

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

S

1

SENATE BILL 564

Short Title: Statewide Nuisance Notice Authority. (Public)

Sponsors: Senators Davis; Goss, Hartsell, Jenkins, Jones, Malone, McKissick, Stein, Stevens, Swindell, and Weinstein.

Referred to: State and Local Government.

March 12, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE ALL MUNICIPALITIES AND COUNTIES TO GIVE ANNUAL  
3 NOTICE TO CHRONIC VIOLATORS OF THEIR PUBLIC NUISANCE ORDINANCES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 8 of Chapter 160A of the General Statutes is amended by  
6 adding a new section to read:

7 "**§ 160A-200.1. Annual notice to chronic violators of public nuisance ordinance.**

8 A city may notify a chronic violator of the city's public nuisance ordinance that, if the  
9 violator's property is found to be in violation of the ordinance, the city shall, without further  
10 notice in the calendar year in which notice is given, take action to remedy the violation, and the  
11 expense of the action shall become a lien upon the property and shall be collected as unpaid  
12 taxes. The initial annual notice shall be served by registered or certified mail. A chronic  
13 violator is a person who owns property whereupon, in the previous calendar year, the city gave  
14 notice of violation at least three times under any provision of the public nuisance ordinance."

15 **SECTION 2.** Article 6 of Chapter 153A of the General Statutes is amended by  
16 adding a new section to read:

17 "**§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance.**

18 A county may notify a chronic violator of the county's public nuisance ordinance that, if the  
19 violator's property is found to be in violation of the ordinance, the county shall, without further  
20 notice in the calendar year in which notice is given, take action to remedy the violation, and the  
21 expense of the action shall become a lien upon the property and shall be collected as unpaid  
22 taxes. The initial annual notice shall be served by registered or certified mail. A chronic  
23 violator is a person who owns property whereupon, in the previous calendar year, the county  
24 gave notice of violation at least three times under any provision of the public nuisance  
25 ordinance."

26 **SECTION 3.** S.L. 2005-44, S.L. 2007-3, S.L. 2007-254, and S.L. 2008-23 are  
27 repealed.

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

