

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 469
Committee Substitute Favorable 4/28/03
Committee Substitute #2 Favorable 4/29/03**

Short Title: Several Counties Unpaid Fees Collection.

(Local)

Sponsors:

Referred to:

March 13, 2003

A BILL TO BE ENTITLED

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

7 The General Assembly of North Carolina enacts:

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

24 **SECTION 2.** The reference to county shall include a county, a county water
25 and sewer district created under Article 6 of Chapter 162A of the General Statutes, a
26 county service district created under Article 16 of Chapter 153A of the General Statutes,
27 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 Columbus, Davie, Duplin, and Lenoir
4 Counties, county water and sewer districts located in Columbus, Davie, Duplin, or
5 Lenoir County, county service districts located within Columbus, Davie, Duplin, or
6 Lenoir County, and municipalities located wholly or partially within Columbus, Davie,
7 Duplin, or Lenoir County.

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