



SENATE BILL 879: Cornelius Limits/Mecklenburg County Police.

2016-2017 General Assembly

Committee:	Senate State and Local Government	Date:	June 20, 2016
Introduced by:	Sen. Tarte	Prepared by:	Tawanda N. Foster
Analysis of:	PCS to First Edition S879-CSTV-35		Committee Co-Counsel

SUMMARY: *The PCS to Senate Bill 879 would add certain described property to the corporate limits of the Town of Cornelius and would grant county wide jurisdiction to the police departments of the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville.*

[As introduced, this bill was identical to H1128, as introduced by Rep. Bradford, which is currently in House Local Government.]

CURRENT LAW & BILL ANALYSIS:

Section 1. Town of Cornelius Annexation.-- 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."

Article 4A of Chapter 160A of the General Statutes governs municipal annexations. Annexation is the method by which municipalities expand the boundaries of a municipality, following certain 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.

Section1 of the PCS adds certain described property referenced by Mecklenburg County Tax Office Parcel Identification Number (PIN) to the corporate limits of the Town of Cornelius. This section of the PCS would become effective June 30, 2016.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

Senate PCS 879

Page 2

Section 2. Countywide Jurisdiction to Police Departments.-- Chapter 1170 of the 1969 Session Laws authorizes the policemen of the City of Charlotte with the approval of the Board of Commissioners of Mecklenburg County to exercise the same jurisdiction, authority, powers and rights throughout Mecklenburg County as they do within the city limits of Charlotte.

Section 2 of the PCS authorizes police officers of the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville to exercise the same jurisdiction, authority, powers and rights throughout the unincorporated areas of Mecklenburg County as they do within the corporate boundaries of their own municipality. This section does not restrict or prohibit the authority of the Sheriff of Mecklenburg County. This section the PCS would be effective when it becomes law.

EFFECTIVE DATE: Except as noted, effective when it becomes law.