

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 2402

Short Title: Winston-Salem Ordinances. (Local)

Sponsors: Representatives Womble; and McGee.

Referred to: Local Government II.

May 26, 2008

A BILL TO BE ENTITLED

1 AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR
2 ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF
3 WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS
4 OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S
5 OVERGROWN VEGETATION ORDINANCE.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 1 of S.L. 2003-120, as amended by S.L. 2007-319,
9 reads as rewritten:

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

23 **SECTION 2.** Section 1 of S.L. 1999-58, as amended by S.L. 2003-120 and
24 S.L. 2007-319, reads as rewritten:

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

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

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

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