

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-126
SENATE BILL 464

AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE.

The General Assembly of North Carolina enacts:

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

"(a) 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 the identities or whereabouts of the owners or persons are known and the public officer, after exercising reasonable diligence, is unable to serve the complaint or order, 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."

Section 2. This act applies only to the City of Winston-Salem and Forsyth County.

Section 3. This act is effective when it becomes law and applies to complaints or orders served on or after that date.

In the General Assembly read three times and ratified this the 2nd day of June, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives