

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS65010-LM-15 (01/28)

Short Title: Fayetteville Annexation Referendum. (Local)

Sponsors: Senator Shaw.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO
REQUIRE APPROVAL OF ANNEXATIONS BY THE VOTERS OF THE AREA
TO BE ANNEXED.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter II of the Charter of the City of Fayetteville, being Chapter 557 of the 1979 Session Laws, as amended, is amended by adding the following new Article:

"Article 3. Annexation Referendum.

"§2.5. Annexation referendum. (a) An annexation ordinance adopted by the City of Fayetteville under G.S. 160A-49(e) shall become effective only if approved by the voters of the area to be annexed in a referendum conducted under subsection (b) of this section.

(b) The City Council shall call a referendum to determine whether the proposed territory shall be annexed to the City. Within 90 days after receiving a resolution calling a referendum from the City Council, the Cumberland County Board of Elections shall proceed to hold an election on the question.

The election shall be called by a resolution of the County Board of Elections that shall:

- (1) Describe the territory proposed to be annexed to the City as set out in the resolution of the City Council.
- (2) Provide that the matter of annexation of the territory shall be submitted to the vote of the qualified voters of the territory proposed to be annexed.
- (3) Provide for registration of voters in the territory proposed to be annexed for the election in accordance with G.S. 163-288.2.

1 The resolution shall be published in one or more newspapers of the county once a
2 week for 30 days prior to the closing of the registration books. The City shall pay all
3 costs of holding the election. Except as provided in this section, the election shall be
4 held under the same statutes, rules, and regulations as are applicable to elections in the
5 City.

6 At the election, the question on the ballot shall be:

7 " FOR AGAINST
8 Annexation."

9 If at the election, a majority of the votes cast from the area proposed for annexation
10 shall be "For Annexation", the annexation ordinance shall become effective as provided
11 by Article 4A of Chapter 160A of the General Statutes, but not prior to the date of
12 certification of the results of the election."

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