

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H.B. 857  
Apr 25, 2023  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40422-LM-73

Short Title: Cities/Chronic Violators of Ordinances.

(Public)

Sponsors: Representative Clemmons.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING THAT CITIES MAY PROVIDE ANNUAL NOTICE TO CHRONIC  
3 VIOLATORS OF PUBLIC NUISANCE AND OVERGROWN VEGETATION  
4 ORDINANCES ON A ROLLING TWELVE-MONTH BASIS INSTEAD OF IN A  
5 CALENDAR YEAR AND APPROPRIATING FUNDS TO BE USED TO EDUCATE  
6 CITIES ABOUT THIS GRANT OF AUTHORITY.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 160A-200.1 reads as rewritten:

9 "§ 160A-200.1. Annual notice to chronic violators of public nuisance or overgrown  
10 vegetation ordinance.

11 (a) A city may notify a chronic violator of the city's public nuisance ordinance that, if the  
12 violator's property is found to be in violation of the ordinance, the city shall, without further  
13 notice ~~in the calendar year in which notice is given,~~ provided on a rolling 12-month basis, take  
14 action to remedy the violation, and the expense of the action shall become a lien upon the property  
15 and shall be collected as unpaid taxes.

16 (b) The notice shall be sent by registered or certified mail. When service is attempted by  
17 registered or certified mail, a copy of the notice may also be sent by regular mail. Service shall  
18 be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular  
19 mail is not returned by the post office within 10 days after the mailing. If service by regular mail  
20 is used, a copy of the notice shall be posted in a conspicuous place on the premises affected.

21 (c) A city may also give notice to a chronic violator of the city's overgrown vegetation  
22 ordinance in accordance with this section.

23 (d) For purposes of this section, a chronic violator is a person who owns property  
24 whereupon, ~~in the previous calendar year,~~ on a rolling 12-month basis, the city gave notice of  
25 violation at least three times under any provision of the public nuisance ordinance."

26 SECTION 2. There is appropriated from the General Fund to the North Carolina  
27 League of Municipalities, a nonprofit organization, the sum of twenty-five thousand dollars  
28 (\$25,000) in nonrecurring funds for the 2023-2024 fiscal year for the purposes of educating cities  
29 about the authority granted in Section 1 of this act.

30 SECTION 3. This act is effective when it becomes law.

