



# HOUSE BILL 73: Cary Annexation

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2015-2016 General Assembly

**Committee:** House Finance  
**Introduced by:** Rep. Dollar  
**Analysis of:** Second Edition

**Date:** March 12, 2015  
**Prepared by:** Greg Roney  
Committee Counsel

**SUMMARY:** *House Bill 73 would annex the Holly Brook Subdivision, Phases 1, 2 and 3 (79.323 acres) into the corporate limits of the Town of Cary.*

**CURRENT LAW:** Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area.

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

**BILL ANALYSIS:** House Bill 73 would annex the Holly Brook Subdivision, Phases 1, 2 and 3 (79.323 acres) into the corporate limits of the Town of Cary, excluding 0.21 acres in the Town of Apex's Utility Service Area.

**BACKGROUND:** In 1993, the private sewer provider for the Holly Brook Subdivision in Cary failed. Cary began to provide sewer service to the Holly Brook Subdivision under contract.

**EFFECTIVE DATE:** House Bill 73 would become effective June 30, 2015.

*Erika Churchill with the Research Division substantially contributed to this summary.*

