



TITLE: ORDINANCE AUTHORIZING THE HOUSING INSPECTOR TO ABATE ALL PUBLIC NUISANCES AND VACATE AND DEMOLISH THE DWELLING AND ALL STRUCTURES LOCATED AT 3014 BIRCHFIELD LN., GASTONIA, (PARCEL ID 309450) AS UNFIT FOR HUMAN HABITATION PURSUANT TO SECTION 4-137 OF THE GASTON COUNTY CODE OF ORDINANCES

WHEREAS, the County's Minimum Housing Code, enacted pursuant to Section 160D-1203 of the North Carolina General Statutes, authorizes the vacating, closing, and the repair or demolition of dwellings found unfit for human habitation; and,

WHEREAS, the Housing Inspector has served upon Christy and Cody Burchfield ("the Owners") a complaint, notices of violation, and notice of hearing regarding ongoing public nuisance and minimum housing code violations for the property located at 3014 Birchfield Lane, Gastonia, North Carolina; and,

WHEREAS, the Housing Inspector conducted a hearing on September 11, 2025 regarding the minimum housing code violations and found, based on the evidence presented, that the property was in violation of the County's Minimum Housing Code; and,

WHEREAS, the Owners have been given a reasonable opportunity and time to address the concerns found during the inspections and have failed to bring the property into compliance; and,

WHEREAS, the County Board of Commissioners finds that the property described herein, located at 3014 Birchfield Ln. in Gastonia, is unfit for human habitation under the minimum housing code, and is a danger to the public safety, and that all of the provisions of the minimum housing code have been complied with as a condition of the adoption of this ordinance; and,

WHEREAS, all structures on the subject property should be vacated and secured to meet the requirements of the minimum housing code as directed by the Housing Inspector and should be properly noticed with a sign that states the property is unfit and unsafe for human habitation.

NOW, THEREFORE, BE IT ORDAINED by the Gaston County Board of Commissioners that after consideration of the evidence provided by the Planning and Zoning staff and public comment:

- 1) The subject lot is more particularly described as being Gaston County Parcel ID 309450, locally known as 3014 Birchfield Ln., Gastonia, NC.

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

- 2) The Housing Inspector is hereby authorized and directed to place on the dwelling a sign containing the following language: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."
- 3) It shall be unlawful for any person to remove or cause said sign to be removed from the structure to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of a building so posted. Doing either shall constitute a Class 1 misdemeanor.
- 4) Owners and/or parties of interest in the subject property are hereby ordered to vacate and close the subject dwelling found to be unfit within 48 hours from the adoption of this ordinance.
- 5) If the owners and/or parties in interest fail to vacate the dwelling, the Housing Inspector is hereby authorized to commence summary ejectment proceedings pursuant to 160D-1203(8).
- 6) If the owner and/or parties in interest fail or refuse to repair or demolish said dwelling within ten days of the adoption of this ordinance, the Housing Inspector is hereby authorized to proceed to demolish the subject property.
- 7) The Housing Inspector is further authorized to take other and further action and exercise such powers with respect to said dwelling as may be necessary or convenient to carry out and effectuate the provisions of the minimum housing code.
- 8) The Clerk is hereby directed to record a certified copy of this ordinance in the office of the Gaston County Register of Deeds and see that it is properly indexed in the name of the property owners.
- 9) The County Attorney is authorized to proceed with in rem foreclosure proceedings to collect taxes and liens owed for the property.
- 10) This ordinance shall become effective upon its adoption.

Chad Brown, Chairman
Gaston County Board of Commissioners

ATTEST:

Donna S. Buff, Clerk to the Board