

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 857

Short Title: Cities/Chronic Violators of Ordinances. (Public)

Sponsors: Representatives Clemmons, Quick, Faircloth, and Hardister (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

April 26, 2023

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

