

February 25, 2009

H 314. ANNEXING ACROSS COUNTY LINES. Filed 2/25/09. *TO PROVIDE THAT MUNICIPALITIES MAY NOT ANNEX INTO ANOTHER COUNTY WITHOUT THE APPROVAL OF THE BOARD OF COMMISSIONERS OF THAT COUNTY.*

Amends GS 160A-37 (regarding annexation by cities of less than 5,000 persons) and GS 160A-49 (regarding annexation by cities of more than 5,000 persons) as the title indicates. Prohibits a municipality from annexing 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. Defines *primary county* as (1) the county in which the municipality is located or (2) in the case of a municipality located in more than one county, the county in which the greatest part of the municipality's land area is located. Before approval may be granted, requires that a public hearing be held by the county board of commissioners of the county in which the annexation is proposed at least 25 days after advertisement. States that approval may be obtained at any time before the adoption of the annexation ordinance. Provides that the proposed new subsection does not authorize any annexation that is prohibited by a local act and that approval under this proposed subsection is in addition to any other requirements regarding annexation by cities. Effective when it becomes law and applies to any annexation for which an annexation ordinance has not been adopted as of that date.

Intro. by Brown.

GS 160A