



SENATE BILL 852: Town of Bakersville/Town of Clyde/Deannex.

2016-2017 General Assembly

Committee:	Senate Finance	Date:	May 27, 2016
Introduced by:	Sen. Hise	Prepared by:	Nicholas Giddings
Analysis of:	Second Edition		Committee Co-Counsel

SUMMARY: *Senate Bill 852 would remove certain described property from the corporate limits of the Town of Bakersville in Mitchell County and from the corporate limits of the Town of Clyde in Haywood County.*

CURRENT LAW: Under Section 1 of Article VII of the North Carolina 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: Senate Bill 852 would deannex property from the Town of Bakersville in Mitchell County and from the Town of Clyde in Haywood County.

The deannexation would have no impact on liens, taxes, or special assessments outstanding before the effective date of this act.

EFFECTIVE DATE: This act would be effective June 30, 2016.

BACKGROUND: The Town of Bakersville was founded in the mid-1800s and incorporated in 1870. The current population is 464, with a median age of 45.8 years. The Town of Bakersville provides water, police protection, garbage collection, streetlights, and street maintenance and snow removal. The town's property valuation as of 2000 was .49 cents per \$100.00. Bakersville has a mayor and three councilmen.

The Town of Clyde was formed in 1877 from areas in Pigeon, Beaverdam and Waynesville, NC. The current population is 1373. The Town of Clyde provides police protection, water and sewer service, garbage collection, street lighting, and maintenance. The town's tax rate for fiscal year 2006-2007 was .45 cents per \$100.00 valuation. The town is governed by a mayor and a four member board of aldermen.

Tawanda Foster substantially contributed to this summary.

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