



# HOUSE BILL 4: Fairmont/Voluntary Annexation.

2017-2018 General Assembly

<b>Committee:</b>	House State and Local Government I	<b>Date:</b>	February 14, 2017
<b>Introduced by:</b>	Rep. Pierce	<b>Prepared by:</b>	Giles Perry
<b>Analysis of:</b>	PCS to First Edition H4-CSRWx-1		Staff Attorney

**OVERVIEW:** *House Bill 4 (proposed committee substitute) annexes two described non-contiguous satellite tracts of land to the Town of Fairmont.*

*The PCS makes a technical change to the effective date.*

**CURRENT LAW:** Under current law, municipalities may undertake a voluntary satellite annexation of noncontiguous property, if it meets the statutory standards of G.S. 160A-58.1.

If all property owners in a satellite area petition a municipality for voluntary annexation of the noncontiguous property, the municipality may annex the property, if the following 5 requirements are met:

1. The nearest point on the proposed satellite corporate limits must be not more than 3 miles from the primary corporate limits of the annexing city.
2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city.
3. The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
4. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
5. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 10% of the area within the primary corporate limits of the annexing city.

Satellite areas that do not meet the statutory standards above may be annexed by local act of the General Assembly.

**BILL ANALYSIS:** House Bill 4 annexes two described non-contiguous satellite tracts to the Town of Fairmont: (1) Fox Tract, 207.36 acres; and (2) Barnes Tract, 116.64 acres.

The Town of Fairmont reports: (1) The annexation is approved by the landowners, and is voluntary; (2) The two tracts, taken together, constitute approximately 20% of the current area of the Town; (3) The tracts and are located approximately 4 miles from the current municipal boundary; (4) The Town Board unanimously approved the request for the annexation; and (5) the Town held a public hearing on the proposal, and has not received any written or verbal opposition.

**EFFECTIVE DATE:** This act would become effective June 30, 2017.

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