

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 448*
Committee Substitute Favorable 4/16/09

Short Title: Make Overgrown Vegetation Law Statewide.

(Public)

Sponsors:

Referred to:

March 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE STATEWIDE A LOCAL ACT AUTHORIZING MUNICIPALITIES TO
3 GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF ITS OVERGROWN
4 VEGETATION ORDINANCES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-200 reads as rewritten:

7 "**§ 160A-200. Annual notice to chronic violators of overgrown vegetation ordinances.**

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

16 (b) ~~This section applies to the Towns of Ahoskie, Ayden, Franklinton, Leland,~~
17 ~~Marshville, Pinetops, Pineville, Smithfield, Spring Lake, Wingate, and Yadkinville, and to the~~
18 ~~Cities of Durham, Eden, Gastonia, Greensboro, High Point, Lexington, Louisburg, Monroe,~~
19 ~~Mount Airy, Reidsville, Roanoke Rapids, Rockingham, Rocky Mount, Wadesboro, and~~
20 ~~Winston-Salem only."~~

21 **SECTION 2.** This act is effective when it becomes law. A municipality may adopt
22 an ordinance under G.S. 160A-200 when this act becomes law, but the ordinances may not
23 become effective prior to October 1, 2009. The repeal herein of any local act does not affect the
24 rights or liabilities of a municipality that arose during the time the act was in effect, or under an
25 ordinance adopted under such an act. If any municipality adopted an ordinance under any act
26 repealed by this act, and the ordinance would be permitted under G.S. 160A-200, as enacted by
27 this act, that ordinance shall remain in effect until amended or repealed by that municipality.

