

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 177*

Short Title: Greensboro Rental Property Utility Liens. (Local)

Sponsors: Senators Robinson; Bingham, Jones, and Vaughan.

Referred to: State and Local Government.

March 3, 2011

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE
3 THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY
4 SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE
5 MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON
6 THE RENTAL PROPERTY.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 6.83 of the Charter of the City of Greensboro, being Chapter
9 1137 of the 1959 Session Laws, as amended, reads as rewritten:

10 "Sec. 6.83. Liens for Utility Charges.

11 (a) ~~In case~~ Except as provided in subsection (b) of this section, when any charge for
12 utility service or for the use of utility facilities is not paid within ten days after it becomes due,
13 the same shall become a lien upon the property served or in connection with which the service
14 or facility is used. The charge may at any time thereafter be collected, either by suit in the name
15 of the city or by the city tax collector for the city, by the sale of the property upon which the
16 lien attaches at the Guilford County courthouse door, after advertising the sale once a week for
17 four successive weeks in some newspaper published in the city which is qualified to carry legal
18 notices. The sale shall be made under the same rules and regulations, and subject to the same
19 costs and penalties and to the same rights of redemption as are provided by law for the
20 foreclosure of the lien on real estate for taxes.

21 (b) When any charge for utility service or for the use of utility facilities is for a rental
22 property and the tenants of the rental property are individually liable for the charge, the city
23 shall collect any charge that is incurred and becomes past-due after July 1, 2010, pursuant to
24 the provisions of G.S. 160A-314 and any other applicable general or local law. The city shall
25 not collect any charge from a tenant that is incurred and becomes past-due after July 1, 2010,
26 under the provisions of subsection (a) of this section."

27 **SECTION 2.** This act is effective from and after July 1, 2010.

