

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: June 5, 2023

SUBJECT: Chronic nuisance property

PRESENTER: Charles Russell Burrell

ATTACHMENT(S): Notices of violation (February 15, 2023, April 26, 2023; and, May 16, 2023)
Letters sent to property owner (1 per violation)
Photos of the property
GIS view of property
GIS oblique view of property

SUMMARY OF REQUEST:

Your Code Enforcement and Zoning Services Department has cited a particular parcel of property three times within the past year for violation of your nuisance ordinance, Chapter 52 of the Henderson County Code. The property is shown on your geographical information system as PIN 0610-51-0938, with owner shown as "Carroll Bruce Haynes". A copy of each of the notices of violation is attached.

Under N.C.G.S. §153A-140.2,

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.

This matter would, in the worst case, come back before the Board before a contractor was hired to clear up the property under the authority noted, above.

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

BOARD ACTION REQUESTED:

Give notice to property owners under N.C.G.S. §153A-140.2.

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

I move that the Board give the owner(s) of the property which is the subject of this agenda item the notice provided for under N.C.G.S. §153A-140.2.