GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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SENATE BILL 210 Judiciary I Committee Substitute Adopted 3/7/01

	Short Title: S	atellite Annexation Agreements.	(Public)
	Sponsors:		
	Referred to:		
February 22, 2001			
1		A BILL TO BE ENTITLED	
2	AN ACT AUT	AN ACT AUTHORIZING CITIES THAT HAVE ENTERED INTO ANNEXATION	
3	AGREEMENTS TO ANNEX CERTAIN NONCONTIGUOUS AREAS WITHOUT		
4	COMPLYING WITH GENERAL ANNEXATION STANDARDS.		
5	The General Assembly of North Carolina enacts:		
6	SECTION 1. G.S. 160A-58.1 reads as rewritten:		
7	"§ 160A-58.1. Petition for annexation; standards.		
8		receipt of a valid petition signed by all of the owners	
9	the area described therein, a city may annex an area not contiguous to its primary		
10	corporate limits when the area meets the standards set out in subsection (b) of this		
11	section. The petition need not be signed by the owners of real property that is wholly		
12	exempt from property taxation under the Constitution and laws of North Carolina, nor		
13	by railroad companies, public utilities as defined in G.S. 62-3(23), or electric or		
14	telephone membership corporations.		
15	(b) A noncontiguous area proposed for annexation must meet all of the following		
16	standards:	mi 1 111	1
17	(1)	The nearest point on the proposed satellite corporate	
18		more than three miles from the primary corpor	rate limits of the
19	(2)	annexing city.	1 1
20	(2)	No point on the proposed satellite corporate limits m	•
21		primary corporate limits of another city than to the	
22		limits of the annexing eity.city, except as set forth in	subsection (b1) of
23	(2)	this section.	
24	(3)	The area must be so situated that the annexing ci	•
25		provide the same services within the proposed satell	ite corporate ilmits
26	(4)	that it provides within its primary corporate limits.	4: an Alagas - £ : -
27	(4)	If the area proposed for annexation, or any por	
28		subdivision as defined in G.S. 160A-376, all of the	subdivision must
29		be included.	

- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

- (b1) A city may annex a noncontiguous area that does not meet the standard set out in subdivision (b)(2) of this section if the city has entered into an annexation agreement pursuant to Part 6 of this Article with the city to which a point on the proposed satellite corporate limits is closer and the agreement states that the other city will not annex the area. The annexing city shall comply with all other requirements of this section.

- (c) The petition shall contain the names, addresses, and signatures of all owners of real property within the proposed satellite corporate limits (except owners not required to sign by subsection (a)), shall describe the area proposed for annexation by metes and bounds, and shall have attached thereto a map showing the area proposed for annexation with relation to the primary corporate limits of the annexing city. When there is any substantial question as to whether the area may be closer to another city than to the annexing city, the map shall also show the area proposed for annexation with relation to the primary corporate limits of the other city. The city council may prescribe the form of the petition.

- (d) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160A-385.1 or G.S. 153A-344.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160A-385.1 or G.S. 153A-344.1 shall be binding on the landowner and any such vested rights shall be terminated."

SECTION 2. This act is effective when it becomes law.