



# HOUSE BILL 131: Town of Maggie Valley/Deannexation

2015-2016 General Assembly

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<b>Committee:</b>	House Local Government, if favorable, Finance	<b>Date:</b>	March 19, 2015
<b>Introduced by:</b>	Rep. Presnell	<b>Prepared by:</b>	Kelly Tornow
<b>Analysis of:</b>	First Edition		Committee Counsel

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**SUMMARY:** *House Bill 131 would deannex 14.738 acres from the Town of Maggie Valley.*

**CURRENT LAW:** Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes, which governs municipal annexation. The General Assembly has not enacted any method for municipalities to *deannex* property — that power remains with the General Assembly.

**BILL ANALYSIS:** House Bill 131 would deannex 14.738 acres from the Town of Maggie Valley in Haywood County.

Property taxes and special assessments imposed by the Town of Maggie Valley before the effective date are valid and may be collected as if the property were still in the Town of Maggie Valley.

**EFFECTIVE DATE:** This act becomes effective July 1, 2015.

**BACKGROUND:** The property in House Bill 131 (the Evergreen Heights neighborhood) was part of the 116.121 acres annexed by the Town on June 17, 2008. Since July 1, 2008, the neighborhood has received Town services, including police protection, solid waste collection, street maintenance, wastewater collection, and street lighting. On March 9, 2015, the Town Alderman approved Resolution 15-2 to oppose House Bill 131 by a 4-1 vote.

