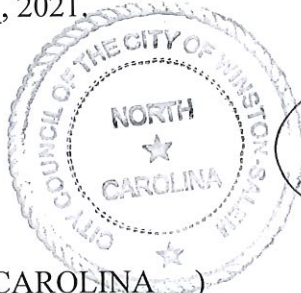


STATE OF NORTH CAROLINA)
)
COUNTY OF FORSYTH)

I, Sandra Keeney, City Clerk of the City of Winston-Salem, North Carolina, do hereby certify the attached to be a true and correct copy of an ordinance entitled, "ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM" adopted by the City Council at a regular meeting held on the 17th day of May, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said City, this the 18 day of May, 2021.



Sandra Keeney
City Clerk of the City of Winston-Salem, N.C.

STATE OF NORTH CAROLINA)
COUNTY OF FORSYTH)

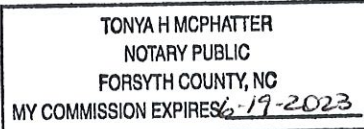
I, Tonya H. McPhatter, a Notary Public of Forsyth County, North Carolina, do hereby certify that Sandra Keeney, City Clerk of the City of Winston-Salem, NC, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 18 day of May, 2021.

Tonya H. McPhatter
Notary Public

My commission expires:

6-19-2023



Ordinance #21-0240, 2021 Ordinance Book, Page 55

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF
THE CITY OF WINSTON-SALEM**

WHEREAS, the Community Development Department, after due notice and hearing, determined that the property hereinafter described in Exhibit (s) was unfit for human habitation; and

WHEREAS, either the Mayor and City Council adopted an ordinance or the Housing Conservation Administrator issued a repair or vacate and close order; and

WHEREAS, the repairs necessary to render the structure fit for human habitation would exceed more than fifty percent (>50%) of the present value of the structure; and

WHEREAS, the owner of the property herein described in Exhibit(s) vacated and closed said structure and kept it vacated and closed for a period of six months pursuant to said Order; and

WHEREAS, the Mayor and City Council hereby finds that:

- (1) Six months has passed since the structure was vacated and closed pursuant to the previous order.
- (2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.
- (3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to

ease the persistent shortage of decent and affordable housing in this State and City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The owner(s) of the property herein described in Exhibit(s) is hereby ordered to demolish and remove said property within ninety days.

Section 2. In the event the owner(s) fails to comply with this order of the Mayor and City Council within the prescribed time period, the Community Development Department of the City of Winston-Salem is hereby ordered and authorized to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property herein described by causing said dwelling be demolished and removed.

Section 3. The property to which this ordinance applies is known and described as set out in Exhibit(s) attached hereto and incorporated herein by reference.

Section 4. This ordinance shall become effective upon its adoption, and a copy hereof, certified by the City Clerk of the City of Winston-Salem, shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantors index, as provided by law.

INSTRUMENT DRAWN BY:



DEPUTY
CITY ATTORNEY

CODE ENFORCEMENT PURSUANT TO HOUSING CODE:

SEC. 10-203(e)
 SEC. 10-203(f)(1)
 SEC. 10-203(f)(2)

CASE SUMMARY:

HOUSING FILE NO.: 2019080610

PROPERTY ADDRESS: 2941 GILMER AV

WARD: NORTH

PROPERTY OWNER(s): DORIS BLACK BROWN FAMILY TRUST
& LEVERNE ROSE BROWN TRUSTEE

LIS PENDENS #: 19m1375

DATE LIS PENDENS FILED: 10/14/2019

DUE PROCESS:

1. The current **Complaint and Notice of Hearing** was issued 8/23/2019 and service was obtained by certified mail; regular; posting; hand delivery and publication on 8/29/2019. The Hearing was held on 9/23/2019 and the owner/agent did did not appear and/or contact the Community Development Department regarding the complaint.
2. The **Finding and Order** was issued on 10/9/2019 and service was obtained by certified; regular; posting; hand delivery, and publication on 10/22/2019. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. The time for compliance expired on 11/22/2019. The dwelling was found vacated and closed on 1/8/2020.
3. The dwelling became eligible for demolition under the six (6) month rule 65% rule on 7/8/2020.
4. The notification letter was sent on 4/28/2021 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/11/2021. The notice further advised that if the owner(s) intended to request an extension of time, they should present evidence of their intent to the Community Development Director prior to the Committee meeting. The Director was was not contacted.

COMMENTS (if any):

COUNCIL CONSIDERATION:

The estimated cost to make repairs to needed to render this dwelling fit for human habitation:

- exceeds sixty-five percent (65%) of the value of the dwelling.
 is less than fifty percent (<50%) of the present value of the dwelling.
 is more than fifty percent (>50%) of the present value of the dwelling.

Estimated cost to repair structure \$15,182.46

Tax value of structure \$30,100

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be:

- removed or demolished.
 repaired or demolished and removed within ninety (90) days or, if eligible, repaired
under In Rem provisions of the Minimum Housing Code with City Council approval.
 demolished and removed within ninety (90) days.



Winston-Salem

**Community Development
Department**

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878
www.cityofws.org

PROPERTY DESCRIPTION EXHIBIT

Property on which housing ordered demolished pursuant to Ordinance adopted the ____ 17 ____ day of ____ May _____, 2021 ____.

2941 GILMER AV

The housing located at **PIN NO. 6836-27-6813.000** as hereinafter described,

OWNER NAME: DORIS BLACK BROWN FAMILY TRUST
LEVERNE ROSE BROWN TRUSTEE

The above described lot being known and designated as

PIN NO. 6836-27-6813.000

said map being recorded in the Office of the Register of Deeds of Forsyth County, North Carolina.

The above described property being known as **PIN NO. 6836-27-6813.000** as shown on the Forsyth County Map in the Office of the Tax Supervisor, Forsyth County Government Center, 201 N. Chestnut Street, Winston-Salem, NC.

CityLink311

Call 311 or 336-727-8000
citylink@cityofws.org

City Council: Mayor Allen Joiner; Denise D. Adams, Mayor Pro Tempore, North Ward; Barbara Hanes Burke, Northeast Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Kevin Mandy, Southwest Ward; Annette Scipio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity



Community Development
Department

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.727.2878
www.cityofws.org

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2019080610

NEIGH. CONSERVATION OFFICER: TONY WRIGHT - (336)734-1267

LOCATION: 2941 GILMER AV

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE

- 925397 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)
- 925398 PAINT WALLS AND CEILINGS -
MINOR V-10-197(G)(4)
- 925412 REPAIR KITCHEN CABINETS -
MINOR V-10-197(A)(16)
- 925400 PROVIDE HEATING FACILITY -
MINOR V-10-197(E)(1)
- 925405 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)
- 925396 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION -
MINOR V-10-197(H)(4)
- 925402 REPAIR SOFFIT AND/OR FASCIA -
MINOR V-10-197(G)(6)
- 925408 REPAIR THRESHOLD -
MINOR V-10-197(B)(4)
- 925416 REPAIR OR REPLACE STEPS AT FRONT -
MINOR V-10-197(G)(8)
- 925413 REPAIR LAVATORY AND/OR FIXTURES -
UNFIT V-10-197(D)(10)
- 925401 MOLD LIKE OR MILDEW CONDITIONS CAUSED BY PERSISTENT, EXCESSIVE
DAMPNESS OR MOISTURE ON INTERIOR OR EXTERIOR SURFACES. -
UNFIT SEC. 10-197(D)(24)
- 925406 REPAIR WINDOW LOCKS -
UNFIT V-10-197(B)(4)
- 925407 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)
- 925410 REPAIR HOLES IN WALLS AND CEILINGS -
UNFIT V-10-197(G)(4)
- 925411 REPAIR OR REPLACE LOOSE FLOOR COVERING -

UNFIT V-10-197(G)(2)

925414 REPAIR DOOR -
UNFIT V-10-197(A)(15)

925417 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)

925395 CONNECT TO CITY SEWER SYSTEM -
UNFIT V-10-197(D)(1)

925403 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)

925404 SECURE COMMODE TO FLOOR -
UNFIT V-10-197(D)(4)

925409 REPAIR PLUMBING LEAK UNDER STRUCTURE -
UNFIT V-10-197(D)(15)

City Council – Action Request Form

Date: May 11, 2021

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Tasha Logan Ford, Assistant City Manager
Marla Y. Newman, Community Development Department, Director
Sharon B. Richmond, Community Development Department, Deputy Director

Council Action Requested:

Ordinance ordering the Community Development Department of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code

Strategic Focus Area: Livable Neighborhoods

Strategic Objective: Improve Character and Condition of Neighborhoods

Strategic Plan Action Item: No

Key Work Item: Yes



Summary of Information:

The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS MORE THAN FIFTY PERCENT OF VALUE OF STRUCTURE (>50%) SIX MONTHS

Owner	Property Location	Block & Lot(s)
Doris Black Brown Family Trust Leverne Rose Brown Trustee	2941 Gilmer Avenue	1181 117

Committee Action:

Committee	<u>CDHGG 5/11/2021</u>	Action	<u>Approval</u>
For	<u>Unanimous</u>	Against	<u></u>

Remarks: