

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE DRH11118-LR-82B (03/15)

Short Title: Troutman Voluntary Annexation. (Local)

Sponsors: Representatives McCormick and Mills (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW VOLUNTARY ANNEXATION BY THE TOWN OF TROUTMAN UNDER CERTAIN CONDITIONS AND SUBJECT TO THE APPROVAL OF THE IREDELL COUNTY BOARD OF COMMISSIONERS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding any other provision of law to the contrary, the owner or owners of any area, territory, or subdivision within the boundaries of Iredell County, but not within the boundaries or extraterritorial jurisdiction of any other municipality, whose property is not contiguous to the municipal boundaries of the Town of Troutman may, by petition directed to the governing body of that Town, request that the property described in the petition be annexed and made part of the Town of Troutman. The consent of the Board of County Commissioners of Iredell County is required before an annexation under this act becomes effective.

SECTION 2.(a) The voluntary annexation petition shall be directed to the governing body of the Town and shall contain:

- (1) The names of the owners of the real property for which a request to annex is made.
- (2) A description of the area to be annexed by metes and bounds.
- (3) The signatures of all property owners of the area, territory, or subdivision requesting annexation.

In the case of annexing a subdivision under this act, the petition must be signed by all owners of property within the subdivision, provided nothing herein shall be construed to authorize the annexation of a portion of a subdivision.

Upon receipt of the petition, the governing body of the Town shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the results of the clerk's investigation.

Upon receipt of the certification and petition, the governing body shall fix dates for two public hearings on the question of annexation and shall cause notice of the public hearings to be published twice in a newspaper having general circulation in the municipality at least 10 days prior to the date of the first public hearing and published in like manner preceding the second public hearing. The second public hearing shall be held at least 20 days after the first public hearing. At such public hearings, all residents of Iredell County opposing or favoring the annexation or alleging an error in the petition shall be given an opportunity to be heard. The governing body shall then determine whether the petition meets the requirements of this act.

Upon a further finding and determination by the governing body that:



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- 1 (1) The public health, safety, and welfare of the inhabitants of the Town, as well
- 2 as those of the area, territory, or subdivision requesting such annexation, will
- 3 best be served by such annexation, and
- 4 (2) The Town will be able to provide the same services to the annexed area,
- 5 territory, or subdivision in the same manner in which other areas within the
- 6 municipal boundaries of said city are served, the governing body of the
- 7 Town may adopt an ordinance annexing that area described in the petition;
- 8 provided the ordinance annexing the area, territory, or subdivision shall be
- 9 passed at each meeting of the governing body where a public hearing is held
- 10 as hereinbefore provided. From and after the effective date of said
- 11 ordinance, which date shall not be less than 90 days from and after the final
- 12 passage of said ordinance, the area, territory, or subdivision and its citizens
- 13 shall be subject to all debts, laws, ordinances, and regulations in force in said
- 14 Town and shall be entitled to the same benefits and privileges of other parts
- 15 of said Town. The newly annexed area, territory, or subdivision shall be
- 16 subject to city taxes for the fiscal year following the effective date of
- 17 annexation.

18 **SECTION 2.(b)** The governing body of the Town may make the annexation
19 contingent on such conditions as it may desire in order to ensure that the area, territory, or
20 subdivision proposed to be annexed will not receive preferential treatment.

21 **SECTION 2.(c)** Any area, territory, or subdivision annexed pursuant to this act
22 shall cease to be noncontiguous for all intents and purposes when and in the event said area
23 shall touch the municipal limits of the Town pursuant to the extension of the boundaries of said
24 Town pursuant to Article 4A of Chapter 160A of the General Statutes of North Carolina.

25 **SECTION 2.(d)** This act is supplemental and in addition to any other methods or
26 procedure for annexation available to the Town by law.

27 **SECTION 3.** This act applies to the Town of Troutman and to Iredell County only.

28 **SECTION 4.** This act is effective when it becomes law.