

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 398

Short Title: Winston-Salem Ordinances. (Local)

Sponsors: Representatives Womble, Parmon, Brown, and McGee (Primary Sponsors).

Referred to: Local Government II.

February 28, 2007

A BILL TO BE ENTITLED

1 AN ACT PROVIDING THE CITY OF WINSTON-SALEM WITH ADDITIONAL
2 OPTIONS FOR SERVICE OF NOTICE OF VIOLATION OF THE CITY'S
3 GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN
4 VEGETATION ORDINANCE.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Section 1 of S.L. 2003-120 reads as rewritten:

8 "**SECTION 1.** A municipality may notify a chronic violator of the municipality's
9 garbage and trash ordinance that, if the violator's property is found to be in violation of
10 the ordinance, the municipality may, without further notice in the calendar year in
11 which the notice is given, take action to remedy the violation, and the expense of the
12 action shall become a lien upon the violator's property in accordance with
13 G.S. 160A-193. The initial annual notice shall be served by registered or certified mail.
14 When service is made by registered or certified mail, a copy of the complaint or order
15 may also be sent by regular mail. Service shall be deemed sufficient if the registered or
16 certified mail is unclaimed or refused, but the regular mail is not returned by the post
17 office within 10 days after the mailing. Under this section, a chronic violator is a person
18 who owns property whereupon, in the previous calendar year, the municipality gave a
19 notice of violation at least three times under any provision of the garbage and trash
20 ordinance."

21 **SECTION 2.** Section 1 of S.L. 1999-58, as amended by Section 2 of S.L.
22 2003-120, reads as rewritten:

23 "**Section 1.** A municipality may notify a chronic violator of the municipality's
24 overgrown vegetation ordinance that, if the violator's property is found to be in violation
25 of the ordinance, the municipality shall, without further notice in the calendar year in
26 which notice is given, take action to remedy the violation and the expense of the action
27 shall become a lien upon the property and shall be collected as unpaid taxes. The initial
28 annual notice shall be served by registered or certified mail. When service is made by

1 registered or certified mail, a copy of the complaint or order may also be sent by regular
2 mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed
3 or refused, but the regular mail is not returned by the post office within 10 days after the
4 mailing. A chronic violator is a person who owns property whereupon, in the previous
5 calendar year, the municipality gave a notice of violation at least three times under any
6 provision of the overgrown vegetation ordinance."

7 **SECTION 3.** This act applies to the City of Winston-Salem only.

8 **SECTION 4.** This act is effective when it becomes law.