



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

2016-2017 General Assembly

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<b>Committee:</b>	Senate State and Local Government	<b>Date:</b>	May 19, 2016
<b>Introduced by:</b>	Sen. Hise	<b>Prepared by:</b>	Tawanda N Foster
<b>Analysis of:</b>	PCS to First Edition S852-CSTV-32		Committee Co-Counsel

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**SUMMARY:** *The proposed committee substitute for 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:** Article VII, Section 1 of the North Carolina Constitution states the General Assembly "shall 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." Although, deannexation is within the power of the General Assembly, it has not enacted statutes to govern the deannexation of property.

**BILL ANALYSIS:** The PCS 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.

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