



Gaston County Building Services

Department

128 West Main Avenue
Gastonia, NC 28053

Case Number: **COD-H-25-03-11-00458**

Violation Notice

Case Type: **Minimum Housing - Archive**

Date Case Established: **03/11/2025**

Compliance Deadline: **07/23/2025**

Owner: Cody Burchfield

Mailing Address

Cody Burchfield
2024 ANGLER WAY
GASTONIA, NC 28052

Notice of Violation for the following location:

Address

Parcel

3014 BIRCHFIELD LN
GASTONIA, NC 28056

309450

Dear Citizen,

Upon investigation, it has been determined that the property located at the above address has been found to be in violation of the following:

Violation: Sec. 4-124 through Sec.4-135 - Minimum standards of fitness for dwellings, structural condition, basic plumbing, heating, and electrical, equipment and facilities, ventilation, space, use, location, safe and sanitary maintenance, control of insects, rodents, and infestation, smoke detection systems, emergency situations, utilities, and permits
Sec. 4-124. Minimum standards of fitness for dwellings, dwelling units, and manufactured homes.

Standards for dwellings, dwelling units, rooming units, and manufactured homes shall be:

- (a) Every dwelling, dwelling unit, and rooming unit used as a human habitation shall comply with the North Carolina State Building Codes, at the time of construction, and with all standards of fitness for human habitation and the requirements as set forth in this article.
- (b) No person shall occupy, let to another for occupancy, or use as a human habitation any dwelling, dwelling unit, or rooming unit which does not comply with the minimum standards of fitness of human habitation in this article.
- (c) Every manufactured home used as a human habitation shall comply with all applicable codes, at the time of manufacture and with all regulations promulgated by the NC State Building Code Council.

Sec. 4-125. Minimum standards for structural condition.

The following standards shall constitute the minimum standards for structural conditions of a dwelling or dwelling unit:

- (a) Walls, partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean, buckle, and shall not be rotten, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.
- (b) Floors or roofs shall have adequate supporting members and strength to be in a condition which is structurally sound and safe for the purpose used.
- (c) Foundations, foundation walls, piers or other foundation supports shall be in a condition which is structurally sound and safe for the purpose used.
- (d) Steps, stairs, landings, porches, decks, balconies, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse. Any stairs or steps having four (4) or more risers shall have a hand rail. Any decks, porches, landings or balconies thirty (30) inches or more above grade shall have a guard rail.
- (e) Adequate facilities for egress in case of fire or panic shall be provided.
- (f) Interior walls and ceilings of all rooms, closets, and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable occupants to maintain reasonable privacy between various spaces.
- (g) The roof, flashing, exterior walls, floors, doors and windows exposed to the weather shall be constructed and maintained so as to be weather tight and watertight.
- (h) There shall be no chimneys or parts thereof which are defective, deteriorated, in danger of falling, or in such condition or location as to constitute a fire hazard.
- (i) There shall be no use of the ground for floors, or wood floors on the ground.

Sec. 4-126. Minimum standards for basic plumbing, heating and electrical equipment and facilities.

Standards for basic plumbing, heating and electrical equipment and facilities shall be as follows:

(a) Plumbing System.

- (1) Each dwelling unit shall be connected to a potable water supply and to a public sewer or other approved sewage disposal



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system. All said connections shall be constructed in an approved manner in accordance with existing regulations.

(2) Each dwelling unit shall contain the following: not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water. Water heaters shall be capable of heating water to one hundred and twenty (120) degrees Fahrenheit. All water shall be supplied through an approved pipe distribution system, connected to a potable water supply.

(3) All existing plumbing fixtures, water lines and sewer lines shall meet the standards of the NC State Building Codes, at the time it was installed, and shall be maintained in a state of good repair and in good working order, adequately protected from freezing.

(4) All existing required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(b) Heating system.

(1) Central heating systems. Every central heating system shall have and maintain sufficient capacity to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary winter conditions.

(2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling unit shall have adequate heating appliances installed and maintained in good and safe working condition and capable of safely and adequately heating habitable rooms, bathrooms and water closet compartments so as to furnish a minimum temperature of sixty eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary minimum winter conditions. In addition, each dwelling unit shall be provided with sufficient chimney, flues, gas vents and/or fireplaces in accordance with the provisions of the North Carolina State Building Codes. Portable heaters are not permitted as a primary source of heating. No unvented fossil fuel burning appliances shall be allowed in sleeping areas.

(c) Electrical systems.

(1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles in each room located on separate walls, and also one (1) electric light switch at each outside entrance, connected in such manner as determined by the National Electrical Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one (1) supplied ceiling or wall type electric light fixture, with a switch. Electrical outlets in dwellings which have been ordered by the housing inspector to be repaired shall conform to the minimum standards set forth in this article. In bathrooms, water closet rooms, laundry rooms, furnace rooms and kitchens shall have GFCI protected outlets, installed to manufacturer's specifications.

(2) Every public hall and stairway in every multiple dwelling unit shall be adequately lighted by switched electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the National Electrical Code.

Sec. 4-127. Minimum standards for ventilation.

(a) Habitable rooms. Every habitable room shall have at least one (1) window or skylight which can easily be opened, or such other device, such as air conditioning, as will adequately ventilate the room, unless otherwise approved by the housing inspector. The window or skylight shall face directly to the outdoors unless otherwise approved by the housing inspector.

(b) Bathroom and water closet rooms. Every bathroom and water closet room shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

Sec. 4-128. Minimum standards for space, use and location.

Room size. Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the NC State Building Code.

(a) Cellar. No cellar shall be used for living purposes.

(b) Basements. No basements shall be used for living purposes unless:

(1) The floor and walls are substantially watertight;

(2) Every habitable room shall have at least one (1) window facing directly to the outdoors which can be easily opened. If other ventilation, approved by the housing inspector, is provided, then window(s) do not have to open. All areas used for sleeping purposes shall meet egress requirements of the NC State Building Codes, at time of construction.

(c) The window area of every habitable room shall be entirely above the grade except where the window or windows face a stairwell, window well or access way.

Sec. 4-129. Minimum standards for safe and sanitary maintenance.

(a) Exterior foundation, walls, and roofs. Every foundation wall, exterior wall and exterior roof shall be substantially weather



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tight and rodent proof, kept in sound and good repair, and capable of supporting the load which normal use would cause to be placed thereon.

(b) Interior floors, walls, and ceilings. Every floor, interior wall and ceiling shall be substantially rodent proof, kept in sound condition and good repair, and safe to use and capable of supporting load which normal use would cause to be placed thereon.

(c) Windows and doors. Every window, exterior door, basement, cellar door, and hatchway shall be substantially weather tight, watertight, rodent proof and kept in sound working condition and good repair. All exterior doors shall have an apparatus for opening and closing the door on both sides, a locking mechanism which can be opened from both sides of the door and kept in sound repair.

(d) Stairs, porches, and appurtenances. Every outside and inside stair, porch, and any appurtenance thereto, shall be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and kept in sound condition and good repair.

(e) Bathroom floors and walls. Every bathroom floor surface, water closet compartment floor surface, and every tub and shower wall surface shall be constructed and maintained so to be substantially impervious to water and will permit such surface to be easily kept in a clean and sanitary condition.

(f) Supplied facilities. Every supplied facility or piece of equipment of utility shall be constructed or installed so it will function safely and effectively and shall be maintained in satisfactory working condition.

(g) Drainage. Every yard shall be properly graded in order to obtain thorough drainage away from the dwelling unit and to prevent the accumulation of stagnant water.

(h) Egress. Every dwelling unit shall be provided with adequate and unobstructed means of egress as required by the NC State Building Code.

Sec. 4-130. Minimum standards for control of insects, rodents, and infestations.

(a) Screens. In every dwelling unit, every door opening and window or other device open to the outdoor space, used or intended for ventilation, shall be equipped with screens. Every dwelling unit which does not have an air conditioning system shall have screens on every window opening intended to be used for ventilation.

(b) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents shall be equipped with screens or such other approved device as will effectively prevent their entrance.

(c) Infestation.

(1) Owners who occupy single dwelling units shall be responsible for extermination of any insects, rodents or other pests within the premises.

(2) All rental properties will be reasonably free of insect infestations at the time of tenancy change. The lessee shall have a period of five (5) days after occupancy to request an inspection for infestation. After five (5) days, the lessee shall be responsible to maintain the dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the lessee.

(3) In cases of multiple dwelling units where infestation exists in two (2) or more of said units or in the shared or public parts of any dwelling units, extermination shall be the responsibility of the owner.

(d) Garbage and rubbish storage and disposal.

(1) Property owners or tenant of single dwelling units shall be responsible for providing an approved container for outdoor storage of rubbish, and to provide an approved garbage disposal facility, as required by county solid waste regulations.

(2) It is the property owner's responsibility to provide for the removal and disposal of rubbish and garbage in an approved manner, except for those dwellings being leased, and then the primary responsibility shall be placed on the occupant. Whenever the removal of rubbish and garbage is not carried out by the lessee, then the responsibility shall be that of the owner.

(3) In cases of multiple dwelling the responsibility of rubbish and garbage removal will be that of the owner.

Sec. 4-132. Smoke detection system.

All residential units, which have been ordered by the housing inspector to be repaired and to conform to the minimum standards set forth in this article, shall have automatic smoke detection systems installed to conform to the standards in the North Carolina Building Codes. If a landlord fails to provide, install, replace, or repair a smoke detector under the provisions of G.S. 42-42(a)(5) within thirty (30) days of having received written notice from the tenant or any agent of state or local government of the landlord's failure to do so, the landlord shall be responsible for an infraction and shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation. The landlord may temporarily disconnect a smoke detector in a dwelling unit or common area for construction or rehabilitation activities when such activities are likely to activate the smoke detector or make it inactive. This section shall not apply to residential units that are not under direct order of the housing



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inspector to be repaired.

Sec. 4-134. Emergency situations.

(a) Emergency situations requiring immediate repair:

(1) After an inspection of a dwelling in which any or all of the below emergency situations exist, the owner shall repair and correct any substandard item within forty-eight (48) hours of the building being inspected and notification of violation being given:

- Repair any broken, burst, frozen or inoperable plumbing pipe or fixtures (water or sewer);
- Repair any exposed or unsafe electrical wiring;
- Repair or replace any unsafe and/or dangerous cooking appliances, provided by the owner;
- Repair, replace or install heating equipment;
- Repair or replace above ground fuel storage tanks that are leaking, improperly supported or dangerous;

(2) Upon discovery of any of the above emergency situations, the housing inspector shall provide notification to the owner of the dwelling to correct or repair the emergency situation, as listed above, within a forty-eight (48) hour period after notification of the violation. Notice of violation shall be in any three (3) of the following forms:

- Posting of the dwelling, showing the emergency situation(s) to be corrected and specified time limit in which repairs are to be corrected.
- Notification of the owner by certified mail of the violation with the specified time period in which to have the problem corrected. Notification to the property owner shall be deemed to be twenty-four (24) hours after depositing the letter.
- Notification by telephone, fax or hand delivery.

(3) Should the emergency situation not be corrected by the owner within the forty-eight (48) hour period after notification, then the housing inspector shall fine the owner two hundred and fifty dollars (\$250.00) and take action to authorize the disconnection of any and all utilities to the property, and to place a placard on the home stating that it is "unfit for human habitation". Furthermore, this property cannot be reoccupied until such time as the repairs are made and it has been re-inspected by the housing inspector to insure the emergency situation has been corrected to bring the dwelling into compliance with this article pursuant to G.S. 153A-140.

(4) All other non-emergency violations of the minimum housing ordinance shall be corrected within ninety (90) days from the date of inspection of the property. Failure to comply with this order will result in a fine to the owner of the property of fifty dollars (\$50.00) a day until the property is re-inspected and found to be in compliance with the minimum housing standard.

(5) An owner may appeal the order by giving written notice of appeal to the Gaston County Director of inspections within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the inspector is final.

(b) Natural disasters. During periods of declared natural disasters, defined as hurricanes, tornados, floods, earthquakes, forest fires, and other similar acts of God, the provisions in this subsection shall be suspended:

- Public areas. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- Cleanliness. Every dwelling or dwelling unit shall be delivered in a clean and sanitary condition, and every occupant shall keep that part of the dwelling, dwelling unit and premises which he/she occupies and controls in a similar manner.
- Rubbish and garbage. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by, within seven (7) days, placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.
- Supplied plumbing fixtures. Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.
- Care of facilities and equipment and structure. No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction and other legal remedies.

Sec. 4-135. Utilities and permits.

(a) Utilities. The county shall not provide, nor permit another to provide (either public or private) utility services such as water/sewer, electricity, well/septic tank, etc., to any substandard building or dwelling unit which is currently under inspection of the housing inspector until said dwelling is brought into compliance with this Code. This requirement shall not preclude the temporary use of such utility services as may be deemed necessary during construction, repair or alteration. The housing inspector shall be responsible for making the determination as to when such "temporary services" may be necessary.

(b) Permit. No building, plumbing, electrical, gas or other permit, as may be required, for an addition, alteration or repair of an existing substandard building or dwelling unit, shall be issued until such time as an inspection of the property has been made to determine the feasibility of rehabilitation of such building or dwelling unit. If the determination is made that rehabilitation of such building or dwelling unit is feasible, any permits issued will in no way affect time limitations dictated



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by these regulations.

Corrective Action: See write up from from code enforcement officer.

Compliance Date: 07/23/2025

Violation: Sec. 4-124 through Sec.4-135 - Minimum standards of fitness for dwellings, structural condition, basic plumbing, heating, and electrical, equipment and facilities, ventilation, space, use, location, safe and sanitary maintenance, control of insects, rodents, and infestation, smoke detection systems, emergency situations, utilities, and permits

Sec. 4-124. Minimum standards of fitness for dwellings, dwelling units, and manufactured homes.

Standards for dwellings, dwelling units, rooming units, and manufactured homes shall be:

- (a) Every dwelling, dwelling unit, and rooming unit used as a human habitation shall comply with the North Carolina State Building Codes, at the time of construction, and with all standards of fitness for human habitation and the requirements as set forth in this article.
- (b) No person shall occupy, let to another for occupancy, or use as a human habitation any dwelling, dwelling unit, or rooming unit which does not comply with the minimum standards of fitness of human habitation in this article.
- (c) Every manufactured home used as a human habitation shall comply with all applicable codes, at the time of manufacture and with all regulations promulgated by the NC State Building Code Council.

Sec. 4-125. Minimum standards for structural condition.

The following standards shall constitute the minimum standards for structural conditions of a dwelling or dwelling unit:

- (a) Walls, partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean, buckle, and shall not be rotten, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.
- (b) Floors or roofs shall have adequate supporting members and strength to be in a condition which is structurally sound and safe for the purpose used.
- (c) Foundations, foundation walls, piers or other foundation supports shall be in a condition which is structurally sound and safe for the purpose used.
- (d) Steps, stairs, landings, porches, decks, balconies, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse. Any stairs or steps having four (4) or more risers shall have a hand rail. Any decks, porches, landings or balconies thirty (30) inches or more above grade shall have a guard rail.
- (e) Adequate facilities for egress in case of fire or panic shall be provided.
- (f) Interior walls and ceilings of all rooms, closets, and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable occupants to maintain reasonable privacy between various spaces.
- (g) The roof, flashing, exterior walls, floors, doors and windows exposed to the weather shall be constructed and maintained so as to be weather tight and watertight.
- (h) There shall be no chimneys or parts thereof which are defective, deteriorated, in danger of falling, or in such condition or location as to constitute a fire hazard.
- (i) There shall be no use of the ground for floors, or wood floors on the ground.

Sec. 4-126. Minimum standards for basic plumbing, heating and electrical equipment and facilities.

Standards for basic plumbing, heating and electrical equipment and facilities shall be as follows:

(a) Plumbing System.

- (1) Each dwelling unit shall be connected to a potable water supply and to a public sewer or other approved sewage disposal system. All said connections shall be constructed in an approved manner in accordance with existing regulations.
- (2) Each dwelling unit shall contain the following: not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water. Water heaters shall be capable of heating water to one hundred and twenty (120) degrees Fahrenheit. All water shall be supplied through an approved pipe distribution system, connected to a potable water supply.
- (3) All existing plumbing fixtures, water lines and sewer lines shall meet the standards of the NC State Building Codes, at the time it was installed, and shall be maintained in a state of good repair and in good working order, adequately protected from freezing.
- (4) All existing required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(b) Heating system.

- (1) Central heating systems. Every central heating system shall have and maintain sufficient capacity to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary winter conditions.
- (2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling unit shall have adequate



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heating appliances installed and maintained in good and safe working condition and capable of safely and adequately heating habitable rooms, bathrooms and water closet compartments so as to furnish a minimum temperature of sixty eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary minimum winter conditions. In addition, each dwelling unit shall be provided with sufficient chimney, flues, gas vents and/or fireplaces in accordance with the provisions of the North Carolina State Building Codes. Portable heaters are not permitted as a primary source of heating. No unvented fossil fuel burning appliances shall be allowed in sleeping areas.

(c) Electrical systems.

(1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles in each room located on separate walls, and also one (1) electric light switch at each outside entrance, connected in such manner as determined by the National Electrical Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one (1) supplied ceiling or wall type electric light fixture, with a switch. Electrical outlets in dwellings which have been ordered by the housing inspector to be repaired shall conform to the minimum standards set forth in this article. In bathrooms, water closet rooms, laundry rooms, furnace rooms and kitchens shall have GFCI protected outlets, installed to manufacturer's specifications.

(2) Every public hall and stairway in every multiple dwelling unit shall be adequately lighted by switched electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the National Electrical Code.

Sec. 4-127. Minimum standards for ventilation.

(a) Habitable rooms. Every habitable room shall have at least one (1) window or skylight which can easily be opened, or such other device, such as air conditioning, as will adequately ventilate the room, unless otherwise approved by the housing inspector. The window or skylight shall face directly to the outdoors unless otherwise approved by the housing inspector.

(b) Bathroom and water closet rooms. Every bathroom and water closet room shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

Sec. 4-128. Minimum standards for space, use and location.

Room size. Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the NC State Building Code.

(a) Cellar. No cellar shall be used for living purposes.

(b) Basements. No basements shall be used for living purposes unless:

(1) The floor and walls are substantially watertight;

(2) Every habitable room shall have at least one (1) window facing directly to the outdoors which can be easily opened. If other ventilation, approved by the housing inspector, is provided, then window(s) do not have to open. All areas used for sleeping purposes shall meet egress requirements of the NC State Building Codes, at time of construction.

(c) The window area of every habitable room shall be entirely above the grade except where the window or windows face a stairwell, window well or access way.

Sec. 4-129. Minimum standards for safe and sanitary maintenance.

(a) Exterior foundation, walls, and roofs. Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, kept in sound and good repair, and capable of supporting the load which normal use would cause to be placed thereon.

(b) Interior floors, walls, and ceilings. Every floor, interior wall and ceiling shall be substantially rodent proof, kept in sound condition and good repair, and safe to use and capable of supporting load which normal use would cause to be placed thereon.

(c) Windows and doors. Every window, exterior door, basement, cellar door, and hatchway shall be substantially weather tight, watertight, rodent proof and kept in sound working condition and good repair. All exterior doors shall have an apparatus for opening and closing the door on both sides, a locking mechanism which can be opened from both sides of the door and kept in sound repair.

(d) Stairs, porches, and appurtenances. Every outside and inside stair, porch, and any appurtenance thereto, shall be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and kept in sound condition and good repair.

(e) Bathroom floors and walls. Every bathroom floor surface, water closet compartment floor surface, and every tub and shower wall surface shall be constructed and maintained so to be substantially impervious to water and will permit such surface to be easily kept in a clean and sanitary condition.



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(f) Supplied facilities. Every supplied facility or piece of equipment of utility shall be constructed or installed so it will function safely and effectively and shall be maintained in satisfactory working condition.

(g) Drainage. Every yard shall be properly graded in order to obtain thorough drainage away from the dwelling unit and to prevent the accumulation of stagnant water.

(h) Egress. Every dwelling unit shall be provided with adequate and unobstructed means of egress as required by the NC State Building Code.

Sec. 4-130. Minimum standards for control of insects, rodents, and infestations.

(a) Screens. In every dwelling unit, every door opening and window or other device open to the outdoor space, used or intended for ventilation, shall be equipped with screens. Every dwelling unit which does not have an air conditioning system shall have screens on every window opening intended to be used for ventilation.

(b) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents shall be equipped with screens or such other approved device as will effectively prevent their entrance.

(c) Infestation.

(1) Owners who occupy single dwelling units shall be responsible for extermination of any insects, rodents or other pests within the premises.

(2) All rental properties will be reasonably free of insect infestations at the time of tenancy change. The lessee shall have a period of five (5) days after occupancy to request an inspection for infestation. After five (5) days, the lessee shall be responsible to maintain the dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the lessee.

(3) In cases of multiple dwelling units where infestation exists in two (2) or more of said units or in the shared or public parts of any dwelling units, extermination shall be the responsibility of the owner.

(d) Garbage and rubbish storage and disposal.

(1) Property owners or tenant of single dwelling units shall be responsible for providing an approved container for outdoor storage of rubbish, and to provide an approved garbage disposal facility, as required by county solid waste regulations.

(2) It is the property owner's responsibility to provide for the removal and disposal of rubbish and garbage in an approved manner, except for those dwellings being leased, and then the primary responsibility shall be placed on the occupant. Whenever the removal of rubbish and garbage is not carried out by the lessee, then the responsibility shall be that of the owner.

(3) In cases of multiple dwelling the responsibility of rubbish and garbage removal will be that of the owner.

Sec. 4-132. Smoke detection system.

All residential units, which have been ordered by the housing inspector to be repaired and to conform to the minimum standards set forth in this article, shall have automatic smoke detection systems installed to conform to the standards in the North Carolina Building Codes. If a landlord fails to provide, install, replace, or repair a smoke detector under the provisions of G.S. 42-42(a)(5) within thirty (30) days of having received written notice from the tenant or any agent of state or local government of the landlord's failure to do so, the landlord shall be responsible for an infraction and shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation. The landlord may temporarily disconnect a smoke detector in a dwelling unit or common area for construction or rehabilitation activities when such activities are likely to activate the smoke detector or make it inactive. This section shall not apply to residential units that are not under direct order of the housing inspector to be repaired.

Sec. 4-134. Emergency situations.

(a) Emergency situations requiring immediate repair:

(1) After an inspection of a dwelling in which any or all of the below emergency situations exist, the owner shall repair and correct any substandard item within forty-eight (48) hours of the building being inspected and notification of violation being given:

- a. Repair any broken, burst, frozen or inoperable plumbing pipe or fixtures (water or sewer);
- b. Repair any exposed or unsafe electrical wiring;
- c. Repair or replace any unsafe and/or dangerous cooking appliances, provided by the owner;
- d. Repair, replace or install heating equipment;
- e. Repair or replace above ground fuel storage tanks that are leaking, improperly supported or dangerous;

(2) Upon discovery of any of the above emergency situations, the housing inspector shall provide notification to the owner of the dwelling to correct or repair the emergency situation, as listed above, within a forty-eight (48) hour period after notification of the violation. Notice of violation shall be in any three (3) of the following forms:



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Date Case Established: **03/11/2025**

Compliance Deadline: **07/23/2025**

- a. Posting of the dwelling, showing the emergency situation(s) to be corrected and specified time limit in which repairs are to be corrected.
- b. Notification of the owner by certified mail of the violation with the specified time period in which to have the problem corrected. Notification to the property owner shall be deemed to be twenty-four (24) hours after depositing the letter.
- c. Notification by telephone, fax or hand delivery.
- (3) Should the emergency situation not be corrected by the owner within the forty-eight (48) hour period after notification, then the housing inspector shall fine the owner two hundred and fifty dollars (\$250.00) and take action to authorize the disconnection of any and all utilities to the property, and to place a placard on the home stating that it is "unfit for human habitation". Furthermore, this property cannot be reoccupied until such time as the repairs are made and it has been re-inspected by the housing inspector to insure the emergency situation has been corrected to bring the dwelling into compliance with this article pursuant to G.S. 153A-140.
- (4) All other non-emergency violations of the minimum housing ordinance shall be corrected within ninety (90) days from the date of inspection of the property. Failure to comply with this order will result in a fine to the owner of the property of fifty dollars (\$50.00) a day until the property is re-inspected and found to be in compliance with the minimum housing standard.
- (5) An owner may appeal the order by giving written notice of appeal to the Gaston County Director of inspections within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the inspector is final.
- (b) Natural disasters. During periods of declared natural disasters, defined as hurricanes, tornados, floods, earthquakes, forest fires, and other similar acts of God, the provisions in this subsection shall be suspended:
 - (1) Public areas. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
 - (2) Cleanliness. Every dwelling or dwelling unit shall be delivered in a clean and sanitary condition, and every occupant shall keep that part of the dwelling, dwelling unit and premises which he/she occupies and controls in a similar manner.
 - (3) Rubbish and garbage. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by, within seven (7) days, placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.
 - (4) Supplied plumbing fixtures. Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.
 - (5) Care of facilities and equipment and structure. No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction and other legal remedies.

Sec. 4-135. Utilities and permits.

- (a) Utilities. The county shall not provide, nor permit another to provide (either public or private) utility services such as water/sewer, electricity, well/septic tank, etc., to any substandard building or dwelling unit which is currently under inspection of the housing inspector until said dwelling is brought into compliance with this Code. This requirement shall not preclude the temporary use of such utility services as may be deemed necessary during construction, repair or alteration. The housing inspector shall be responsible for making the determination as to when such "temporary services" may be necessary.
- (b) Permit. No building, plumbing, electrical, gas or other permit, as may be required, for an addition, alteration or repair of an existing substandard building or dwelling unit, shall be issued until such time as an inspection of the property has been made to determine the feasibility of rehabilitation of such building or dwelling unit. If the determination is made that rehabilitation of such building or dwelling unit is feasible, any permits issued will in no way affect time limitations dictated by these regulations.

Corrective Action: See write up from from code enforcement officer.

Compliance Date: 09/03/2025

In order to bring this site compliance, you must follow the above listed corrective actions per violation.

A re-inspection will occur at or around the compliance date listed. Failure to comply may result in civil penalty fines calculated per day for each day the violation(s) remain on the property.

If you have any questions contact our office @ **704-866-3075**, between 8:30 am to 5:00 pm, Monday through Friday.



**Gaston County Building Services
Department**

128 West Main Avenue
Gastonia, NC 28053

Case Number: **COD-H-25-03-11-00458**

Violation Notice

Case Type: Minimum Housing - Archive

Date Case Established: 03/11/2025

Compliance Deadline: **07/23/2025**

Sincerely,

Jamie Kanburoglu
Director of Planning and Zoning



Gaston County Building Services

Department

128 West Main Avenue
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Case Number: **COD-H-25-03-11-00458**

Violation Notice

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Owner: Christy Burchfield

Mailing Address

Christy Burchfield
2024 ANGLER WAY
GASTONIA, NC 28052

Notice of Violation for the following location:

Address

Parcel

3014 BIRCHFIELD LN
GASTONIA, NC 28056

309450

Dear Citizen,

Upon investigation, it has been determined that the property located at the above address has been found to be in violation of the following:

Violation: Sec. 4-124 through Sec.4-135 - Minimum standards of fitness for dwellings, structural condition, basic plumbing, heating, and electrical, equipment and facilities, ventilation, space, use, location, safe and sanitary maintenance, control of insects, rodents, and infestation, smoke detection systems, emergency situations, utilities, and permits
Sec. 4-124. Minimum standards of fitness for dwellings, dwelling units, and manufactured homes.

Standards for dwellings, dwelling units, rooming units, and manufactured homes shall be:

- (a) Every dwelling, dwelling unit, and rooming unit used as a human habitation shall comply with the North Carolina State Building Codes, at the time of construction, and with all standards of fitness for human habitation and the requirements as set forth in this article.
- (b) No person shall occupy, let to another for occupancy, or use as a human habitation any dwelling, dwelling unit, or rooming unit which does not comply with the minimum standards of fitness of human habitation in this article.
- (c) Every manufactured home used as a human habitation shall comply with all applicable codes, at the time of manufacture and with all regulations promulgated by the NC State Building Code Council.

Sec. 4-125. Minimum standards for structural condition.

The following standards shall constitute the minimum standards for structural conditions of a dwelling or dwelling unit:

- (a) Walls, partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean, buckle, and shall not be rotten, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.
- (b) Floors or roofs shall have adequate supporting members and strength to be in a condition which is structurally sound and safe for the purpose used.
- (c) Foundations, foundation walls, piers or other foundation supports shall be in a condition which is structurally sound and safe for the purpose used.
- (d) Steps, stairs, landings, porches, decks, balconies, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse. Any stairs or steps having four (4) or more risers shall have a hand rail. Any decks, porches, landings or balconies thirty (30) inches or more above grade shall have a guard rail.
- (e) Adequate facilities for egress in case of fire or panic shall be provided.
- (f) Interior walls and ceilings of all rooms, closets, and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable occupants to maintain reasonable privacy between various spaces.
- (g) The roof, flashing, exterior walls, floors, doors and windows exposed to the weather shall be constructed and maintained so as to be weather tight and watertight.
- (h) There shall be no chimneys or parts thereof which are defective, deteriorated, in danger of falling, or in such condition or location as to constitute a fire hazard.
- (i) There shall be no use of the ground for floors, or wood floors on the ground.

Sec. 4-126. Minimum standards for basic plumbing, heating and electrical equipment and facilities.

Standards for basic plumbing, heating and electrical equipment and facilities shall be as follows:

(a) Plumbing System.

- (1) Each dwelling unit shall be connected to a potable water supply and to a public sewer or other approved sewage disposal



Gaston County Building Services

Department

128 West Main Avenue
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Compliance Deadline: **07/23/2025**

system. All said connections shall be constructed in an approved manner in accordance with existing regulations.

(2) Each dwelling unit shall contain the following: not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water. Water heaters shall be capable of heating water to one hundred and twenty (120) degrees Fahrenheit. All water shall be supplied through an approved pipe distribution system, connected to a potable water supply.

(3) All existing plumbing fixtures, water lines and sewer lines shall meet the standards of the NC State Building Codes, at the time it was installed, and shall be maintained in a state of good repair and in good working order, adequately protected from freezing.

(4) All existing required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(b) Heating system.

(1) Central heating systems. Every central heating system shall have and maintain sufficient capacity to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary winter conditions.

(2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling unit shall have adequate heating appliances installed and maintained in good and safe working condition and capable of safely and adequately heating habitable rooms, bathrooms and water closet compartments so as to furnish a minimum temperature of sixty eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary minimum winter conditions. In addition, each dwelling unit shall be provided with sufficient chimney, flues, gas vents and/or fireplaces in accordance with the provisions of the North Carolina State Building Codes. Portable heaters are not permitted as a primary source of heating. No unvented fossil fuel burning appliances shall be allowed in sleeping areas.

(c) Electrical systems.

(1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles in each room located on separate walls, and also one (1) electric light switch at each outside entrance, connected in such manner as determined by the National Electrical Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one (1) supplied ceiling or wall type electric light fixture, with a switch. Electrical outlets in dwellings which have been ordered by the housing inspector to be repaired shall conform to the minimum standards set forth in this article. In bathrooms, water closet rooms, laundry rooms, furnace rooms and kitchens shall have GFCI protected outlets, installed to manufacturer's specifications.

(2) Every public hall and stairway in every multiple dwelling unit shall be adequately lighted by switched electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the National Electrical Code.

Sec. 4-127. Minimum standards for ventilation.

(a) Habitable rooms. Every habitable room shall have at least one (1) window or skylight which can easily be opened, or such other device, such as air conditioning, as will adequately ventilate the room, unless otherwise approved by the housing inspector. The window or skylight shall face directly to the outdoors unless otherwise approved by the housing inspector.

(b) Bathroom and water closet rooms. Every bathroom and water closet room shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

Sec. 4-128. Minimum standards for space, use and location.

Room size. Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the NC State Building Code.

(a) Cellar. No cellar shall be used for living purposes.

(b) Basements. No basements shall be used for living purposes unless:

(1) The floor and walls are substantially watertight;

(2) Every habitable room shall have at least one (1) window facing directly to the outdoors which can be easily opened. If other ventilation, approved by the housing inspector, is provided, then window(s) do not have to open. All areas used for sleeping purposes shall meet egress requirements of the NC State Building Codes, at time of construction.

(c) The window area of every habitable room shall be entirely above the grade except where the window or windows face a stairwell, window well or access way.

Sec. 4-129. Minimum standards for safe and sanitary maintenance.

(a) Exterior foundation, walls, and roofs. Every foundation wall, exterior wall and exterior roof shall be substantially weather



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Department

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Gastonia, NC 28053

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Compliance Deadline: **07/23/2025**

tight and rodent proof, kept in sound and good repair, and capable of supporting the load which normal use would cause to be placed thereon.

(b) Interior floors, walls, and ceilings. Every floor, interior wall and ceiling shall be substantially rodent proof, kept in sound condition and good repair, and safe to use and capable of supporting load which normal use would cause to be placed thereon.

(c) Windows and doors. Every window, exterior door, basement, cellar door, and hatchway shall be substantially weather tight, watertight, rodent proof and kept in sound working condition and good repair. All exterior doors shall have an apparatus for opening and closing the door on both sides, a locking mechanism which can be opened from both sides of the door and kept in sound repair.

(d) Stairs, porches, and appurtenances. Every outside and inside stair, porch, and any appurtenance thereto, shall be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and kept in sound condition and good repair.

(e) Bathroom floors and walls. Every bathroom floor surface, water closet compartment floor surface, and every tub and shower wall surface shall be constructed and maintained so to be substantially impervious to water and will permit such surface to be easily kept in a clean and sanitary condition.

(f) Supplied facilities. Every supplied facility or piece of equipment of utility shall be constructed or installed so it will function safely and effectively and shall be maintained in satisfactory working condition.

(g) Drainage. Every yard shall be properly graded in order to obtain thorough drainage away from the dwelling unit and to prevent the accumulation of stagnant water.

(h) Egress. Every dwelling unit shall be provided with adequate and unobstructed means of egress as required by the NC State Building Code.

Sec. 4-130. Minimum standards for control of insects, rodents, and infestations.

(a) Screens. In every dwelling unit, every door opening and window or other device open to the outdoor space, used or intended for ventilation, shall be equipped with screens. Every dwelling unit which does not have an air conditioning system shall have screens on every window opening intended to be used for ventilation.

(b) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents shall be equipped with screens or such other approved device as will effectively prevent their entrance.

(c) Infestation.

(1) Owners who occupy single dwelling units shall be responsible for extermination of any insects, rodents or other pests within the premises.

(2) All rental properties will be reasonably free of insect infestations at the time of tenancy change. The lessee shall have a period of five (5) days after occupancy to request an inspection for infestation. After five (5) days, the lessee shall be responsible to maintain the dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the lessee.

(3) In cases of multiple dwelling units where infestation exists in two (2) or more of said units or in the shared or public parts of any dwelling units, extermination shall be the responsibility of the owner.

(d) Garbage and rubbish storage and disposal.

(1) Property owners or tenant of single dwelling units shall be responsible for providing an approved container for outdoor storage of rubbish, and to provide an approved garbage disposal facility, as required by county solid waste regulations.

(2) It is the property owner's responsibility to provide for the removal and disposal of rubbish and garbage in an approved manner, except for those dwellings being leased, and then the primary responsibility shall be placed on the occupant. Whenever the removal of rubbish and garbage is not carried out by the lessee, then the responsibility shall be that of the owner.

(3) In cases of multiple dwelling the responsibility of rubbish and garbage removal will be that of the owner.

Sec. 4-132. Smoke detection system.

All residential units, which have been ordered by the housing inspector to be repaired and to conform to the minimum standards set forth in this article, shall have automatic smoke detection systems installed to conform to the standards in the North Carolina Building Codes. If a landlord fails to provide, install, replace, or repair a smoke detector under the provisions of G.S. 42-42(a)(5) within thirty (30) days of having received written notice from the tenant or any agent of state or local government of the landlord's failure to do so, the landlord shall be responsible for an infraction and shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation. The landlord may temporarily disconnect a smoke detector in a dwelling unit or common area for construction or rehabilitation activities when such activities are likely to activate the smoke detector or make it inactive. This section shall not apply to residential units that are not under direct order of the housing



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inspector to be repaired.

Sec. 4-134. Emergency situations.

(a) Emergency situations requiring immediate repair:

(1) After an inspection of a dwelling in which any or all of the below emergency situations exist, the owner shall repair and correct any substandard item within forty-eight (48) hours of the building being inspected and notification of violation being given:

- Repair any broken, burst, frozen or inoperable plumbing pipe or fixtures (water or sewer);
- Repair any exposed or unsafe electrical wiring;
- Repair or replace any unsafe and/or dangerous cooking appliances, provided by the owner;
- Repair, replace or install heating equipment;
- Repair or replace above ground fuel storage tanks that are leaking, improperly supported or dangerous;

(2) Upon discovery of any of the above emergency situations, the housing inspector shall provide notification to the owner of the dwelling to correct or repair the emergency situation, as listed above, within a forty-eight (48) hour period after notification of the violation. Notice of violation shall be in any three (3) of the following forms:

- Posting of the dwelling, showing the emergency situation(s) to be corrected and specified time limit in which repairs are to be corrected.
- Notification of the owner by certified mail of the violation with the specified time period in which to have the problem corrected. Notification to the property owner shall be deemed to be twenty-four (24) hours after depositing the letter.
- Notification by telephone, fax or hand delivery.

(3) Should the emergency situation not be corrected by the owner within the forty-eight (48) hour period after notification, then the housing inspector shall fine the owner two hundred and fifty dollars (\$250.00) and take action to authorize the disconnection of any and all utilities to the property, and to place a placard on the home stating that it is "unfit for human habitation". Furthermore, this property cannot be reoccupied until such time as the repairs are made and it has been re-inspected by the housing inspector to insure the emergency situation has been corrected to bring the dwelling into compliance with this article pursuant to G.S. 153A-140.

(4) All other non-emergency violations of the minimum housing ordinance shall be corrected within ninety (90) days from the date of inspection of the property. Failure to comply with this order will result in a fine to the owner of the property of fifty dollars (\$50.00) a day until the property is re-inspected and found to be in compliance with the minimum housing standard.

(5) An owner may appeal the order by giving written notice of appeal to the Gaston County Director of inspections within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the inspector is final.

(b) Natural disasters. During periods of declared natural disasters, defined as hurricanes, tornados, floods, earthquakes, forest fires, and other similar acts of God, the provisions in this subsection shall be suspended:

- Public areas. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- Cleanliness. Every dwelling or dwelling unit shall be delivered in a clean and sanitary condition, and every occupant shall keep that part of the dwelling, dwelling unit and premises which he/she occupies and controls in a similar manner.
- Rubbish and garbage. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by, within seven (7) days, placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.
- Supplied plumbing fixtures. Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.
- Care of facilities and equipment and structure. No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction and other legal remedies.

Sec. 4-135. Utilities and permits.

(a) Utilities. The county shall not provide, nor permit another to provide (either public or private) utility services such as water/sewer, electricity, well/septic tank, etc., to any substandard building or dwelling unit which is currently under inspection of the housing inspector until said dwelling is brought into compliance with this Code. This requirement shall not preclude the temporary use of such utility services as may be deemed necessary during construction, repair or alteration. The housing inspector shall be responsible for making the determination as to when such "temporary services" may be necessary.

(b) Permit. No building, plumbing, electrical, gas or other permit, as may be required, for an addition, alteration or repair of an existing substandard building or dwelling unit, shall be issued until such time as an inspection of the property has been made to determine the feasibility of rehabilitation of such building or dwelling unit. If the determination is made that rehabilitation of such building or dwelling unit is feasible, any permits issued will in no way affect time limitations dictated



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by these regulations.

Corrective Action: See write up from from code enforcement officer.

Compliance Date: 07/23/2025

Violation: Sec. 4-124 through Sec.4-135 - Minimum standards of fitness for dwellings, structural condition, basic plumbing, heating, and electrical, equipment and facilities, ventilation, space, use, location, safe and sanitary maintenance, control of insects, rodents, and infestation, smoke detection systems, emergency situations, utilities, and permits

Sec. 4-124. Minimum standards of fitness for dwellings, dwelling units, and manufactured homes.

Standards for dwellings, dwelling units, rooming units, and manufactured homes shall be:

- (a) Every dwelling, dwelling unit, and rooming unit used as a human habitation shall comply with the North Carolina State Building Codes, at the time of construction, and with all standards of fitness for human habitation and the requirements as set forth in this article.
- (b) No person shall occupy, let to another for occupancy, or use as a human habitation any dwelling, dwelling unit, or rooming unit which does not comply with the minimum standards of fitness of human habitation in this article.
- (c) Every manufactured home used as a human habitation shall comply with all applicable codes, at the time of manufacture and with all regulations promulgated by the NC State Building Code Council.

Sec. 4-125. Minimum standards for structural condition.

The following standards shall constitute the minimum standards for structural conditions of a dwelling or dwelling unit:

- (a) Walls, partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean, buckle, and shall not be rotten, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.
- (b) Floors or roofs shall have adequate supporting members and strength to be in a condition which is structurally sound and safe for the purpose used.
- (c) Foundations, foundation walls, piers or other foundation supports shall be in a condition which is structurally sound and safe for the purpose used.
- (d) Steps, stairs, landings, porches, decks, balconies, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse. Any stairs or steps having four (4) or more risers shall have a hand rail. Any decks, porches, landings or balconies thirty (30) inches or more above grade shall have a guard rail.
- (e) Adequate facilities for egress in case of fire or panic shall be provided.
- (f) Interior walls and ceilings of all rooms, closets, and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable occupants to maintain reasonable privacy between various spaces.
- (g) The roof, flashing, exterior walls, floors, doors and windows exposed to the weather shall be constructed and maintained so as to be weather tight and watertight.
- (h) There shall be no chimneys or parts thereof which are defective, deteriorated, in danger of falling, or in such condition or location as to constitute a fire hazard.
- (i) There shall be no use of the ground for floors, or wood floors on the ground.

Sec. 4-126. Minimum standards for basic plumbing, heating and electrical equipment and facilities.

Standards for basic plumbing, heating and electrical equipment and facilities shall be as follows:

- (a) Plumbing System.
 - (1) Each dwelling unit shall be connected to a potable water supply and to a public sewer or other approved sewage disposal system. All said connections shall be constructed in an approved manner in accordance with existing regulations.
 - (2) Each dwelling unit shall contain the following: not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water. Water heaters shall be capable of heating water to one hundred and twenty (120) degrees Fahrenheit. All water shall be supplied through an approved pipe distribution system, connected to a potable water supply.
 - (3) All existing plumbing fixtures, water lines and sewer lines shall meet the standards of the NC State Building Codes, at the time it was installed, and shall be maintained in a state of good repair and in good working order, adequately protected from freezing.
 - (4) All existing required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.
- (b) Heating system.
 - (1) Central heating systems. Every central heating system shall have and maintain sufficient capacity to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary winter conditions.
 - (2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling unit shall have adequate



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heating appliances installed and maintained in good and safe working condition and capable of safely and adequately heating habitable rooms, bathrooms and water closet compartments so as to furnish a minimum temperature of sixty eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during ordinary minimum winter conditions. In addition, each dwelling unit shall be provided with sufficient chimney, flues, gas vents and/or fireplaces in accordance with the provisions of the North Carolina State Building Codes. Portable heaters are not permitted as a primary source of heating. No unvented fossil fuel burning appliances shall be allowed in sleeping areas.

(c) Electrical systems.

(1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles in each room located on separate walls, and also one (1) electric light switch at each outside entrance, connected in such manner as determined by the National Electrical Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one (1) supplied ceiling or wall type electric light fixture, with a switch. Electrical outlets in dwellings which have been ordered by the housing inspector to be repaired shall conform to the minimum standards set forth in this article. In bathrooms, water closet rooms, laundry rooms, furnace rooms and kitchens shall have GFCI protected outlets, installed to manufacturer's specifications.

(2) Every public hall and stairway in every multiple dwelling unit shall be adequately lighted by switched electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the National Electrical Code.

Sec. 4-127. Minimum standards for ventilation.

(a) Habitable rooms. Every habitable room shall have at least one (1) window or skylight which can easily be opened, or such other device, such as air conditioning, as will adequately ventilate the room, unless otherwise approved by the housing inspector. The window or skylight shall face directly to the outdoors unless otherwise approved by the housing inspector.

(b) Bathroom and water closet rooms. Every bathroom and water closet room shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

Sec. 4-128. Minimum standards for space, use and location.

Room size. Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the NC State Building Code.

(a) Cellar. No cellar shall be used for living purposes.

(b) Basements. No basements shall be used for living purposes unless:

(1) The floor and walls are substantially watertight;

(2) Every habitable room shall have at least one (1) window facing directly to the outdoors which can be easily opened. If other ventilation, approved by the housing inspector, is provided, then window(s) do not have to open. All areas used for sleeping purposes shall meet egress requirements of the NC State Building Codes, at time of construction.

(c) The window area of every habitable room shall be entirely above the grade except where the window or windows face a stairwell, window well or access way.

Sec. 4-129. Minimum standards for safe and sanitary maintenance.

(a) Exterior foundation, walls, and roofs. Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, kept in sound and good repair, and capable of supporting the load which normal use would cause to be placed thereon.

(b) Interior floors, walls, and ceilings. Every floor, interior wall and ceiling shall be substantially rodent proof, kept in sound condition and good repair, and safe to use and capable of supporting load which normal use would cause to be placed thereon.

(c) Windows and doors. Every window, exterior door, basement, cellar door, and hatchway shall be substantially weather tight, watertight, rodent proof and kept in sound working condition and good repair. All exterior doors shall have an apparatus for opening and closing the door on both sides, a locking mechanism which can be opened from both sides of the door and kept in sound repair.

(d) Stairs, porches, and appurtenances. Every outside and inside stair, porch, and any appurtenance thereto, shall be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and kept in sound condition and good repair.

(e) Bathroom floors and walls. Every bathroom floor surface, water closet compartment floor surface, and every tub and shower wall surface shall be constructed and maintained so to be substantially impervious to water and will permit such surface to be easily kept in a clean and sanitary condition.



Gaston County Building Services

Department

128 West Main Avenue
Gastonia, NC 28053

Case Number: **COD-H-25-03-11-00458**

Violation Notice

Case Type: **Minimum Housing - Archive**

Date Case Established: **03/11/2025**

Compliance Deadline: **07/23/2025**

(f) Supplied facilities. Every supplied facility or piece of equipment of utility shall be constructed or installed so it will function safely and effectively and shall be maintained in satisfactory working condition.

(g) Drainage. Every yard shall be properly graded in order to obtain thorough drainage away from the dwelling unit and to prevent the accumulation of stagnant water.

(h) Egress. Every dwelling unit shall be provided with adequate and unobstructed means of egress as required by the NC State Building Code.

Sec. 4-130. Minimum standards for control of insects, rodents, and infestations.

(a) Screens. In every dwelling unit, every door opening and window or other device open to the outdoor space, used or intended for ventilation, shall be equipped with screens. Every dwelling unit which does not have an air conditioning system shall have screens on every window opening intended to be used for ventilation.

(b) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents shall be equipped with screens or such other approved device as will effectively prevent their entrance.

(c) Infestation.

(1) Owners who occupy single dwelling units shall be responsible for extermination of any insects, rodents or other pests within the premises.

(2) All rental properties will be reasonably free of insect infestations at the time of tenancy change. The lessee shall have a period of five (5) days after occupancy to request an inspection for infestation. After five (5) days, the lessee shall be responsible to maintain the dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the lessee.

(3) In cases of multiple dwelling units where infestation exists in two (2) or more of said units or in the shared or public parts of any dwelling units, extermination shall be the responsibility of the owner.

(d) Garbage and rubbish storage and disposal.

(1) Property owners or tenant of single dwelling units shall be responsible for providing an approved container for outdoor storage of rubbish, and to provide an approved garbage disposal facility, as required by county solid waste regulations.

(2) It is the property owner's responsibility to provide for the removal and disposal of rubbish and garbage in an approved manner, except for those dwellings being leased, and then the primary responsibility shall be placed on the occupant. Whenever the removal of rubbish and garbage is not carried out by the lessee, then the responsibility shall be that of the owner.

(3) In cases of multiple dwelling the responsibility of rubbish and garbage removal will be that of the owner.

Sec. 4-132. Smoke detection system.

All residential units, which have been ordered by the housing inspector to be repaired and to conform to the minimum standards set forth in this article, shall have automatic smoke detection systems installed to conform to the standards in the North Carolina Building Codes. If a landlord fails to provide, install, replace, or repair a smoke detector under the provisions of G.S. 42-42(a)(5) within thirty (30) days of having received written notice from the tenant or any agent of state or local government of the landlord's failure to do so, the landlord shall be responsible for an infraction and shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation. The landlord may temporarily disconnect a smoke detector in a dwelling unit or common area for construction or rehabilitation activities when such activities are likely to activate the smoke detector or make it inactive. This section shall not apply to residential units that are not under direct order of the housing inspector to be repaired.

Sec. 4-134. Emergency situations.

(a) Emergency situations requiring immediate repair:

(1) After an inspection of a dwelling in which any or all of the below emergency situations exist, the owner shall repair and correct any substandard item within forty-eight (48) hours of the building being inspected and notification of violation being given:

- a. Repair any broken, burst, frozen or inoperable plumbing pipe or fixtures (water or sewer);
- b. Repair any exposed or unsafe electrical wiring;
- c. Repair or replace any unsafe and/or dangerous cooking appliances, provided by the owner;
- d. Repair, replace or install heating equipment;
- e. Repair or replace above ground fuel storage tanks that are leaking, improperly supported or dangerous;

(2) Upon discovery of any of the above emergency situations, the housing inspector shall provide notification to the owner of the dwelling to correct or repair the emergency situation, as listed above, within a forty-eight (48) hour period after notification of the violation. Notice of violation shall be in any three (3) of the following forms:



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- a. Posting of the dwelling, showing the emergency situation(s) to be corrected and specified time limit in which repairs are to be corrected.
- b. Notification of the owner by certified mail of the violation with the specified time period in which to have the problem corrected. Notification to the property owner shall be deemed to be twenty-four (24) hours after depositing the letter.
- c. Notification by telephone, fax or hand delivery.
- (3) Should the emergency situation not be corrected by the owner within the forty-eight (48) hour period after notification, then the housing inspector shall fine the owner two hundred and fifty dollars (\$250.00) and take action to authorize the disconnection of any and all utilities to the property, and to place a placard on the home stating that it is "unfit for human habitation". Furthermore, this property cannot be reoccupied until such time as the repairs are made and it has been re-inspected by the housing inspector to insure the emergency situation has been corrected to bring the dwelling into compliance with this article pursuant to G.S. 153A-140.
- (4) All other non-emergency violations of the minimum housing ordinance shall be corrected within ninety (90) days from the date of inspection of the property. Failure to comply with this order will result in a fine to the owner of the property of fifty dollars (\$50.00) a day until the property is re-inspected and found to be in compliance with the minimum housing standard.
- (5) An owner may appeal the order by giving written notice of appeal to the Gaston County Director of inspections within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the inspector is final.
- (b) Natural disasters. During periods of declared natural disasters, defined as hurricanes, tornados, floods, earthquakes, forest fires, and other similar acts of God, the provisions in this subsection shall be suspended:
 - (1) Public areas. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
 - (2) Cleanliness. Every dwelling or dwelling unit shall be delivered in a clean and sanitary condition, and every occupant shall keep that part of the dwelling, dwelling unit and premises which he/she occupies and controls in a similar manner.
 - (3) Rubbish and garbage. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by, within seven (7) days, placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.
 - (4) Supplied plumbing fixtures. Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.
 - (5) Care of facilities and equipment and structure. No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit. Willful destruction of the premises by the occupant shall be deemed legal grounds for eviction and other legal remedies.

Sec. 4-135. Utilities and permits.

- (a) Utilities. The county shall not provide, nor permit another to provide (either public or private) utility services such as water/sewer, electricity, well/septic tank, etc., to any substandard building or dwelling unit which is currently under inspection of the housing inspector until said dwelling is brought into compliance with this Code. This requirement shall not preclude the temporary use of such utility services as may be deemed necessary during construction, repair or alteration. The housing inspector shall be responsible for making the determination as to when such "temporary services" may be necessary.
- (b) Permit. No building, plumbing, electrical, gas or other permit, as may be required, for an addition, alteration or repair of an existing substandard building or dwelling unit, shall be issued until such time as an inspection of the property has been made to determine the feasibility of rehabilitation of such building or dwelling unit. If the determination is made that rehabilitation of such building or dwelling unit is feasible, any permits issued will in no way affect time limitations dictated by these regulations.

Corrective Action: See write up from from code enforcement officer.

Compliance Date: 09/03/2025

In order to bring this site compliance, you must follow the above listed corrective actions per violation.

A re-inspection will occur at or around the compliance date listed. Failure to comply may result in civil penalty fines calculated per day for each day the violation(s) remain on the property.

If you have any questions contact our office @ **704-866-3075**, between 8:30 am to 5:00 pm, Monday through Friday.



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Sincerely,

Jamie Kanburoglu
Director of Planning and Zoning