

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1642

Short Title: Durham Fee Collection.

(Local)

Sponsors: Senators Gulley; and Lucas.

Referred to: Local Government and Regional Affairs.

June 1, 1994

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT DELINQUENT
2 WATER AND SEWER FEES RESULTING FROM LEAKING PIPES OR
3 FIXTURES IN THE SAME MANNER AS PROPERTY TAXES.
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5 The General Assembly of North Carolina enacts:

6 Section 1. The Charter of the City of Durham, being Chapter 671, 1975
7 Session Laws, is amended by adding a new section to read:

8 "Sec. 34. **Water and Sewer Fees and Charges.** (a) In case any rents, rates,
9 fees, or charges imposed by the City for the use of or the services furnished by either of
10 the public enterprises defined in G.S. 160A-311(2) or (3) are not paid within 90 days of
11 the due date specified by the City, and the public enterprise customer is not an owner of
12 the real property using or served by the public enterprise, and the City has mailed to an
13 owner of the real property, by first-class mail, notice of the unpaid rents, rates, fees or
14 charges within 60 days of the due date, then such portion of the rents, rates, fees or
15 charges which the City determines to be the result of broken or leaking plumbing
16 fixtures, pipes or facilities located on the real property using or served by the public
17 enterprise shall become a lien on the real property, and may be collected in any manner
18 by which delinquent personal or real property taxes may be collected. Any such lien
19 shall be inferior to all prior and subsequent liens for federal, State, and local taxes, equal
20 to liens of special assessments, and superior to all other liens and encumbrances.

21 (b) The authority granted by this section is in addition to, and not in derogation
22 of, any other authority granted to the City by this Charter or any other law."

23 Sec. 2. This act is effective upon ratification.