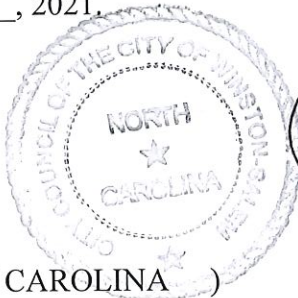


STATE OF NORTH CAROLINA )  
 )  
COUNTY OF FORSYTH )

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)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM" adopted by the City Council at a regular meeting held on the 17<sup>th</sup> 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 to the City of Winston-Salem, N.C.

STATE OF NORTH CAROLINA )  
COUNTY OF FORSYTH )

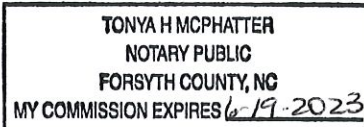
I, Tonya H. McPhatter, a Notary Public of Forsyth County, North Carolina, do hereby certify that Sandra Keeney, City Clerk of the City of Winston-Salem, NC, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

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 #21-0242  
2021 Ordinance Book, Page 52

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE  
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203((f)(1) 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 cost less 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 repair or 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 repaired or 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.:** 2019020580

**PROPERTY ADDRESS:** 323 FOREST HILL AV

**WARD:** NORTH

**PROPERTY OWNER(s):** ALPHONSO L. GAYDON

**LIS PENDENS #:** 18m669

**DATE LIS PENDENS FILED:** 5/15/2019

**DUE PROCESS:**

1. The current **Complaint and Notice of Hearing** was issued 3/8/2019 and service was obtained by  certified mail;  regular;  posting;  hand delivery and  publication on 3/15/2019. The Hearing was held on 4/8/2019 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 5/6/2019 and service was obtained by  certified;  regular;  posting;  hand delivery, and  publication on 5/8/2019. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. The time for compliance expired on 6/9/2019. The dwelling was found vacated and closed on 7/8/2019.
3. The dwelling became eligible for demolition under the  six (6) month rule  65% rule on 1/8/2020.
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** \$4,896.69 **Fair market value of structure** \$20,000

**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](http://www.cityofws.org)

**PROPERTY DESCRIPTION EXHIBIT**

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

**323 FOREST HILL AV**

The housing located at PIN NO. **6837-14-4573.000** as hereinafter described,

OWNER NAME: ALPHONSO L. GAYDON

The above described lot being known and designated as

**PIN NO. 6837-14-4573.000**

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. **6837-14-4573.000** 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.



Call 311 or 336-727-8000  
[citylink@cityofws.org](mailto: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 Mundy, Southwest Ward; Annette Scippio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

## CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2019020580  
NEIGH. CONSERVATION OFFICER: TONY WRIGHT - (336)734-1267

LOCATION: 323 FOREST HILL AV

VIOL NBR VIOLATION DESCRIPTION  
STATUS/ORDINANCE

- 915145 MOLD LIKE OR MILDEW CONDITIONS RESULTING FROM INADEQUATE FOUNDATION DRAINAGE, STANDING WATER IN THE CRAWL SPACE/BASEMENT, OR OTHER HIGH MOISTURE CONDITIONS. -  
MINORSEC. 10-197(G)(1)G
- 915146 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -  
UNFIT V-10-197(F)(10)
- 915147 PROVIDE R-19 CEILING INSULATION -  
UNFIT V-10-197(I)
- 915148 REPAIR HOLES IN WALLS AND CEILINGS -  
UNFIT V-10-197(G)(4)
- 915149 REPAIR OR REPLACE DEFECTIVE SIDING -  
UNFIT V-10-197(G)(3)
- 915158 PAINT WALLS AND CEILINGS -  
UNFIT V-10-197(G)(4)
- 915144 INSTALL CRAWL SPACE DOOR -  
UNFIT V-10-197(G)(1)
- 915150 REPAIR OR REPLACE ROOF COVERING -  
UNFIT V-10-197(G)(6)
- 915151 REPAIR ROOF LEAK -  
UNFIT V-10-197(G)(6)
- 915152 REPAIR SOFFIT AND/OR FASCIA -  
UNFIT V-10-197(G)(6)
- 915153 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -  
UNFIT V-10-197(G)(6)
- 915154 REPLACE DEFECTIVE RAFTERS -  
UNFIT V-10-197(G)(6)
- 915155 REPLACE DEFECTIVE JOISTS -  
UNFIT V-10-197(G)(2)
- 915156 REPLACE LOOSE WALL AND CEILING MATERIALS -  
UNFIT V-10-197(G)(4)



Community Development  
Department

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