

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1314
SENATE BILL 555

AN ACT TO ALLOW COUNTIES TO ABATE PUBLIC HEALTH NUISANCES.

The General Assembly of North Carolina enacts:

Section 1. Article 6 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-140. Abatement of public health nuisances. — A county shall have authority, subject to the provisions of Article 57 of Chapter 106 of the General Statutes, to remove, abate, or remedy everything that is dangerous or prejudicial to the public health. The expense of the action shall be paid by the person in default, and, if not paid, shall be a lien upon the land or premises where the nuisance arose, and shall be collected as unpaid taxes. The authority granted by this section may only be exercised upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice. Nothing in this section shall be deemed to restrict or repeal the authority of any municipality to abate or remedy health nuisances pursuant to G.S. 160A-174, 160A-193, or any other general or local law. This section shall not affect bona fide farms, but any use of farm property for nonfarm purposes is subject to this section."

Sec. 2. This act shall become effective July 1, 1982.

In the General Assembly read three times and ratified, this the 23rd day of June, 1982.