GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2011

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Short Title:

HOUSE BILL 56 PROPOSED SENATE COMMITTEE SUBSTITUTE H56-PCS30391-RWx-28

Local Annexations Subject to 60% Petition.

	Sponsors:			
	Referred to:			
	February 9, 2011			
1	A BILL TO BE ENTITLED			
2	AN ACT TO REQUIRE SPECIFIED LOCAL PENDING OR COMPLETED			
3	INVOLUNTARY ANNEXATIONS BE SUBJECT TO A PETITION TO DENY THE			
4	ANNEXATION BY PROPERTY OWNERS OF AT LEAST SIXTY PERCENT OF THE			
5	PARCELS LOCATED IN THE AREA.			
6	The General Assembly of North Carolina enacts:			
7 8	SECTION 1. The following involuntary annexations are suspended effective June 1, 2011, and shall not become effective until completion of a petition to disallow the			
9	annexation process described in Section 3 of this act.			
10	(1) Kinston annexation area, as described in House Bill 5, First Edition, 2011			
11	Regular Session.			
12	(2) Lexington annexation area, as described in House Bill 37, First Edition,			
13	2011 Regular Session.			
14	(3) Rocky Mount annexation area, as described in House Bill 56, First Edition,			
15	2011 Regular Session.			
16	(4) Wilmington annexation area, as described in House Bill 180, First Edition,			
17	2011 Regular Session.			
18 19	(5) Asheville/Biltmore Lake annexation area, as described in House Bill 236, First Edition, 2011 Regular Session.			
20	(6) Marvin annexation area, as described in RS-2008-02-02, a resolution of the			
20 21	Village of Marvin Council.			
21	(7) Southport annexation area, known as "Area A" and "Area B," as described in			
23	City of Southport Annexation ordinance, adopted June 9, 2011.			
24	(8) Ayden annexation area, as described in Ayden Ordinance No. 08-09-07 as			
25	modified by any applicable Consent Order and Memoranda of			
26	Understanding.			
27	SECTION 2. The following involuntary annexation, already enacted and effective,			
28	shall be subject to a petition by residents to disallow and repeal the annexation, in accordance			
29	with Section 4 of this act.			
30	(1) Goldsboro annexation, described in Senate Bill 314, First Edition, 2011			
31	Regular Session.			
32	SECTION 3. Pending Annexation/Petition to Deny Annexation Ordinance. – The			
33	annexations described in Section 1 of this act shall be subject to the following petition to deny			
34	annexation process.			



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(Local)

neral Assem	bly Of North Carolina	Session 2011
(1)	prepare a list of the real property parcels within the area	to be annexed and a
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	the real property located within the area to sign oppo	
(2)		-
(3)		
		from the county tax
(4)		ich property owners
	returned to the board of elections in a sealed container.	1
(5)	If the signed petition is one that was mailed and the sign	er is not the same as
	accompanied by a copy of the legal authority for the sig	nature of the person
	signing a petition.	_
(6)	If a petition is returned as undeliverable to the board of	elections, the board
	of elections shall send the petition return receipt request	ed. If the petition is
	returned again, the board of elections shall not include	that property owner
	in the total number of eligible property owners.	
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(8)	•	-
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		y located within the
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		in the annexation
(11)		ne the costs of the
(11)		ins the costs of the
	perition process required under this section.	
	 (1) (2) (3) (4) (5) (6) 	 prepare a list of the real property parcels within the area list of the owners of the parcel, and forward the list to the in the county where a majority of the parcels proposed located. The board of elections shall prepare petitions for the real property located within the area to sign oppoordinance. (2) A petition shall include the names of the property owner al property listed individually, a signature line for statement that the person signing is petitioning to deny the statement that the person signing is petition to the addres real property owners within five business days of receipt assessor of the list. (4) The board of elections shall provide two methods by wh of the real property located within the area described ordinance may sign a petition form prepared by the boa person or (ii) by submitting the signed petition form by elections shall also accept signatures signed on a petitic the board of elections, but collected by another, if the returned to the board of elections in a sealed container. (5) If the signed petition is one that was mailed and the sign the preprinted name on the form, the signed petition sha accompanied by a copy of the legal authority for the sig signing a petition. (6) If a petition is returned as undeliverable to the board of elections shall not include in the total number of eligible property owners. (7) The board of elections shall accept signatures on the per after mailing the petitions under subdivision (3) of this se property owners from for annexation, chosen by lot by the board of elections who request to serve in this role, and three persons municipality. A majority of the property owners of a sproperty must sign the petition before the board of elections shall certify to the municipal governing be petition solar apetition for an exation, chosen by lot by the board of elections shall certify to the municipal governing be petitions shall certify to the municipal governing be petition shal accent signed by property owner

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1	SECTION 4. Completed and Effective Annexation/Petition to Deny The		
2	annexations described in Section 2 of this act shall be subject to the following petition to deny		
3	annexation process:		
4	(1) The same process as described in Section 3 of this act, except that if the		
5	board of elections delivers to the municipal governing board petitions signed		
6	by eligible property owners of at least sixty percent (60%) of the parcels		
7	located within the area described in the annexation ordinance, the annexation		
8	shall be repealed effective immediately, and the municipality may not adopt		
9	a resolution of consideration for the area described in the repealed		
10	annexation ordinance for at least 36 months following repeal.		
11	SECTION 5. This act is effective when it becomes law.		