

**AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 905 BERN STREET IN THE CITY OF NEW BERN, NORTH CAROLINA**

THAT WHEREAS, the City of New Bern properly served Shirley Temple Jones and spouse ("Owners"), on October 13, 2009, pursuant to Section 38-30 of the Code of Ordinances for the City of New Bern, complaining and alleging that the dwelling owned by Owners located at 905 Bern Street in the City of New Bern, North Carolina is unfit for human habitation; and

WHEREAS, the Owners of the certain dwelling located at 905 Bern Street in the City of New Bern, North Carolina ("Subject Property") were ordered to remove or demolish the dwelling located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern by August 3, 2010; and

WHEREAS, the Owners have been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owners have failed to remove or demolish the dwelling and clear the debris therefrom, or to repair, alter or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern, as directed in said Order.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:**

Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the dwelling located on the Subject Property at 905 Bern Street in the City of New

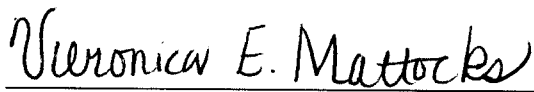
Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the accessory structure that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 13<sup>th</sup> DAY OF AUGUST, 2013.

  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_

CITY CLERK

## EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

All that certain lot or parcel of land lying and being situate in the City of New Bern, Number Eight Township, Craven County, North Carolina, designated as Lot Number Nine (9) as the same is shown and delineated on that certain map or plat entitled 'PLAN OF BERN-PINE HOME SITES,' which said map or plat was prepared by B. M. Potter, C.E., dated April, 1944, and which said map or plat is recorded in the Office of the Register of Deeds of Craven County in Map Book 3 at Page 8, to which said map or plat reference is hereby made for a more particular description of the aforesaid Lot Number Nine (9).

# City of New Bern



## Development Services Department

248 Craven Street, P.O. Box 1129  
New Bern, NC 28563  
Ph: 252.639.7281 / Fax: 252.636.2146

### MEMORANDUM

**TO:** Mayor Lee Bettis, City of New Bern Board of Aldermen

**FROM:** Jeff Ruggieri – Director of Development Services

**DATE:** 8/6/2013

**SUBJECT:** Demolition of the Dwelling Located at 905 Bern Street

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Staff is seeking approval of an ordinance to demolish the structure located at 905 Bern Street. The owner of the property was first notified of minimum housing violations in April of 2008 via certified letter. That letter was returned un-served. Another 10 day letter was mailed certified mail in March of 2009 with good service. In November of 2009 a hearing was held between property owner and chief building inspector. The owner was given 9 months to bring the property into compliance. To date no improvements have been made to the property and the property has accrued \$44,700 in fines.

A complete list of chronological events related to the property is attached.

# City of New Bern



## Development Services Department

248 Craven Street, P.O. Box 1129  
New Bern, NC 28563  
Ph: 252.639.2942 / Fax: 252.636.4973

## MEMORANDUM

TO: Michael Scott Davis, City Attorney  
FROM: Nancy Riegelsperger, Building Inspector  
DATE: 7/24/2013

RE: 905 Bern Street

I am requesting an **ordinance** on the above referenced property.  
Here is the owner's information and enclosed are the service verifications, chronological order, Complaint, and the Order.

Owner: Shirley Temple Jones  
Address: 153 Crooked Run Drive  
New Bern, NC 28560

This property has been thru the minimum housing process, and the Order of the Building Inspector expired on **8-3-10**. The Complaint / Notice of Hearing and the Order of the Building Inspector were served via regular and certified mail on

Owner: Shirley Temple Jones & Spouse  
Address: 153 Crooked Run Drive  
New Bern, NC 28560

**All regular mail was served** for the Complaint / Notice of Hearing. The certified mailings were unclaimed. Service was good.

The hearing was held in the office of the Building Inspector with Nancy Riegelsperger and Chip Dickinson representing the City. **Properly notified** and present was Owner: Shirley Temple Jones and husband, Mr. Gillyard.

The Order was issued and served on the above party defendants. **All regular mail was served** for the Order and certified mailings were refused. Service was good.

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc: Jeff Ruggieri

## CHRONOLOGICAL ORDER OF EVENTS

**905 Bern Street**

**Date complied 7-17-13**

[illegible]



Quotes :  
905 Bern St.

Demo by PW : \$9,200<sup>00</sup>

Plus Asbestos Testing &  
removal if needed.





905 Bern st 7/24/13 NR





905 Bern St 7/24/13

*(signature)*

