

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 290

Short Title: Hsg. Code Enf. Notice.

(Public)

Sponsors: Representatives Grimmer; Balmer, Barnhill, Black, Cunningham, Easterling, Foster, and McLaughlin.

Referred to: Judiciary II.

March 21, 1991

A BILL TO BE ENTITLED

AN ACT TO ALLOW NOTICE BY PUBLICATION OF HOUSING CODE ENFORCEMENT WHERE SERVICE BY CERTIFIED MAIL IS REFUSED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-445 reads as rewritten:

"§ 160A-445. **Service of complaints and orders.**

Complaints or orders issued by a public officer pursuant to an ordinance adopted under this Part shall be served upon persons either personally or by registered or certified mail. If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the public officer makes an affidavit to that effect, then the serving of the complaint or order upon the ~~unknown~~-owners or other persons may be made by publication in a newspaper having general circulation in the city at least once no later than the time at which personal service would be required under the provisions of this Part. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected."

Sec. 2. This act applies only to municipalities that have a population in excess of 300,000 by the last federal census.

Sec. 3. This act is effective upon ratification.