

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 469
Committee Substitute Favorable 4/28/03**

Short Title: Lenoir/Duplin Unpaid Fees Collection.

(Local)

Sponsors:

Referred to:

March 13, 2003

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE LENOIR AND DUPLIN COUNTIES, CERTAIN
2 DISTRICTS CREATED BY LENOIR AND DUPLIN COUNTIES, AND
3 MUNICIPALITIES LOCATED WITHIN LENOIR AND DUPLIN COUNTIES TO
4 ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS
5 ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR
6 SERVICES.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** A county may adopt an ordinance providing that any fee
10 charged by the county and remaining unpaid for a period of 90 days may be collected in
11 any manner by which delinquent personal or real property taxes can be collected. If the
12 ordinance states that delinquent fees may be collected in the same manner as delinquent
13 real property taxes, the delinquent fees are a lien on the real property owned by the
14 person contracting with the county for the service, and the ordinance shall provide for
15 an appeals process. If a lien is placed on real property, the lien shall be valid from the
16 time of filing in the office of the clerk of superior court of the county in which the
17 service was provided a statement containing the name and address of the person against
18 whom the lien is claimed, the name of the county, the county water and sewer district,
19 the county service district, or the municipality, whichever applies, claiming the lien, the
20 specific service that was provided, the amount of the unpaid charge for that service, and
21 the date and place of furnishing that service. No lien under this act shall be valid unless
22 filed in accordance with this section after 90 days of the date of the failure to pay for the
23 service and within 180 days of the date of the failure to pay for the service. The lien
24 may be discharged as provided in G.S. 44-48.

25 **SECTION 2.** The reference to county shall include a county, a county water
26 and sewer district created under Article 6 of Chapter 162A of the General Statutes, a
27 county service district created under Article 16 of Chapter 153A of the General Statutes,
28 or a municipality located wholly or partly within that county.

1 **SECTION 3.** This act shall not apply to fees collectable under Articles 9A
2 and 9B of Chapter 44 of the General Statutes, G.S. 153A- 293, and G.S. 160A-314.1.

3 **SECTION 4.** This act applies only to Lenoir and Duplin Counties, county
4 water and sewer districts located in Lenoir or Duplin County, county service districts
5 located within Lenoir or Duplin County, and municipalities located wholly or partially
6 within Lenoir or Duplin County.

7 **SECTION 5.** This act becomes effective July 1, 2003.