



# HOUSE BILL 930: Apex Annexation.

2017-2018 General Assembly

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	June 20, 2018
<b>Introduced by:</b>	Rep. Williams	<b>Prepared by:</b>	Nicholas Giddings Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** *House Bill 930 would add 1.861 acres to the corporate limits of the Town of Apex in Wake County. This 1.861 acres is a portion of Laura Duncan Road (SR 1308).*

**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 an 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 930 would add 1.861 acres to the corporate limits of the Town of Apex by legislative act. This 1.861 acres is a portion of Laura Duncan Road (SR 1308).

**EFFECTIVE DATE:** The act would become effective June 30, 2018. The property annexed would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.

**BACKGROUND:** The Apex Town Council voted unanimously on February 20, 2018, to request the General Assembly to annex this property (a portion of Laura Duncan Road) into the Apex corporate limits in order for the Town to be able to provide more efficient emergency services for accidents occurring on this portion of the road. Currently, this property lies between the Town of Cary on the east and the Town of Apex on the west requiring roadway accidents to be investigated by the Wake County Sheriff's Department. After discussion between Cary and Apex, the towns agreed that Apex should seek annexation.

*Billy Godwin, counsel to House State and Local Government I, substantially contributed to this summary.*

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