

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 330
Committee Substitute Favorable 3/23/95

Short Title: Winston-Salem Code Process.

(Local)

Sponsors:

Referred to:

March 1, 1995

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM AND THE CITY OF
2 GASTONIA TO REQUIRE OWNERS OF RENTAL PROPERTY IN THOSE
3 CITIES TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS,
4 AND TO CLARIFY THE AUTHORITY OF THE CITIES OF DURHAM AND
5 ASHEVILLE TO DO THE SAME.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. The Board of Aldermen of the City of Winston-Salem may, by
9 ordinance, require that each owner of rental property within the city authorize a person
10 residing in Forsyth County to serve as the owner's agent for the purpose of accepting
11 service of process in an action involving a violation of an ordinance adopted under Parts
12 5 or 6 of Article 19 of Chapter 160A of the General Statutes. The owner shall provide,
13 on a form supplied by the Housing Services Department, the authorized agent's name,
14 address, and phone number and shall notify the Housing Services Department of any
15 changes in the information provided not less than 10 days after such changes occur.
16 Nothing in this section shall require an owner to designate an agent to accept service of
17 process where the owner of the rental property resides within Forsyth County.

18 Sec. 2. The City Council of the City of Gastonia may, by ordinance, require
19 that each owner of rental property within the city authorize a person residing in Gaston

1 County to serve as the owner's agent for the purpose of accepting service of process in an
2 action involving a violation of an ordinance adopted under Parts 5 or 6 of Article 19 of
3 Chapter 160A of the General Statutes. The owner shall provide, on a form supplied by
4 the Housing Services Department, the authorized agent's name, address, and phone
5 number and shall notify the Housing Services Department of any changes in the
6 information provided not less than 10 days after such changes occur. Nothing in this
7 section shall require an owner to designate an agent to accept service of process where
8 the owner of the rental property resides within Gaston County.

9 Sec. 3. Section 1 of Chapter 261 of the 1993 Session Laws reads as rewritten:

10 "Section 1. The Charter of the City of Durham, the same being Chapter 671, 1975
11 Session Laws, as amended, is amended by adding the following new section:

12 'Sec. 102.5. **Owner of rental property shall authorize agent to accept service of**
13 **process.** – The City Council may, by ordinance, require that each owner of rental
14 property within the city authorize a person residing in ~~the city~~ Durham County or a county
15 bordering Durham County to serve as his or her agent for the purpose of accepting
16 service of process; that the owner provide, on a form supplied by the Housing Services
17 Department, the authorized agent's name, address, and phone number; and that the owner
18 notify the Housing Services Department of any changes in the information provided not
19 less than 10 days after such changes have occurred. Nothing in this section shall require
20 an owner to designate an agent to accept service of process where the owner of the rental
21 property resides within ~~the city~~ Durham County."

22 Sec. 4. Section 2 of Chapter 651 of the 1993 Session Laws reads as rewritten:

23 "Sec. 2. (a) The City Council may, by ordinance, require that each owner of
24 rental property within the city authorize a person residing in ~~the city~~ Buncombe County to
25 serve as his or her agent for the purpose of accepting service of process in an action
26 involving a violation of an ordinance adopted under Parts 5 or 6 of Article 19 of Chapter
27 160A of the General Statutes. The owner shall provide, on a form supplied by the city
28 clerk, the authorized agent's name, address, and telephone number. The owner shall
29 notify the city clerk of any changes in the information provided not less than 10 days
30 after such changes have occurred. Nothing in this section requires an owner to designate
31 an agent to accept service of process where the owner of the rental property resides
32 within ~~the city~~ Buncombe County.

33 (b) This section applies to the City of Asheville only."

34 Sec. 5. This act is effective upon ratification.