

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 437  
Local Government Committee Substitute Adopted 4/12/89

Short Title: Wilmington Liens.

(Local)

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Sponsors:

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Referred to:

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March 15, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR LIENS FOR UNPAID CHARGES BY THE CITY OF WILMINGTON FOR WATER, SEWER, AND GARBAGE SERVICES.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Wilmington, being Section 1 of Chapter 495, Session Laws of 1977, is amended by adding a new Section 15.19 to read:

"Sec. 15.19. **Collection of water and sewer charges.** In addition to the remedies provided by general law for the collection of charges for water and sewer connections and services, both within and without the corporate limits, if any such charge is not paid within 10 days after it becomes due, the same may become a lien upon the property served or in connection with which the service or facility is used and said lien may be enforced in the same manner as the lien for taxes upon property. Notice shall be mailed to the property owner, according to the address listed on the most recent property tax listing for the affected property, within 30 days after the charge becomes delinquent."

Sec. 2. The Charter of the City of Wilmington, being Section 1 of Chapter 495, Session Laws of 1977, is amended by adding a new Section 28.3 to read:

"Sec. 28.3. **Collection of garbage charges.** In addition to the remedies provided by law for the collection of charges for the removal and disposal of garbage and refuse, both within and without the corporate limits, if any such charge is not paid within 10 days after it becomes due, the same may become a lien upon the property served or in connection with which the service is used and said lien may be enforced in the same manner as the lien for taxes upon property. Notice shall be mailed to the property

1 owner, according to the address listed on the most recent property tax listing for the  
2 affected property, within 30 days after the charge becomes delinquent."

3           Sec. 3. No lien created pursuant to Sections 1 and 2 of this act shall be valid  
4 but from the time of filing in the office of the clerk of superior court a statement  
5 containing the name and address of the person against whom the lien is claimed, the  
6 name of the county or municipality claiming the lien, the amount of the unpaid charge  
7 for water and sewer or garbage service, and the date and place of furnishing the service  
8 for which charges are asserted and the lien claimed. The lien may be discharged by  
9 payment of the lien plus costs.

10           Sec. 4. This act is effective upon ratification.