

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 503  
HOUSE BILL 893

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE CITY OF DURHAM  
TO PROVIDE FOR THE LEVY OF A LIEN FOR COSTS OF REMOVAL OF  
CERTAIN DESCRIBED MOTOR VEHICLES FROM PRIVATE PROPERTY,  
AND TO PROVIDE THE PROCEDURE FOR THE COLLECTION OR  
FORECLOSURE OF SUCH LIEN.

The General Assembly of North Carolina do enact:

**Section 1.** In addition to the power and authority now possessed or hereafter granted by general or special laws, the Governing Body of the City of Durham is hereby granted the power and authority to establish charges to be made for the cost of removing abandoned or junk motor vehicles from private property. When said City causes the removal of any such vehicle from private property pursuant to an Ordinance permitting such removal and the owner or other person having control of said property fails to pay the cost of such removal and disposal within 30 days after it becomes due, the amount of the cost of removal and disposal of such vehicle shall on the 30th day after the due date thereof become a lien against the real property from which said vehicle was removed; and the amount of such costs shall be placed upon the tax books of said City against the said property and may be collected and the said lien may be foreclosed in the same manner as taxes are collected and foreclosed, or by suit, as the municipality may determine.

**Sec. 2.** A motor vehicle shall be deemed to be abandoned or a junk motor vehicle for the purposes of this Act in the following circumstances: (1) it is partially or completely dismantled or wrecked; (2) it is incapable of self-propulsion or of being moved in the manner for which it was originally intended; or (3) it has been abandoned, is inoperable, or damaged and worth less than fifty dollars (\$50.00); and (4) it is a junk vehicle and has been so abandoned for a period of not less than 30 days.

**Sec. 3.** The provisions of this Act and of any ordinance enacted pursuant hereto are hereby declared to be in furtherance and promotion of the public interest and welfare and to constitute a public purpose.

**Sec. 4.** If any part or provision of this Act shall be declared to be unconstitutional or invalid by any Court of competent jurisdiction, said declaration of unconstitutionality or invalidity shall not affect any other part or provision hereof.

**Sec. 5.** This Act shall apply only to the City of Durham in Durham County, North Carolina.

**Sec. 6.** All laws or clauses of laws in conflict herewith are hereby repealed.

**Sec. 7.** This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of May, 1969.