



CHAPTER 130A
ARTICLE 1 - DEFINITIONS, GENERAL PROVISIONS AND REMEDIES

N.C.G.S. § 130A-20.

Abatement of an imminent hazard.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2021-180, s. 19E.6(d) — thirteenth act in the lineage	RETRIEVED 21 September 2026, 02:21 UTC	SOURCE FINGERPRINT 4655f6d07e05d5c0a11ea4bb - 8ff0c3079b4332b5d6c027af - 3d7ee76fe357bd67
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- § 130A-20(a)

If a local health director determines that an imminent hazard exists, the local health director may order the owner, lessee, operator, or other person in control of a specific identified property to abate the imminent hazard or may, after notice to or reasonable attempt to notify the owner, lessee, operator, or other person in control of the property enter upon the specific identified property and take any action necessary to abate the imminent hazard. If the local health director abates the imminent hazard, the local health department shall have a lien on the property of the owner, lessee, operator, or other person in control of the specific identified property where the imminent hazard existed for the cost of the abatement of the imminent hazard. The lien may be enforced in accordance with procedures provided in Chapter 44A of the General Statutes. The lien may be defeated by a showing that an imminent hazard did not exist at the time the local health director took the action. The owner, lessee, operator, or any other person against whose property the lien has been filed may defeat the lien by showing that that person was not culpable in the creation of the imminent hazard.
- § 130A-20(b)

The local health director shall have the same rights enumerated in subsection (a) of this section to enforce the provisions of Articles 9 and 10 of this Chapter.
- § 130A-20(c)

The Secretary shall have the authority to determine that a class or category of property uses presents a statewide imminent hazard. For a period of no more than seven calendar days, the Secretary may order owners, operators, or other persons in control of that class or category of property uses to abate the statewide imminent hazard. If the Secretary has notified the Governor, and the Governor has received the concurrence of the Council of State, such order may be extended for up to 30 days at

a time. The Secretary may, after notice to or reasonable attempt to notify the owners, operators, or other persons in control of a specific property not complying with the order of abatement, enter upon the property and take any action necessary to abate the imminent hazard. If the Secretary's orders under this subsection would extend the application of the class or categories of properties in areas, when combined, to statewide application, the Secretary shall notify the Governor, and the Governor shall seek the concurrence of the Council of State in accordance with this subsection prior to extension of any of the orders.

§ 130A-20(d) The Secretary of Environmental Quality, in accordance with subsection (c) of this section, may enforce the provisions of Articles 9 and 10 of this Chapter.

§ 130A-20(e) For purposes of this section, the following definitions shall apply:

- (1) Concurrence of the Council of State. - As defined in G.S. 166A-19.3(2d).
- (2) Statewide. - Two-thirds or more of the counties in this State.

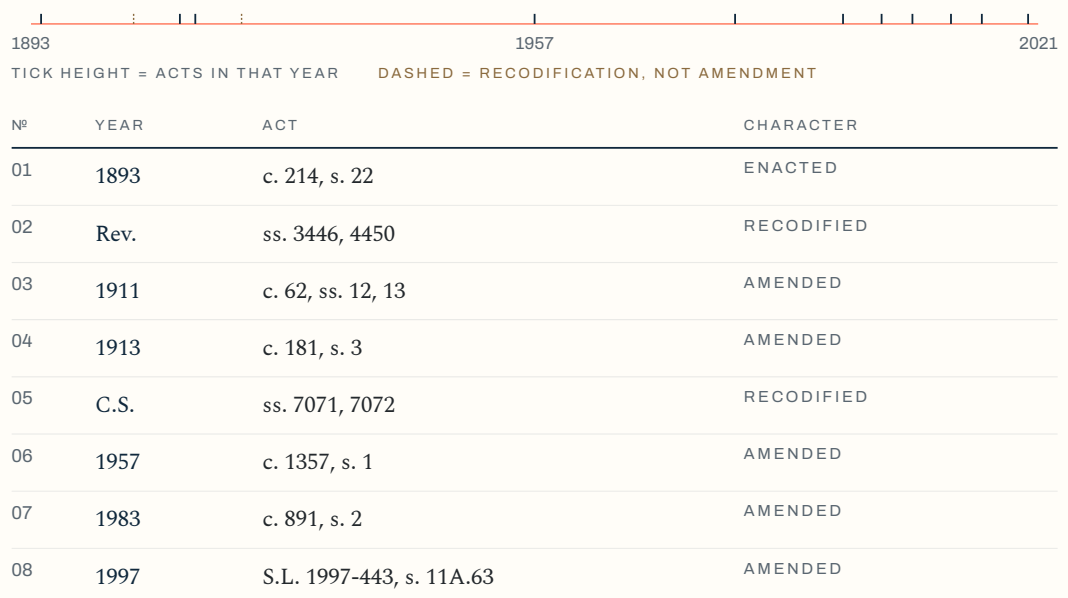
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



09	2002	S.L. 2002-179, s. 6	AMENDED
10	2006	S.L. 2006-255, s. 13.6	AMENDED
11	2011	S.L. 2011-145, s. 13.3(uu)	AMENDED
12	2015	S.L. 2015-241, s. 14.30(v)	AMENDED
13	2021	S.L. 2021-180, s. 19E.6(d)	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 166A-19.3(2d)	(e)(1)	"of State. - As defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 130A-20 (2021).

PINPOINT

N.C. Gen. Stat. § 130A-20(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1893, c. 214, s. 22; Rev., ss. 3446, 4450; 1911, c. 62, ss. 12, 13; 1913, c. 181, s. 3; C.S., ss. 7071, 7072; 1957, c. 1357, s. 1; 1983, c. 891, s. 2; 1997-443, s. 11A.63; 2002-179, s. 6; 2006-255, s. 13.6; 2011-145, s. 13.3(uu); 2015-241, s. 14.30(v); 2021-180, s. 19E.6(d).)

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