

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 1054  
May 14, 2014  
HOUSE PRINCIPAL CLERK

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HOUSE DRH40133-MC-242 (04/21)

Short Title: Spindale Sewer Fee Collection. (Local)

Sponsors: Representative Hager.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE TOWN OF SPINDALE TO ATTACH PERSONAL  
3 PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL  
4 PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.  
5 The General Assembly of North Carolina enacts:  
6 **SECTION 1.** If a town enters into an interlocal contract or agreement pursuant to  
7 G.S. 160A-461 for the county to place on the tax bill and to collect a sewer availability fee  
8 charged by the town, the county may collect the fee in any manner by which delinquent real  
9 property taxes can be collected. Fees become delinquent and accrue interest in the same manner  
10 as delinquent real property taxes. The delinquent fees are a lien on the real property owned by  
11 the person and benefitted by the sewer availability. If a lien is placed on real property, the lien  
12 shall be valid from the time of filing in the office of the clerk of superior court of the county in  
13 which the property is located and shall include a statement containing the name and address of  
14 the person against whom the lien is claimed, the name of the town claiming the lien, the sewer  
15 availability provided, the amount of the unpaid charge for that availability, and the date or time  
16 period to which the availability pertains. A lien on real property is not effective against an  
17 interest in real property conveyed after the fees become delinquent if the interest is recorded in  
18 the office of the register of deeds prior to the filing of the lien. No lien under this act shall be  
19 valid unless filed in accordance with this section within 180 days of the date the fee becomes  
20 delinquent. The lien may be discharged as provided in G.S. 44-48. Fees and associated liens  
21 shall be released or refunded by the town only pursuant to the release and refund provisions  
22 that apply to property taxes under G.S. 105-381.  
23 **SECTION 2.** This act applies to the Town of Spindale.  
24 **SECTION 3.** This act is effective when it becomes law.

