

April 8, 2009

H 1235. RESIDENTIAL/NONRESIDENTIAL BLDG. INSPECTIONS. Filed 4/8/09. *REQUIRING COUNTIES AND CITIES TO HAVE REASONABLE CAUSE BEFORE INSPECTING RESIDENTIAL AND NONRESIDENTIAL BUILDINGS OR STRUCTURES.*

Amends GS 160A-424 and GS 153A-364 (concerning "periodic inspections") as title indicates. Provides that the inspection department "may" make periodic inspections, subject to the governing board's direction (now, "shall" make such inspections). Clarifies that bill applies to both residential and nonresidential buildings. Provides that inspection department may make periodic inspections only when there is *reasonable cause* to believe that unsafe, unsanitary, or otherwise hazardous or unlawful conditions exist in the building. Defines *reasonable cause* to mean that (1) landlord or owner has a substantial history of noncompliance with unit's ordinances on unsafe buildings, (2) there has been a report that substandard conditions exist within the building or an occupant has requested that the building be inspected, or (3) the inspection department has actual knowledge of unsafe conditions within the building that was acquired as a result of "routine business activities" conducted by the local government. Prohibits an inspection department from "discriminating" between single-family and multi-family buildings or between owner-occupied and tenant-occupied buildings. Adds a new GS 160A-424(b) and GS 153A-364(b) to allow local governments to require periodic inspections also as part of a targeted effort to respond to blighted or potentially blighted conditions within a Community Development Block Grant area that has been designated by the governing board, the Division of Community Assistance (Department of Commerce), or the U.S. Department of Housing and Urban Development.

Intro. by Gibson.

GS 153A, 160A