

A RESOLUTION AUTHORIZING THE TOWN STAFF TO ABATE THOSE
CONDITIONS THAT ARE DANGEROUS OR PREJUDICIAL TO THE
PUBLIC HEALTH AND SAFETY AT 106 JAMES STREET
Resolution No. 50/2007-08

WHEREAS, the Town of Carrboro building inspections staff inspected the house located at 106 James Street on March 12, 2007, and on the same day they condemned the house for violations of the North Carolina Sate Building Code;

WHEREAS, the Town of Carrboro staff have attempted to contact the property owner regarding the problems with the house and property, but to date, have had no success;

WHEREAS, pursuant to Carrboro Town Code Sections 11-38 through 11-41, the Carrboro Board of Aldermen held a quasi-judicial hearing on November 20, 2007 to determine whether the house and property at 106 James Street are dangerous or prejudicial to the public health and safety;

WHEREAS, the Carrboro building inspections staff and any other interested persons presented evidence during the hearing;

NOW THEREFORE, THE TOWN OF CARRBORO BOARD OF ALDERMEN
HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:

1. Based on the evidence presented, the house and property at 106 James Street are dangerous or prejudicial to the public health or safety.

2. The Board of Aldermen makes the following additional findings of fact: _____

NOW, THEREFORE, THE TOWN OF CARRBORO BOARD OF ALDERMEN
RESOLVES AND ORDERS AS FOLLOWS:

1. Town staff are ordered to secure the house, with work to include boarding up the house and such other measures as are reasonable and necessary to prevent persons from entering the house;

2. Town staff are directed to clean off all leaves and other debris from the roof of the house and to take such other steps as are reasonable and necessary to prevent leaks and/or further deterioration of the house;

3. Town staff are directed to mow the grass and take such other steps as are reasonable and necessary to ensure that the premises of the property are not a breeding ground for vermin or otherwise dangerous or prejudicial to the public health and safety;

4. Town staff are hereby ordered to take all other measures that are reasonable and necessary to ensure that the house and premises are no longer dangerous or prejudicial to the public health and safety;

5. The Town of Carrboro building inspections staff may hire an independent contractor to perform any or all work authorized by this resolution;

6. Town staff and/or a contractor hired by the Town are hereby authorized to enter the property at 106 James Street for the purpose of carrying out this resolution; and

7. Any work undertaken pursuant to this resolution shall be a lien on the premises, as authorized by Carrboro Town Code Section 11-38.

A RESOLUTION DECLARING THAT THE PROPERTY AT 106 JAMES STREET IS NOT DANGEROUS OR PREJUDICIAL TO THE PUBLIC HEALTH AND SAFETY

Resolution No. 51/2007-08

WHEREAS, the Town of Carrboro building inspections staff inspected the house located at 106 James Street on March 12, 2007, and on the same day they condemned the house for violations of the North Carolina Sate Building Code;

WHEREAS, the Town of Carrboro staff have attempted to contact the property owner regarding the problems with the house and property, but to date, have had no success;

WHEREAS, pursuant to Carrboro Town Code Sections 11-38 through 11-41, the Carrboro Board of Aldermen held a quasi-judicial hearing on November 20, 2007 to determine whether the house and property at 106 James Street are dangerous or prejudicial to the public health and safety;

WHEREAS, the Carrboro building inspections staff and any other interested persons presented evidence during the hearing;

NOW THEREFORE, THE TOWN OF CARRBORO BOARD OF ALDERMEN HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:

1. Based on the evidence presented, the house and property at 106 James Street are not dangerous or prejudicial to the public health or safety.

2. The Board of Aldermen makes the following additional findings of fact: _____

NOW, THEREFORE, THE TOWN OF CARRBORO BOARD OF ALDERMEN RESOLVES AND ORDERS AS FOLLOWS:

1. At this time, Town staff shall take no further action with regard to the house and property at 106 James Street; and

2. In the event that the problems at 106 James Street that have been identified by the town building inspections staff worsen or new problems arise, Town staff may take appropriate action(s) as authorized by State and local law, including but not limited to actions pursuant to the North Carolina State Building Code and the Carrboro Town Code.