, phrases, and their derivatives used but not specifically defined in either this chapter or the building code shall have the meaning specifically defined in chapter 30.

Alter, repair, bring into compliance or similar words shall mean that the work is workmanlike and performed in a workmanlike manner.

Apartment house means any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three (3) or more families living independently of each other in dwelling units.

Area, as applied to the dimensions of a building, means the maximum horizontal prospected area of the building at grade.

Area, as applied to the dimensions of a room, shall mean the total square footage of floor area between finished walls.

Basement means a story with forty (40) percent or more of its cubical contents below finished yard grade.

Building means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term "building" shall be construed as if followed by the words "or part thereof."

Ceiling height means the clear vertical distance from the finished floor to the finished ceiling.

Common elements means all areas which were conveyed to a home-owners' association in a townhouse development, condominium, cooperatives or planned unit development.

Demolish means the demolition and removal of the entire building leaving the property free and clear of any debris and without holes or pockets which may retain water.

Dwelling means any building or structure, or portion thereof, which is used, or designed or intended to be used for human habitation including living, sleeping, cooking, and eating or any combination thereof and includes accessory structures intended for human habitation.

- CODE OF ORDINANCES
Chapter 11 - HOUSING CODE

ARTICLE I. - IN GENERAL

Dwelling unit means any room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

Exit means a clear and unobstructed way of departure from the interior of a building or structure to the exterior at street or grade level.

Extermination means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the inspector.

Family means any of the following:

- (1) An individual or two (2) or more persons related by blood, marriage, or adoption, and may, in addition include not more than two (2) unrelated persons, living together in a dwelling unit.
- (2) A group of not more than four (4) persons who need not be related by blood, marriage, or adoption living together in a dwelling unit.

A family includes five (5) or fewer foster children placed in a foster home licensed by the state. "Family" does not include fraternities, sororities, rooming houses or boardinghouses, tourist homes, or family care homes.

Garbage means the animal and vegetable refuse resulting from the handling, preparation, cooking, and consumption of food, including a minimum amount of liquid necessarily incidental thereto.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, communicating corridors, closets, or storage spaces.

Household means all persons who occupy a dwelling unit, (a person living alone or any group of persons sharing a dwelling unit is a household).

Housing means any building, or structure, or part thereof, used and occupied for human habitation or intended to be so used, including any outhouses and appurtenances belonging thereto or usually associated therewith.

Infestation means the presence, within or around a dwelling, of any harmful insects, rodents or other pests.

Inspection means all inspections, examinations, investigations, and similar activities.

Inspection office means the office of the Director of the Department of Planning and Community Development of the city.

Inspector means any employee of the city who is designated a minimum housing code compliance officer or employees of the City who are designated to enforce the provisions of this chapter or the building code.

- CODE OF ORDINANCES
Chapter 11 - HOUSING CODE

ARTICLE I. - IN GENERAL

Non-residential building or structure means any building or structure which is used or designed for business use, educational use, use for assembly, and/or institutional use.

Occupant means any person living, sleeping, cooking, or eating in, or having actual possession of, a dwelling or rooming unit.

Owner includes a holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.

Parties in interest means all individuals, associations, partnerships, corporations, and others who have interest in a dwelling and any who are in possession or control thereof—as agent of the owner, as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner.

Pier means a masonry support of at least eight (8) inches by twelve (12) inches of solid masonry extending from the ground and footing to and supporting the building or portion thereof. Pier sizes and spacing shall conform to the specifications of the North Carolina Residential Building Code.

Plumbing means the water supply system, the sanitary and storm drainage system, the vent system, the fixtures and traps and shall include their respective connections, devices, appliances and appurtenances within the property lines of the premises.

Public authority means any public authority for housing or any officer who is in charge of any department or branch of the government of the city, the county, or state relating to health, fire, building regulations, or other activities concerning dwellings or buildings in the city.

Public space shall mean that space within any multifamily housing which is open to common use by the occupants and others visiting the premises except in townhouse developments.

Residential building means any building or structure, or portion thereof, which is used, or designed or intended to be used for human habitation including living, sleeping, cooking, and eating or any combination thereof.

Roominghouse or *boardinghouse* means the keeping of persons by a family as an incidental home occupation provided that the capacity (total number of roomers or boarders) shall not exceed one (1) person per seventy-five (75) square feet of the permissible area for said incidental home occupation.

Rooming unit means any room for let within a rooming house.

Rubbish means combustible and noncombustible waste materials except garbage, including but not limited to ashes, wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, excelsior, rubber, leather, tree branches, yard trimmings, leaves, tin cans, metals, mineral matter, glass, crockery, dust and dirt.

Sagging means the amount of deflection occurring over a span between two (2) supports. A deflection of 1/240 shall be deemed as a structural defect.

- CODE OF ORDINANCES
Chapter 11 - HOUSING CODE

ARTICLE I. - IN GENERAL

Seriously means that the amount of damage occurring shall be sufficient to decrease the designed strength of the structural member.

Story means that part of a building comprised between a floor and the floor or roof next above.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term "structure" shall be construed as if followed by the words "or part thereof."

Substandard residential building means any building, including any dwelling unit, guest room, or suite of rooms or the premises on which the same is located, or portion thereof, which do not meet the minimum requirements of this chapter.

Tenant means any person who alone or jointly or severally with others occupies a residential building under a lease or holds a legal tenancy in a building.

Unfit for human habitation means any of those certain conditions that exist in any dwelling or building as set forth under section 11-8(Owner's responsibility for safety of occupants), 11-10 (Conditions rendering residential buildings unfit for human habitation etc.) 11-37 (Determination that structures are unfit or substandard) 11-41 (Emergency cases) and any other conditions stated in Chapter 11.

Verified Violation-A violation becomes a verified violation only when the violation is not corrected/repaired within the time frame allowed by the Inspector or the Director.

Violation – A violation occurs when a building or structure fails to meet standards established by this Chapter 11.

Workmanlike manner means repairs and alterations shall be performed in accordance with accepted standards of each trade using quality materials and craftsmanship.

(Code 1961, § 10-5; Ord. No. 03-250, § 1, 11-18-03; Ord. No. 05-122, § 1, 6-7-05)

Cross reference— Building code, § 6-21 et seq.

Sec. 11-3. - Findings of fact.

The city council hereby finds and declares that there exist within the city limits residential buildings and accessory structures which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, and other conditions rendering such buildings unsafe or unsanitary, or dangerous, or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents within the city, and that public necessity exists to exercise the police powers of the city to cause the repair and rehabilitation, closing or demolishing of such buildings and structures in the manner provided in this chapter.

The city council further finds that there exists within the city limits non-residential buildings and structures that appear to be vacant or abandoned and to the building inspector appear to be in

- CODE OF ORDINANCES
Chapter 11 - HOUSING CODE

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such a 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 which would constitute a public nuisance.

(Code 1961, § 10-2; Ord. No. 05-122, § 2, 6-7-05)

Sec. 11-4. - Purpose.

The purpose of this chapter is to arrest, remedy, and prevent the decay and deterioration of places of habitation and to eliminate blighted neighborhoods by providing minimum requirements for places of habitation for the protection of the life, health, welfare, safety, and property of the general public and the owners and occupants of places of habitation.

Additionally, the purpose of this chapter is to arrest, remedy, and prevent the decay and deterioration of non-residential buildings and structures for the protection of life, health, welfare, safety and property of the general public and the owners and occupants of non-residential buildings and structures.

(Code 1961, § 10-3; Ord. No. 05-122, § 3, 6-7-05)

Sec. 11-5. - Scope.

The provisions of this chapter are applicable to all residential buildings and accessory structures within the city limits, as now or hereafter fixed. Demountable buildings or structures, when used for or intended for the use of human habitation, shall be subject to the applicable provisions of this chapter.

The provisions of this chapter shall apply to all non-residential buildings and structures within the city limits as now or hereinafter fixed.

(Code 1961, § 10-4; Ord. No. 05-122, § 4, 6-7-05)

Sec. 11-6. - Chapter supplemental.

The powers conferred upon the inspector by the provisions of this chapter shall be in addition and supplemental to the powers conferred upon the inspector. Nothing in this chapter shall be construed to impair or limit in any way the power of the inspector to bring criminal action or use other lawful remedies for violation of any of the provisions of this chapter. The measures and procedures herein provided for do not supersede or repeal any other measures or procedures which are provided by ordinance or state law for the elimination, repair, or correction of the conditions referred to in section 11-3, but the measures and procedures herein provided for shall be in addition to the same.

(Code 1961, § 10-27(a))

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Sec. 11-7. - General owner responsibilities.

An owner remains liable for violations of duties imposed upon him by this chapter even though:

- (1) An obligation is also imposed on the occupants.
- (2) The owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this chapter.

An owner shall not be responsible for penalties imposed under this Chapter for violations caused solely by the acts of tenants, tenants' guests or invitees. Owner shall be responsible for ensuring that the building/dwelling unit is brought into compliance with this Code.

(Code 1961, § 10-14(a))

Sec. 11-8. - Owner's responsibility for safety of occupants.

- (a) In order to protect the health and safety of occupants of a building the owner shall, within forty-eight (48) hours after being notified in writing, repair any broken, burst, frozen or inoperable plumbing pipe or fixtures.
- (b) In order to protect the life and safety of occupants of a building the owner shall, within forty-eight (48) hours after being notified in writing, repair any exposed or unsafe wiring.
- (c) In order to protect the life and safety of occupants of a building, the owner shall, within forty-eight (48) hours after being notified in writing, repair or replace any unsafe and/or dangerous cooking or heating equipment provided by the owner.
- (d) In order to protect the life and safety of occupants of a building, the owner shall, within forty-eight (48) hours after being notified in writing, repair or replace fuel storage tanks and/or supply lines provided by the owner which are leaking, improperly supported or dangerous.

(Code 1961, § 10-16)

Sec. 11-9. - General duties of occupants.

- (a) Every occupant of a dwelling unit or an apartment shall:
 - (1) Keep that part of a dwelling unit or an apartment which he occupies and controls in a clean and sanitary condition.
 - (2) Keep all required plumbing and other fixtures in a clean and sanitary condition, and exercise reasonable care in the use and operation thereof.

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- (3) Be responsible for the extermination of any insects, rodents, or other pests whenever said dwelling unit or apartment is the only one in the residential building infested and the owner has provided a reasonably insect-proof and adequate rodent-proof building.
 - (4) Dispose of all garbage and other refuse in an approved garbage receptacle; when approved garbage receptacles are not provided by the landlord, it shall be the responsibility of the occupant to provide adequate approved garbage receptacles.
 - (5) Not place on the premises any material which causes a fire hazard or otherwise endangers the health or safety of any occupants of such building; not place in storage or on the premises any furniture, auto parts, junk, equipment, or material which harbors insects, rodents, or other pests.
 - (6) Maintain fuel storage tanks and their supports which are furnished by the occupant in a safe and nonhazardous condition; not alter, change or cause damage to existing fuel storage tanks or their supports so as to make the same unsafe or dangerous.
 - (7) Not occupy any dwelling unit unless running water is provided to the required plumbing fixtures.
 - (8) Not place within any structure for use therein any oil-or gas-fired portable or nonvented cook-stove or heater.
 - (9) Not place on the premises for the use thereon any heating or cooking unit which constitutes a serious fire hazard.
 - (10) Cause such damage to the dwelling unit or apartment let to him as to make the same unfit for human habitation.
- (b) Upon discovering a violation of subsection (a), the inspector shall, based upon the standards set forth under section 11-10, have the power to order the correction of any such violations within forty-eight (48) hours from date of notice thereof. In the event that the occupant fails to make such corrections, then the inspector shall set a hearing pursuant to the procedures of section 11-39, subsection (a) and, thereafter may again order the correction of any such violations within forty-eight (48) hours from date of service of the order upon the occupant. In the event that the occupant still fails to make such corrections, then the inspector may order the building to be vacated within a reasonable time. The inspector may pursue any other civil or criminal action as he deems reasonably necessary in order to effectuate the purposes of this chapter.

(Code 1961, §§ 10-13, 10-15)

Sec. 11-10. - Conditions rendering residential buildings unfit for human habitation and declaration of unsafe non-residential building or structure.

- (a) The inspector shall determine that a residential building is unfit for human habitation if he finds that any of the following conditions exist in such building:

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- (1) Interior walls or vertical studs which seriously list, lean, or buckle to such an extent as to render the building unsafe.
 - (2) Supporting members or members which show thirty-three (33) percent or more of damage or deterioration, or nonsupporting, enclosing or outside walls or covering which show fifty (50) percent or more of damage or deterioration.
 - (3) Floors or roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the purposes used.
 - (4) Such damage by fire, wind, or other causes as to render the building unsafe.
 - (5) Dilapidation, decay, unsanitary conditions, or disrepair which is dangerous to the health, safety, or welfare of the occupants or other people in the city.
 - (6) Inadequate facilities for egress in case of fire or panic.
 - (7) Defects significantly increasing the hazards of fire, accident, or other calamities.
 - (8) Lack of adequate ventilation, light, heating, or sanitary facilities to such extent as to endanger the health, safety, or general welfare of the occupants or other residents of the city.
 - (9) Lack of proper electrical, heating or plumbing facilities required by this chapter which constitutes a health or a definite safety hazard.
- (b) Irrespective of the above, a residential dwelling unit shall be construed by the inspector to be unfit for human habitation, and he shall so find if such dwelling unit contains more than five (5) separate types of violations of any of the minimum standards set forth in this chapter.
- (c) An inspector may declare a non-residential building or structure to be unsafe if it appears to the inspector to be vacant or abandoned, and it appears to be in such a 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 which would constitute a public nuisance.

(Code 1961, § 10-21; Ord. No. 05-122, § 5, 6-7-05)

Sec. 11-11. - Damaging or removal of permanent fixtures.

No person shall damage, mutilate, or remove, nor shall any person suffer, permit, or cause to be damaged, mutilated, or removed any permanent fixtures from any dwelling unit.

(Code 1961, § 10-25(c))

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Sec. 11-12. – Unlawful to Rent or occupy property after expiration of time limits of any orders issued in accordance with Chapter 11

- (a) If any order issued and served in accordance with this chapter is not complied with within the time specified therein, it shall be unlawful for any person that had knowledge of the issuance of the order to occupy any portion of any residential building for any purpose. Each day is a separate offense. A placard placed on the building shall have the same effect as a written order delivered to owner or agent.
- (b) When the inspector finds that a building is unfit for human habitation within the meaning of this chapter and has notified the owner to such effect and the time limit set by the inspector for the correction of defects and vacating same has expired, it shall be unlawful for any person (including but not limited to Owner or Owner's agent) to receive rentals, offer for rent, or occupy said building/dwelling unit for any purpose.

(Code 1961, §§ 10-24(a), 10-25(b))

Sec. 11-13. - Unauthorized removal of orders or notices.

No person, without the written consent of the inspector, shall remove or permit the removal of any complaint, notice or order posted in accordance with the provisions of this chapter.

(Code 1961, § 10-25(a))

Secs. 11-14—11-30. - Reserved.

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Sec. 11-31. - Enforcement agency generally.

- (a) The Director of the Department of Planning and Community Development is hereby designated the public officer to exercise, by and through his duly appointed agents, the powers prescribed by this chapter.
- (b) The inspector shall have such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter, including (without limiting the generality of the foregoing) the following powers in addition to others herein granted:
 - (1) To investigate residential building conditions in the city in order to determine which buildings therein are unfit for human habitation, being guided in such examinations of buildings by the requirements set forth in this chapter.
 - (2) To administer oaths, affirmations, and to examine witnesses and receive evidence.
 - (3) To enter upon and within premises, dwellings, and buildings for the purpose of making examinations and investigations; provided that such entries shall be made in such lawful manner as to cause the least possible inconvenience to the persons in possession. However, no entrance shall be made into the premises without the permission of the person in legal possession thereof, or absent permission without first obtaining an administrative search warrant.

State law reference— Administrative search and inspection warrants, G.S. § 15-27.2.

- (4) To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of this chapter.
- (5) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate.

(Code 1961, §§ 10-6, 10-23; Ord. No. 03-180, §§ 1, 2, 8-4-03)

State law reference— Enforcement officer generally, G.S. §§ 160A-443, 160A-448.

Sec. 11-32. - Consulting agencies, enforcement coordination, etc.

- (a) The inspector shall have authority to request advice and assistance of the city planning board, county planning board, Housing Authority of Greensboro, Redevelopment Commission of Greensboro, fire department, police department, county health department, county fire marshal, and any other public authority he may deem appropriate, in order to determine those areas of the city in which substandard housing may be prevalent, and shall designate and schedule such areas for comprehensive inspection under this chapter.

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- (b) The employees of the fire department and police department shall make a report to the inspector of all buildings or structures which are, may be, or are suspected of being unfit for human habitation or a dangerous accessory structure.
- (c) It shall be the duty of the city manager to coordinate and set up proper departmental enforcement procedures to carry out the provisions of this chapter and written reports with respect thereto shall be made to the city council within thirty (30) days after the close of each calendar quarter of the fiscal year of the city. The report should contain the following-(i) the number of active cases at the end of each quarter; (ii) the number of cases brought into compliance during the quarter; (iii) data on cases granted extensions by the Director of Planning and Community Development (beyond the 90 days granted by the inspector); (iv) the number of cases heard by the Minimum Housing Commission during the quarter and a summary of the actions taken by the Commission; (v) the number of outstanding demolition orders pending at the end of the quarter; (vi) the number of houses demolished during the quarter; and, (vii) any other items requested by Council.
(Code 1961, §§ 10-7, 10-26(c), 10-27(b))

Sec. 11-33. - Appeals.

An appeal to the housing commission may be taken from any decision or order of the inspector by any person aggrieved thereby or by any officer, board, or commission of the city. Any appeal from the inspector to the commission shall be taken within a reasonable time as prescribed by the rules of the housing commission, and shall be taken by filing with the inspector and with the secretary of the commission a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of notice of appeal, the inspector shall forthwith transmit to the commission all the papers constituting the record upon which the decision appealed from was made.

(Code 1961, § 10-20)

Charter reference— Appeals, § 5.73.

Cross reference— Housing commission, § 2-176.

State law reference— Similar provisions, G.S. § 160A-446.

Sec. 11-34. - Civil liability.

Except as may otherwise be provided by statute or local law or ordinance, no officer, agent, or employee of the municipality charged with the enforcement of this chapter shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. No person who institutes, or assists in the prosecution of, a criminal proceeding under this chapter shall be liable to damages hereunder

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unless he acted with malice and without reasonable grounds for believing that the person accused was guilty of an unlawful act or omission.

(Code 1961, § 10-9)

Sec. 11-35. - Service of complaints and orders.

- (a) Complaints or orders issued by a public officer pursuant to this chapter shall be served upon persons personally, by registered or certified mail, or by regular mail sent simultaneously with registered or certified mail. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected. A person who cannot with due diligence be served by personal delivery or registered or certified mail may be served by publication in the manner provided for service in G.S. 160A-455(a1) or in G.S. 1A-1, Rule 4(j1) of the North Carolina Rules of Civil Procedure. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected. All notices and orders subsequent to the complaint may be served in accordance with G.S. 1A-1, Rule 5(b) of the North Carolina Rules of Civil Procedure.

Each owner of rental property located within the city shall authorize a person residing in Guilford County to serve as his or her agent for the purpose of accepting service of process pursuant to this chapter. The owner shall provide, on a form supplied by the inspection division, local ordinance section, the authorized agent's name, address and phone number. The owner shall notify the local ordinance enforcement division of any changes in the information provided not less than ten (10) days after such changes have occurred. Service on the owner's designated agent shall be sufficient as service on the owner. Nothing in this section shall be interpreted to require an owner to designate an agent to accept service of process where the owner of the rental property resides within the city.

- (b) Upon the issuance of a complaint and notice of hearing or an order related to the complaint or hearing, a separate notice of the pending action, along with a copy of the complaint, notice of hearing or order, may be filed in the office of the Clerk of Superior Court in Guilford County. The separate notice shall be in the form of a notice of lis pendens and shall contain the name of the tribunal or forum where the complaint or order is pending, the names of the parties to the action, the nature and purpose of the action, and a description of the property to be affected. After the notice of lis pendens is filed and the clerk of court has indexed the complaint and notice of hearing or an order, successors and assigns of the owners and all parties with an interest in the affected property shall be bound by the complaint and notice of hearing or order.
- (c) The filed notice of lis pendens shall remain in full force and effect until cancelled, which cancellation shall not occur until all violations of this chapter have been cured with respect to the affected property and the owner has reimbursed the city for any reimbursable costs or the owner has demolished the affected property or has reimbursed the city for all demolition costs incurred by it.

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(Code 1961, § 10-22; Ord. No. 94-73, § 1, 8-15-94; Ord. No. 95-83, § 1, 7-19-95; Ord. No. 97-188, § 1, 11-18-97; Ord. No. 07-28, § 1, 2-20-07)

State law reference— Similar provisions, G.S. § 160A-445.

Sec. 11-36. - Notice to transferee, mortgagee, etc., of notices, etc., effect of notices, etc., on same.

It shall be unlawful for the owner of any building upon whom a notice, complaint, or order has been served to sell, transfer, mortgage, lease, or otherwise dispose thereof until the provisions of the notice, complaint, or order have been complied with, or until such owner shall first furnish to the transferee, lessee, or mortgagee prior to such transfer, lease, or mortgage a true copy of any notice, complaint, or order issued by the inspector and at the same time give written notice to the inspector of the intent to transfer, lease, or mortgage and to whom the transfer, lease, or mortgage is proposed. A transferee, lessee, or mortgagee who had received actual or constructive notice of the existence of a notice, complaint, or order shall be bound by such notice, complaint, or order as of the date of such transfer, lease, or mortgage without service of further notice upon him.

(Code 1961, § 10-25(d))

Sec. 11-37. - Determination that structures are unfit or substandard.

The inspector shall determine that residential buildings and accessory structures are substandard and unfit for human habitation if he finds, on the basis of the standards and requirements of fitness set forth in this chapter, that conditions exist in such buildings or accessory structures which are dangerous or injurious to the health, safety or morals of the occupants of such buildings, the occupants of neighboring buildings or other residents of the city; such conditions include (without limiting the generality of the foregoing): Defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; and uncleanness.

(Code 1961, § 10-8)

State law reference— Standards required, G.S. § 160A-444.

Sec. 11-38. - Inspections.

(a) It shall be the duty of the inspector diligently to examine buildings, dwellings, units, and accessory structures located in the city especially in those portions of the city where the conditions described in section 11-3 exist for the purpose of locating and taking action with respect to such buildings, dwellings, units, and structures as appear to be unfit for human habitation. Reasonable cause to inspect means any of the following: (i) there has been

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a complaint that substandard conditions exist within the building or dwelling unit (ii) there has been a request that the building or dwelling unit be inspected;(iii)the inspection department has actual knowledge of an unsafe condition within the building and/or dwelling unit; (iv)violations of the local ordinances or codes are visible from the outside of the property; and (v) the owner has a history of more than two uncured verified violations of the housing ordinances or codes within a 12 month period.

- (b) It shall be the duty of the inspector diligently to examine non-residential buildings and structures located in the city where the conditions described in section 11-3 exist for the purpose of locating and taking action with respect to such non-residential buildings and structures as appear to be unsafe.

(Code 1961, §§ 10-14(b), 10-17; Ord. No. 89-58, § 1, 4-27-89; Ord. No. 05-122, § 6, 6-7-05)

Sec. 11-39. - Condemnation procedure.

- (a) Whenever a petition is filed with the inspector by a public authority or by at least five (5) residents of the city charging that any building or accessory structure is unfit for human habitation or whenever it appears to the inspector (on his own motion) that any such building or accessory structure is unfit for human habitation, the inspector shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner or any parties in interest in such building, a complaint stating the charges and containing a notice that a hearing will be held before the inspector (or his designated agent) at a place therein fixed within the city, not less than ten (10) days nor more than thirty (30) days after the serving of said complaint; the owners and parties in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; notice of such hearing shall also be given to at least one (1) of the persons signing any petition relating to such building; any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the inspector.
- (b) If, after such notice and hearing, the inspector determines that the building under consideration is unfit for human habitation in accordance with the standards herein set forth, he shall state in writing his findings of fact in support of such determination, and shall issue and cause to be served upon the owner thereof an order. In addition, the inspector shall cause notice of the order to repair the building or otherwise demolish to be mailed by first class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. Such orders shall be mailed at least forty-five (45) days before the inspector may cause such building to be demolished, in order to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The inspector or city clerk shall certify the mailing of the notices, and the certification shall be

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conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the inspector to wait forty-five (45) days before causing removal or demolition. The order shall require the owner, within a reasonable time fixed by the inspector, but not less than thirty (30) days nor more than ninety (90) days, to make such repairs, alterations or improvements necessary to correct existing violations of the minimum standards and requirements set forth in this chapter; provided that the order shall further state that if the owner does not make the necessary repairs to correct existing violations as specified in the order, the owner shall, within the same reasonable time period, either:

- (1) Repair, alter or improve the building, if the repair, alteration or improvement ordered would cost less than fifty (50) percent of the present value of the building; or,
- (2) Demolish the building if the repair, alteration or improvement ordered would cost an amount equal to or in excess of fifty (50) percent of the present value of the building. However, whenever a dwelling is located in a designated historic district of the city and the historic district commission in a public hearing has determined that the dwelling is of a particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the inspector or minimum housing standards commission may issue an order that the dwelling be vacated and closed consistent with North Carolina General Statutes Section 160A-400.14(a).

If, within the time fixed by the inspector for repairing, altering or improving such building, the inspector finds there has been substantial compliance with the provisions of the order or that the owner has filed with the inspector a written request for additional time to make repairs and provides written documentation for the need of additional time, the inspector may extend the time for compliance with the provisions for the order for an additional period of time; however the total time given by an inspector, including all extensions, shall not exceed 90 days. Requests for additional time to comply under the order may be granted if a written request stating the reasons for the extension, including any written supporting documentation, is made to the Director of the Department of Planning and Community Development or his/her designee during the initial period or any extension period granted by the inspector. The grant of any extensions, either by an inspector or by the Director of the Department of Planning and Community Development or his/her designee shall be in writing and must state the cause and conditions of the extension and the amount of time allowed by the extension.

- (c) If the owner of a building fails to comply with order to repair, alter or improve the building, the inspector may cause such building to be repaired, altered or improved, or to be demolished; provided, that after the building has become vacant, the inspector may cause the water service to said building to be discontinued until such time as there is compliance with the order. The inspector shall cause to be posted on the main entrance of any building so closed a placard with the following words:

"This building is unfit for human habitation; the use of occupancy of this building for human habitation is prohibited and unlawful."

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- (d) If the owner fails to comply with an order to repair or, upon his failure to do so, otherwise demolish the building, the inspector may cause such building to be demolished; provided, that the duties of the inspector with respect to causing the repair, alteration, improvement or demolition set forth in subsections (c) and (d) shall not be exercised until the minimum housing standards commission shall by resolution or other decree order the inspector to proceed to effectuate the purposes of this chapter concerning the particular property or properties which the inspector shall have found to be unfit for human habitation or dangerous, and which property or properties shall be described in the resolution or other decree. Such decree shall be recorded in the office of the register of deeds of Guilford County. Unless an appeal is filed with the housing commission in accordance with applicable provisions of law, the inspector shall proceed to vacate and close any such building and cause the discontinuance of water service to the vacant building without further action by the minimum housing standards commission.
- (e) The amount of the cost of such repairs, alterations, improvements, and demolition by inspector shall be a lien against the real property upon which such cost was incurred; said lien shall be filed, have the same priority and be collected or foreclosed upon in the same manner as is provided for assessments for local improvements. The property owner shall have the option of paying for the cost of demolition either in cash or in five (5) equal annual installments with such installments bearing interest at the rate of six (6) percent per annum from the date of the filing of the lien. If any cost is not paid in cash, the first installment, with interest, shall become due and payable thirty (30) days after the date of the filing of the lien, and one (1) subsequent installment and interest shall be due and payable on the same day of the month in each successive year until the cost is paid in full. If any installment with interest is not paid when due, it shall be subject to the same penalties as are now prescribed by law for unpaid assessments, in addition to the interest herein provided for, and, in addition, all of the installments remaining unpaid shall at once become due and payable and the property may be sold in the same manner as now prescribed by law for the sale of land for unpaid taxes. The whole cost of the demolition may be paid at the time of paying any installment by payment of the principal and all interest accrued to that date. If the building is demolished by the inspector, he shall sell the materials of such building and any personal property, fixtures or appurtenances found in or attached to the dwelling and shall credit the proceeds of such sale against the cost of demolition, and any balance shall be deposited in the superior court of the county by the inspector, to be secured in such manner as may be directed by such court and disbursed by the court to the persons found to be entitled thereto by final order or decree by such court.
- (f) Failure on the part of any owner or party in interest to receive or have served upon him any complaint, notice, or order herein provided for shall not affect or invalidate the proceedings with respect to any other owner or party in interest or any other person.
- (g) For the purposes of fixing the value of dwellings, when a building containing multifamily residential structures is inspected pursuant to this chapter, the inspector shall fix a reasonable value of the total building rather than individual dwelling units contained within any such building. The value of the total building shall be used in determining whether the

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building should be repaired, altered or improved, or demolished and removed. The inspector may fix a reasonable value of any building for the purpose of this section and such value shall be binding, unless the owner protests such value in writing to the inspector within ten (10) days after receipt of an order.

- (h) Whenever the minimum housing standards commission shall have adopted an ordinance or other decree or the inspector shall have commenced proceedings under the housing code regarding a dwelling to be repaired or demolished, and the owner has failed to cause such dwelling to be repaired or demolished; provided, the minimum housing standards commission shall first find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its (dilapidated) status would be inimical to the health, safety, morals and welfare of the municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this state. All ordinances or decrees shall be in compliance with all applicable state and federal laws.

In such circumstances, the minimum housing standards commission may enact a resolution or other decree and serve such order upon the owner, requiring that the owner, either:

- (1) Repair or demolish and remove the dwelling within ninety (90) days, if the repair necessary to render the dwelling fit for human habitation would cost less than fifty (50) percent of the present value of the dwelling; or,
- (2) Repair or demolish and remove the dwelling within ninety (90) days if the repair necessary to render the dwelling fit for human habitation would cost an amount in excess of fifty (50) percent of the present value of the dwelling.

Such order shall be recorded in the office of the register of deeds of Guilford County and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with the order of the Greensboro minimum housing standards commission within the time fixed by such order, then the housing inspector may effectuate the purpose of the ordinance by causing such dwelling to be demolished and removed. The cost of such demolition and removal shall be a lien against the real property upon which such cost was incurred.

The housing inspector in proceeding to effectuate the purposes of this section shall follow the requirements of section 11-39(e). The housing inspector shall not proceed to repair or demolish property or properties in accordance with this section until the minimum housing standards commission shall by resolution or other decree order the inspector to proceed to effectuate the purposes of this section concerning a particular property or properties.

- (i) The complaint and notice issued pursuant to subsection (a) or the orders issued pursuant to subsection (b) and (h) may be filed in the notice of lis pendens in the office of the clerk of superior court of the county, or the office of the clerk of superior court where the property

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is otherwise located. From the time and date of recording of such complaint and notice or order, it shall be notice to and binding upon the successors in interest or assigns of the owner of the building or accessory structure. At such time as the residential building or accessory structure affected by the complaint or order is either demolished or brought into compliance with the then existing effective ordinances the inspector may cancel the notice of lis pendens.

(j) After an inspector declares a non-residential building or structure unsafe in accordance with section 11-10(c), the inspector must affix a notice of the unsafe character of the non-residential building or structure in a conspicuous place upon the exterior of the building or structure. If any person shall remove any notice that has been affixed to any building or structure by the inspector, that person shall be guilty of a Class 1 misdemeanor. If the owner of the non-residential building or structure that has been condemned as unsafe pursuant to this chapter shall fail to take prompt corrective action, the inspector shall give the owner written notice, by certified or registered mail to his last known address or by personal service that:

(1) The non-residential building or structure is in a condition that appears to meet one of the following conditions:

- a. Constitutes a fire or safety hazard;
- b. Is dangerous to life, health, or other property;
- c. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children;
- d. Has a tendency to attract persons intent on criminal activities or other activities which would constitute a public nuisance.

(2) That a hearing will be held before the inspector at a designated place and time, no later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or through counsel and to present arguments and evidence pertaining to the matter; and

(3) That following the hearing, the inspector may issue such order to repair, close, vacate, or demolish the building or structure as appears appropriate within a period not less than sixty (60) days from the date of the order. However 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 of time as may be feasible.

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 ten (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 (1) week prior to the hearing.

Any owner who has received an order under this chapter may appeal from the order to the minimum housing standards commission by giving written notice to the inspector and to the

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commission within ten (10) days following the issuance of the order. In the absence of an appeal the order of the inspector shall be final.

If an owner shall fail to comply with an order issued pursuant to section 11-10(c) and section 11-39, from which no appeal has been taken, or fails to comply with an order from the housing commission following an appeal, he shall be guilty of a Class 1 misdemeanor and the city may, in addition to any other remedy provided by law or equity, take action causing the non-residential building or structure to be removed or demolished. The amounts incurred in connection with the removal or demolition shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as liens for special assessments. If the building or structure is removed or demolished by the city, the city shall sell usable materials of the building and any personal property, fixtures, or appurtenances found in or attached to the building and credit the proceeds of such sales against the costs of removal or demolition. Any balance remaining, if any, shall be deposited with the Guilford County Clerk of Superior Court and shall be disbursed by the court to the person found to be entitled thereto by final order or decree of the court.

Nothing in this chapter shall be construed to impair or limit the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

(Code 1961, § 10-18(a)—(g); Ord. No. 89-160, §§ 1—3, 11-30-89; Ord. No. 91-137, §§ 1, 2, 11-14-91; Ord. No. 95-83, § 2, 7-19-95; Ord. No. 96-92, § 1, 7-23-96; Ord. No. 97-39, § 1, 3-18-97; Ord. No. 03-238, §§ 1—5, 10-21-03; Ord. No. 04-167, § 1, 9-7-04; Ord. No. 05-122, § 7, 6-7-05)

Cross reference— Unsafe building, § 17-26 et seq.

State law reference— Similar provisions, G.S. § 160A-443.

Sec. 11-39.1. - Requirements for closing and securing substandard buildings.

- (a) Every building required to be closed by order of the housing inspector or minimum housing standards commission pursuant to section 11-39 or 17-29 of this Code shall be closed in accordance with the standards and requirements for closing buildings as stated in the International Property Maintenance Code, Appendix A. Any deviation from the standards stated in Appendix A must be approved by the Director of the Department of Planning and Community Development or the designee.
- (b) Any building closed pursuant to an order of the housing inspector or minimum housing standards commission must be maintained closed and secure by the owner. If the order of the housing inspector or minimum housing standards commission to close and secure a building is complied with by the owner thereof, and thereafter the building is unlawfully opened, the inspector shall serve the owner with an order to reclose and secure the building within thirty (30) days after service of the order. Any owner who fails to comply with an

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order to reclose and secure a building within the time required under the order shall be subject to civil and criminal penalties prescribed by this chapter.

(Ord. No. 91-137, § 3, 11-14-91)

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Sec. 11-40. - Periodic Inspections of Residential Rental Dwelling Units

(a) The inspection department may make periodic inspections, subject to the council's directions, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in residential rental buildings and/or rental dwelling units within its territorial jurisdiction. The inspection department may make periodic inspections of residential buildings and dwelling units only when there is reasonable cause to believe that unsafe, unsanitary, or otherwise hazardous or unlawful conditions may exist in residential rental buildings or dwelling units. For purposes of this section, the term "reasonable cause" means any of the following: (i) there has been a complaint that substandard conditions exist within the building or dwelling unit (ii) or there has been a request that the building or dwelling unit be inspected; (iii) the inspection department has actual knowledge of an unsafe condition within the building; (iv) violations of the local ordinances or codes are visible from the outside of the property; and (v) the owner has a history of more than two uncured verified violations of the housing ordinances or codes within a 12 month period. Owners with rental dwelling units and residential rental buildings found to be in violation of the housing code shall be given the opportunity to cure the violation. Owners of rental dwelling units and residential rental buildings in which all of the violations are cured within the time frame stated in the violation notice or in any extension periods granted by City shall not be deemed to have an uncured verified violation for purposes of this ordinance; however, where all of the violations are not cured within the time frame stated in the violation notice, (including any extensions granted by City) the owner is deemed to have an uncured verified violation. (e.g., a property with six violations and the owner cures all six (6) within the time given by the inspector does not become an uncured verified violation, whereas a property with six (6) violations and the owner only cures five(5), within the time frame including any extension given by the inspector , becomes an uncured verified violation). After the time frame given by the inspector, including all extensions, has passed, requests for additional time for repairing violations may be granted by the City Director of the Department of Planning & Community Development or his/her designee. Approval will be granted at the discretion of the Director or the designee. The request must be made during the timeframe for making all repairs as stated in the original violation notice including any inspector granted extensions. The request must be made in writing, must state the reasons for the extension and must include any appropriate written documentation to support the request. The grant of any extensions , either by an inspector or by the Director of the Department of Planning and CD or his/her designee shall be in writing and must state the cause and conditions of the extension and the amount of time allowed by the extension. Nothing in this section shall be construed to prohibit periodic inspections in accordance with State fire prevention code or as otherwise required by State law.

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(b) The City of Greensboro may levy a fee for residential rental property registration under this section for those rental dwelling units which have been found with more than five (5) verified violations of local ordinances within the previous 12 months. The fee shall be set by the Director of Planning and Community Development in an amount that covers the cost of operating a residential registration program and shall not be used to supplant revenue in other areas.

(c) The provisions of this Chapter shall not apply to: (i) transient occupancy in hotel, motel, apartments or similar lodging subject to regulation by the Commission for Public Health or other governmental agency, or (ii) rentals less than 30 days.

Sec. 11-41. - Emergency cases.

- (a) In emergency cases where it reasonably appears there is immediate danger to the life or safety of any person or to the safety of other property, unless a dwelling unit unfit for human habitation or a dangerous accessory structure is immediately repaired or demolished, the inspector shall order the structure vacated and cause the immediate repair or demolition of the structure and the cost of such repair or demolition shall be recovered and collected as is provided in section 11-39, subsection (e).
- (b) In emergency cases, the inspector shall have the power immediately to cause to be posted on the main entrance of any building or dwelling unit a placard with words which, in effect, provide notice that the building or dwelling unit has been condemned and that occupancy for human habitation is prohibited, and further setting forth the reasons therefore.

(Code 1961, § 10-26(a), (b))

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Sec. 11-42. – Fines, Fees and Penalties for violation of the housing code

- (a) Each violation of any provision of this chapter, , shall constitute a class 3 misdemeanor, punishable by a fine of not more than five hundred dollars or imprisonment of not more than twenty (20) days, as provided by North Carolina General Statutes, Section 14-4, as amended by Chapter 71 Session Laws of 1983 and Chapter 772 Session Laws of 1987.
- (b) Any person who violates any provision of this chapter shall also be subject to a civil penalty of two hundred dollars (\$200.00) for the first violation. For each day the violation is not corrected, a penalty of seventy-five dollars (\$75.00) per day shall be imposed. Civil penalties assessed under this section are considered restorative; intended to provide compensation to the city for costs associated with the city's program to monitor, control, prosecute, cure and/or correct the violation. As such, the amount declared herein is presumed to provide sufficient restoration to the city for its costs.

The assessment of civil penalties herein is not intended to be an exercise of powers delegated to other agencies or entities created by the General Assembly to regulate the proscribed conduct. The housing inspector shall not assess a civil penalty until the person alleged to be in violation has been notified of the violation by registered or certified mail, return receipt requested, by personal service, or other means reasonably calculated to give actual notice. The collection of a penalty pursuant hereto shall not foreclose further proceedings for penalties coming due after the date of the filing of a prior proceeding.

- (c) Re-inspection fees required by this Ordinance are charged in accordance with the City's Schedule of Fees and Services established by the Greensboro City Council. The City of Greensboro shall not charge a fee for re-inspection authorized by Section 11-42 of the Greensboro Code of Ordinances for any initial inspection of a dwelling unit or for any re-inspection during the applicable cure period, including any extension, in the enforcement of this ordinance. If the necessary repairs are not made within the applicable cure period, including any extension, the re-inspection fees authorized by Section 11-42 shall be charged. However, owners shall not be charged for any violations attributed to Tenants Cited in Section 11-9 of this Chapter of the Greensboro Code of Ordinances.
- (d) Nothing in this section shall preclude the issuance of a criminal summons in lieu of or in addition to the civil penalty citation.

(Ord. No. 88-138, § 1, 9-29-88; Ord. No. 95-141, § 1, 11-20-95; Ord. No. 96-92, § 2, 7-23-96; Ord. No. 00-215, § 4, 12-5-00; Ord. No. 04-167, § 7, 9-7-04; Ord. No. 04-244, §§ 1, 2, 12-7-04; Ord. No. 09-180, § 3, 11-10-09)

Secs. 11-43—11-45. - Reserved.

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DIVISION 2. - MINIMUM HOUSING STANDARDS COMMISSION⁽²⁾

Sec. 11-46. - Created.

There is hereby created a commission to be known as the Greensboro Minimum Housing Standards Commission.

(Code 1961, § 2-104; Ord. No. 93-141, § 1, 11-15-93)

Sec. 11-47. - Membership.

The minimum housing standards commission shall be composed of seven (7) members. Members shall be appointed by the council for terms to expire on August 15.

(Code 1961, § 2-105; Ord. No. 93-141, § 2, 11-15-93)

Sec. 11-48. - Powers and duties.

(a) The duties of the minimum housing standards commission shall be as follows:

- (1) Study rental rates, the need for reconditioning or condemnation, and other housing conditions within the city, and to make recommendations to the council concerning such matter.
- (2) Perform such other duties as may be assigned it from time to time by the council.
- (3) Hear and determine appeals from decisions of the building inspector upon any provision of chapter 11

(b) The commission may inspect houses and living quarters in the city, and shall have the right to enter with the building inspector for that purpose in accordance with applicable law.

(Code 1961, § 2-104; Ord. No. 93-141, § 2, 11-15-93)

Sec. 11-49. - Appeals.

(a) An appeal to the minimum housing standards commission may be taken from any decision or order of the building inspector by any person aggrieved thereby or by any officer, board, or commission of the city. Any appeal from the building inspector to the commission shall be taken within a reasonable time as prescribed by the rules of the commission, and shall be taken by filing with the building inspector and with the secretary of the commission a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of notice of appeal, the building inspector shall forthwith transmit to the commission all the papers constituting the record upon which the decision appealed from was made.

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- (b) When an appeal is from a decision of the building inspector refusing to allow the person aggrieved thereby to do any act, the decision of the building inspector shall remain in force until modified or reversed by the commission.
- (c) When an appeal is from a decision of the building inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement of the building inspector until the hearing thereon by the commission; unless the building inspector certifies to the commission, after the notice of appeal is filed with him, that by reason of the facts stated in the certificate (a copy of which shall be furnished the applicant), a suspension of his requirement would, in his opinion, cause imminent peril to life or property, in which case the requirement shall not be suspended except by a restraining order, which may be granted, for due cause shown and upon not less than one (1) day's written notice to the building inspector, by the commission or by any judge of the superior court authorized by law to grant restraining orders.
- (d) The commission shall fix a reasonable time for the hearing of all appeals and shall render its decisions within a reasonable time. The commission shall have power also in passing upon appeals, in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the housing code, to adapt the application of the code to the necessities of the case to the end that the spirit of the code shall be observed, public safety and welfare secured, and substantial justice done. For all continuances, the commission shall state the reasons and conditions for the continuance.
- (e) Upon the hearing of any appeal any party may appear in person or by agent or attorney.

(Code 1961, § 2-113; Ord. No. 93-141, § 2, 11-15-93)

Sec. 11-50. - Vote required to reverse inspector.

The concurring vote of four (4) members of the minimum housing standards commission shall be necessary to reverse or modify any decision of the building inspector.

Sec. 11-51. Additional time may be granted to structures of historical significance

- (a) If a structure located within an Historic District or other area of the city has historical significance as defined below, the minimum housing standards commission may authorize the time table below to allow the owner or other interested party the opportunity of repairing or securing a buyer for the property. Before the commission grants the additional time, the commission shall find the following:
 - (1) That the structure is included on the city's inventory of historic architecture, or is determined to be more than fifty (50) years old and of equivalent architectural or historical significance as determined by the Greensboro Historic District Commission; and

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- (2) That the owner or other individual or agency has indicated interest in actively pursuing the preservation of the structure; and
 - (3) That in the case of a vacant structure, it has been properly boarded up and made secure and does not pose an unsafe or hazardous condition, as determined by the building inspector.
- (b) The commission may grant additional time for the purpose of bringing the property into full compliance as follows:
- (1) Up to eighteen (18) months from the date of determination by the commission may be granted to complete the renovation or restoration of the property.
 - (2) If, at the end of the time granted by the commission, active efforts are being made to complete the work and at least fifty (50) percent of the work is completed, the commission can grant up to twelve (12) months additional time.
 - (3) Progress reports will be made to the commission within the time period prescribed by the commission. Failure of the property owner to make these reports or to complete the work according to the schedule set by the commission will constitute a violation of this special provision, and all other provisions of the housing code shall apply.
- (c) The commission may require periodic progress reports from the owner or contractor.
- (Ord. No. 89-21, § 1, 2-16-89; Ord. No. 93-141, § 2, 11-15-93; Ord. No. 00-215, § 3, 12-5-00)

Secs. 11-52—11-55. - Reserved.

FOOTNOTE(S):

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Editor's note— Ord. No. 93-141, adopted Nov. 15, 1993, changed the name of the "housing commission" to the "minimum housing standards commission," and § 3 of such ordinance provided that said change be made throughout the Code. It should be noted that such change will be made as pages are affected through the supplement service. ([Back](#))

Charter reference— Housing commission, § 5.74. ([Back](#))

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ARTICLE III. - MINIMUM STANDARDS

ARTICLE III. - MINIMUM STANDARDS [B]

Sec. 11-56. - 2000 International Property Maintenance Code—Certain chapters and index adopted as minimum standards.

The following chapters and index of the 2000 International Property Maintenance Code, as copyrighted by the International Code Council, Inc. shall be applicable to those buildings and structures, residential and non-residential, as if fully set forth in this article, with any additions, insertions, deletions and changes, if any, prescribed in this article.

Chapter 3 General Requirements

Chapter 4 Light, Ventilation and Occupancy Limitations

Chapter 5 Plumbing Facilities and Fixture Requirements

Chapter 6 Mechanical and Electrical Requirements

Chapter 7 Fire Safety Requirements

Chapter 8 Referenced Standards

Index

Amendments to the International Property Maintenance Code which are adopted and published by the International Code Council, Inc., from time to time, shall be effective as to this Chapter 11 on the effective date prescribed by the International Code Council, Inc.

(Ord. No. 03-112, § 1, 5-20-03; Ord. No. 04-167, § 8, 9-7-04)

Sec. 11-56. - Same—Amendments.

(a) The following chapter sections are hereby revised:

Section 302.4, Amend the section by deleting the entire section;

Section 303.14, Amend the section by deleting the phrase, "During the period from _____ to _____" and begin the section with the word "Every";

Section 305.2.1, Amend the section by adding to the end of the last sentence of the section the phrase, "unless otherwise required by a lease";

Section 402.2, Amend the section by inserting the phrase, "by natural light or", in lines 3 and 9 following the word, "times";

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Section 505.4, Amend the section by deleting the word "less" from line 5 and inserting in its place the phrase, "not more than";

Section 602.3 Amend the section by deleting the phrase, "during the period from _____ to _____" from line 5; and

Section 602.4 Amend the section by deleting the phrase, "during the period from _____ to _____" from lines 2 and 3.

(b) The following amendments are made to Chapter 8

The last sentence of paragraph one; "The application of the referenced standards shall be as specified in Section 102.7" is deleted.

All references to Chapters 102 and 201 are hereby deleted.

The following paragraph is added to the chapter:

"All structures currently in compliance with all existing codes shall not be subject to the provisions of this Code until such time as they are found to be in violation of existing codes or are remodeled, up-fitted or renovated."

(Ord. No. 03-112, §§ 2, 3, 5-20-03)

FOOTNOTE(S):

--- (3) ---

Editor's note— Ord. No. 03-112, adopted May 20, 2003, deleted Ch. 11, Art. III, Div. 1 and 2 in its entirety and enacted new provisions as Ch. 11, Art. III. Former Art. III, Div. 1, §§ 11-56, 11-57, pertained to minimum standards generally and derived from the 1961 Code, §§ 10-11, 10-12; former Art. III, Div. 2, §§ 11-71—11-80, pertained to minimum human habitation standards for residential buildings and derived from the 1961 Code, § 10-10; Ord. No. 96-92, §§ 3, 4, adopted July 23, 1996; and Ord. No. 98-111, §§ 1—3, adopted July 21, 1998. (Back)



June 21, 2013

TO: Jim Westmoreland, P.E., Deputy City Manager
FROM: Sue Schwartz, FAICP Director
SUBJECT: Heritage House Update

Background

Mr. Charles Coffey (President of the Heritage House Homeowners Association - HOA), appeared before City Council on Tuesday, June 18th to request additional City help in working with the HOA to better manage and maintain the complex. In his remarks, Mr. Coffey noted several financial, unit foreclosures, and other site improvement challenges the HOA is currently experiencing. Since the meeting, Community Relations has spoken with Mr. Coffey and an expanded multi-departmental City team (comprised of CMO, PCD, GPD, GFD, EDDBS, Water Resources, E&I, and IT) has been asked to review the HOA requests and to determine our options to assist.

Based on Mr. Coffey's appearance before City Council this week and in an effort to keep you updated on the latest progress we (the City) have made on the Heritage House to date, provided below is a summary update on our minimum housing code compliance activities and GPD outreach efforts to work with the unit owners and HOA.

I. Minimum-Housing Code Compliance Activities Update

In response to a 'Petition Requesting Housing Inspection' filed for the Heritage House complex, 310 W. Meadowview Rd, City housing and building inspectors (accompanied by the Greensboro Police Department) conducted a room-by-room minimum housing code compliance review of the 177 condominium units and the common areas in the six-story building December 10-12.

Status:

Substantial progress has been made. Out of 177 units inspected and 109 units cited, only 8 remain out of compliance. The following is a summary of current status of the housing inspections:

- 60 units passed the initial December inspection and received Letters of Appreciation
- 110 units cited in December have been brought into compliance with the minimum housing code
- 7 units that have not been brought into compliance with the minimum housing code (including some portions of the common areas) are under Homeowner's Association (HOA) ownership or legal action (leading to foreclosure) has been initiated by the HOA for past due

association fees. Some of these units appear to have been abandoned by the owners. These units are vacant and the HOA has indicated that they do not have sufficient funds to complete repairs at this time. Housing inspectors will monitor these units monthly (to ensure that the units remain vacant and to ensure that no violations exist that pose life/safety issues) until the units are brought into compliance by the HOA.

II. GPD Efforts to work with Unit Owners and HOA

The Greensboro Police Department has also been actively engaged in the efforts at Heritage House. In addition to accompanying code compliance staff on follow up inspections, officers have:

- Met with the Homeowners association twice since January to discuss strategies and crime prevention improvements owner can make that can address some of the criminal activity.
- Provided a number of detailed recommendations for homeowners and property management staff ranging from items to strengthen lease agreements, physical improvements to the property, and regular meetings with GPD.

Efforts by both departments will continue to help ensure matters due not decline to the levels found last December.

If you have any questions concerning the code compliance matters please contact Barbara Harris, 373-2509. Questions concerning GPD activities at Heritage House can be directed to Susan Danielsen, 574-4002



Current Public Records Requests Update June 21, 2013

Date Requested	Requestor	Subject	Status
1/16/2013	Eric Ginsburg	Socialist request Email Search - 141,954	Two batches were completed (4/23/2013 & 5/24/13) and made available to requestor. Batch #3 will be available 6/17/13. Staff continuing to review emails.
2/8/2013	Eric Ginsburg	Palestine, Candlelight Vigil, Gaza Email Search - 120,215	Review is for significant number of emails. Three batches have been sent to the requestor. Batch #4 will be available 6/17/13. Staff is continuing to review emails.
3/26/2013	Bill Knight	Project Homestead Emails Email Search - 5,323	Legal has begun reviewing emails. Requestor has received two batches of emails.
4/24/2013 (re-opened on 5/13/13)	Roch Smith	PIRT File	Legal currently reviewing requested information. First batch released 6/7/13. Legal is anticipating another batch available the week ending June 28, 2013.
4/29/2013	Roch Smith	Surveillance Camera Info	Due to City error, new date needed to fulfill request. Requestor notified of delay in process.
5/16/2013	Billy Jones	Correspondence between Council & DGI & AG	Email search was completed by IT this week and Legal has begun reviewing emails. Staff anticipates releasing a batch of emails next week.
5/20/2013	Billy Jones	Communication for last 90 days (follow up to 2472)	Email search was completed by IT this week and Legal will begin reviewing emails. First batch of emails was sent to the requestor on 5/31/13. Second batch is anticipated next week.
5/21/2013	John Godwin	DGI Committee Appointed by Mayor & Copies of Emails	List was provided to requestor. Email search was completed by IT this week and Legal is reviewing emails. First batch of emails was released on 5/31/13. Second batch is anticipated next week.
5/21/2013	Eric Robert	Greenway Accounting	Requestor has received part of this request. Staff is conducted email search and sent follow-up information for the requestor this past week. First batch of emails was released on 6/12/13. Second batch is anticipated next week.
5/28/2013	Roch Smith	PIRT 1946 Follow Up	Legal and IT responding to a request for clarification of the existence of a record.
5/28/2013	Roch Smith	Employee Records Follow-up	Two batches of information have been provided to requestor. Requestor has reduced the level of records required. GPD and HR working to complete.

Date Requested	Requestor	Subject	Status
5/30/2013	Charles Cherry	Pending GPD Lawsuits	Initial documents were provided on 6/14/13. Legal is reviewing remaining documents.
6/4/2013	Amber Pegram	Employee Phone Records	Staff has received this request and reviewing it to what information is available.
6/10/2013	Sal Leone	Crime Stats-Last Three Years in District 5	Staff has received this request and is gathering the required information .
6/10/2013	George Hartzman	Renaissance / Bessemer Shopping Center	Email search has been conducted and staff is reviewing emails. (7,973 emails)
6/12/2013	Eric Robert	Noise Complaints & Correspondence and Communication	Requestor was sent initial document and provided staff clarification. Audio was retrieved and should be available for requestor next week.
6/17/2013	George Hartzman	Council Small Groups	Staff has received this request and reviewing it.
6/18/2013	Charles Cherry	GPD Records involving Officer Payne	Staff has received this request and reviewing it.
6/18/2013	Liz Crawford	City Cell Numbers	IT is compiling a list of records for requestor.
6/18/2013	Eric Ginsburg	Noise Calls	GPD and CMO are responding to this request. No records found thus far.
6/18/2013	Claire Stone	GTA-Sensitivity Training	Staff has received this request and is gathering the required information .
6/18/2013	Roch Smith	Surveillance Records	GPD reviewing request for records.
6/20/2013	Michael Uttley	Police Record	Staff has received this request and reviewing it.
6/21/2013	Pat Neal	Blueprint for Church Bldg,	Staff has received this request and reviewing it.

Weekly Totals (6/17/13-6/21/13):	
Number of PIRTS Opened	16
Number of PIRTS Closed	13
Average Completion Time	3.46 days
Totals Since January 1, 2013:	
Number of PIRTS Opened	359
Number of PIRTS Closed	335
Average Completion Time	8.19 days

**Public Affairs
Contact Center Weekly Report
Week of 6/10/13 – 6/16/13**

Contact Center

5018 calls answered this week

Top 5 calls by area

Water Resources

Balance Inquiry – 1075
IVR/Pay by Phone – 243
New Sign Up – 174
General Info – 134
Cutoff Requests – 102

Field Operations

Bulk Guidelines – 87
Repair Can/Garbage – 79
HHW/Transfer – 65
Mattress Go Round – 62
No Service/Garbage – 56

All others

Police/Watch Operations – 380
HR/Employment – 98
Courts/Sheriff – 74
Overgrown Lots – 63
Privilege License – 60

Comments

We received a total of 1 comment this week:

Police - 1 comment:

- Customer wants to let the City know that they are not doing everything they should to protect its citizens from wildlife. The bears that have been sighted lately should be hunted down and shot. Responding and watching bears are a waste of resources.

Overall

Calls about employment increased last week while calls about overgrown lots continued to remain steady. Call volume was busy through the end of the week.



SMALL GROUP MEETINGS

Small Group Meeting Dates & Times	Councilmember Attending	Person Contacted / Department	Subject	Council Notification Date
June 20, 2013 9:00 - 10:00	Councilmember Kee Councilmember Hoffmann Councilmember Vaughan Councilmember Wilkins	City Manager Roth	eCycling Presentation	June 17, 2013
June 20, 2013 10:00 - 11:00	Mayor Perkins Councilmember Abuzuaiter Councilmember Wilkins	City Manager Roth	eCycling Presentation	June 17, 2013