

**TOWN OF CRESWELL, NORTH CAROLINA**

**An Ordinance Requiring The Maintenance Of Empty And Vacated Buildings And Lots Within The Town Of Creswell**

BE IT ORDAINED by the Town Commissioners of the Town of Creswell:

**Section 1.** Maintenance of Empty and Vacated Buildings and Lots: It shall be unlawful for any person owning or having possession of any empty or vacated building or lot within the Town of Creswell to fail to properly maintain said building and lot.

**Section 2.** Definitions: For purposes of this article, the following definitions shall apply:

- A. **Empty and Vacated Building:** Any building, whether residential, commercial or otherwise, within the corporate limits of the Town of Creswell, which is not occupied as a residence or ongoing commercial venture.
- B. **Vacant Lot:** Any lot of land or yard within the corporate limits of the Town of Creswell which is not being utilized on a regular basis for any residential or commercial purpose.
- C. **Maintenance of Empty and Vacated Buildings and Lots:** The required maintenance of an empty or vacated building within the Town of Creswell shall be for the owner or possessor of said property to keep the building in proper repair and appearance and to keep the lot or yard in proper care and maintenance, including proper grass cutting and shrub maintenance; the required level of maintenance for an empty lot shall be proper lawn care, grass cutting and shrub maintenance.
- D. **Owner, Possessor or Manager:** For purposes of this article, a person who actually owns the empty or vacated lot or buildings, the person who actually has possession of the said property, or the person who actually manages or controls the property, through lease or oral or written agreement, shall each be bound by the requirements of this Ordinance; for purposes of this article, persons shall also include such corporation,

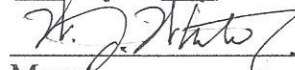
Limited Liability Company or other business entity which may own, possess, manage or control said property.

**Section 3. Remedial Action by Town:** Upon receipt of proper notice to the owner, possessor, manager, or person or entity in control of said empty or vacated building or lot that the property is not being maintained pursuant to this article, proper maintenance must be promptly initiated within seven (7) days of receipt of notice by certified mail or shall be deemed to have been received seven (7) days after deposited in the United States mail, postage prepaid, at the address shown on the Town of Creswell or Washington County tax record. After seven (7) days, if the required maintenance has not been completed, the Town of Creswell is authorized to take such necessary steps to have the lawn mowed, shrubs cut, debris removed or such other remedial action as may be necessary in order to place the property within compliance with this Ordinance. If such remedial action is taken by the Town of Creswell, the full costs of such work shall be assessed to the record owner of the property and shall be added to the taxes owed by the owner on said property and shall be collected by the same method as allowed for the collection of ad valorem taxes.

**Section 4. Penalty:** The violation of this Ordinance shall be punishable upon conviction by a fine not exceeding \$50.00 or imprisonment not exceeding 30 days as provided in N.C.G.S. 14-4. For purposes of punishment herein, each separate violation of this Ordinance shall be deemed a separate offense.

**Section 5. Effective Date:** This Ordinance shall become and remain in full force and effect from and after the date of its adoption.

The foregoing Ordinance is hereby adopted at a regular meeting of the Town Commissioners of the Town of Creswell, on this the 23<sup>rd</sup> day of July, 2007.

  
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Mayor

ATTEST:

  
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Clerk