

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

**MEETING DATE:** August 17, 2022  
**SUBJECT:** Flowers Nuisance  
**PRESENTER:** Chris Todd; Matt Champion; Seth Swift;  
**ATTACHMENT(S):** N/A

#### SUMMARY OF REQUEST:

N.C. Gen. Stat. §153A-140.2 reads as follows:

**§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance.**

A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Certain property, located at 27 Fox Ridge Drive, Hendersonville, owned as indicated on GIS by Shirley Surrett Flowers and Sherry Lynn Flowers, has been cited for violation of the County's Nuisance Ordinance (Chapter 52 of the Henderson County Code) on February 23, 2022, March 2, 2022, and April 4, 2022. County staff has been informed that the property occupied by Shirley Surrett Flowers and her adult grandson. Sherry Lynn Flowers, daughter of Shirley Surrett Flowers, has an Asheville address.

County staff will be present and prepared if requested to give further information on this matter.

#### BOARD ACTION REQUESTED:

Giving of notice under §153A-140.2.

If the Board is so inclined, the following motion is suggested:

*I move that the Board give the proposed notice to the property owners in this matter.*