

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**HOUSE BILL 398  
RATIFIED BILL**

AN ACT PROVIDING THE TOWN OF SPRING LAKE AND THE CITY OF WINSTON-SALEM WITH ADDITIONAL OPTIONS FOR SERVICE OF NOTICE OF VIOLATION OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE.

The General Assembly of North Carolina enacts:

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

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

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

"**Section 1.** A municipality may notify a chronic violator of the municipality's overgrown vegetation ordinance that, if the violator's property is found to be in violation of the ordinance, the municipality shall, without further notice in the calendar year in which notice is given, take action to remedy the violation and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The initial annual notice shall be served by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within 10 days after the mailing. A chronic violator is a person who owns property whereupon, in the previous calendar year, the municipality gave a notice of violation at least three times under any provision of the overgrown vegetation ordinance."

**SECTION 3.** This act applies to the Town of Spring Lake and the City of Winston-Salem only.

**SECTION 4.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 30<sup>th</sup> day of  
July, 2007.

---

Marc Basnight  
President Pro Tempore of the Senate

---

Joe Hackney  
Speaker of the House of Representatives