

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 700

Short Title: Durham City Zoning Notices.

(Local)

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Sponsors: Senators Lucas; and Gulley.

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Referred to: State and Local Government.

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April 1, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THE CITY OF DURHAM WITH ADDITIONAL OPTIONS  
FOR SERVICE OF PROCESS IN ZONING CODE CASES.

The General Assembly of North Carolina enacts:

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

"94.6. Service of Process of Zoning Code Violations.

(a) Notice of violation of an ordinance adopted under Parts 1, 2, 3, or 3C of Article 19 of Chapter 160A of the General Statutes shall be served upon violators either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the notice of violation may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within 10 days after the mailing. If regular mail is used, a notice of violation shall be posted in a conspicuous place on the premises affected.

(b) If the identities or the whereabouts of violators are unknown and cannot be ascertained after the exercise of reasonable diligence, or if the violators are known but refuse to accept service by registered or certified mail and an affidavit is made to that effect, then the serving of the notice of violation upon the violators may be made by publication at least once in a newspaper having general circulation in the city. When

1 service is made by publication, a notice of violation shall be posted in a conspicuous  
2 place on the premises affected."

3           Section 2. This act is effective when it becomes law.