

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

HOUSE DRH70088-LB-118 (02/12)

Short Title: Annexing Across County Lines.

(Public)

Sponsors: Representative Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT MUNICIPALITIES MAY NOT ANNEX INTO ANOTHER COUNTY WITHOUT THE APPROVAL OF THE BOARD OF COMMISSIONERS OF THAT COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-37 is amended by adding a new subsection to read:

"(d1) As used in this subsection, "primary county" means in the case of a municipality located in only one county, the county in which it is located, and in the case of a municipality located in more than one county, the county in which the greatest part of its land area is located. No municipality may annex any territory in a county other than its primary county without the approval of the annexation by the board of commissioners of the county in which the annexation is proposed. Such approval may only be granted after a public hearing by that county board of commissioners, conducted at least 25 days after advertisement. Such approval may be obtained at any time prior to adoption of the annexation ordinance. This subsection does not authorize any annexation prohibited by local act. Approval under this subsection is in addition to any other requirement of this Part."

SECTION 2. G.S. 160A-49 is amended by adding a new subsection to read:

"(d1) As used in this subsection, "primary county" means in the case of a municipality located in only one county, the county in which it is located, and in the case of a municipality located in more than one county, the county in which the greatest part of its land area is located. No municipality may annex any territory in a county other than its primary county without the approval of the annexation by the board of commissioners of the county in which the annexation is proposed. Such approval may only be granted after a public hearing by that county board of commissioners, conducted at least 25 days after advertisement. Such approval may be obtained at any time prior to adoption of the annexation ordinance. This subsection does not authorize any annexation prohibited by local act. Approval under this subsection is in addition to any other requirement of this Part."

SECTION 3. This act is effective when it becomes law and applies to any annexation for which an annexation ordinance had not yet been adopted as of that date.

