



# SENATE BILL 105: Fairmont/Voluntary Annexation.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2017-2018 General Assembly

<b>Committee:</b>	Senate State and Local Government.	<b>If Date:</b>	March 30, 2017
	favorable, re-refer to Finance. If favorable, re-refer to Rules and Operations of the Senate		
<b>Introduced by:</b>	Sen. Britt	<b>Prepared by:</b>	Billy R. Godwin
<b>Analysis of:</b>	First Edition		Staff Attorney

**OVERVIEW:** Senate Bill 105 would annex two non-contiguous satellite tracts totaling 324 acres into the Town of Fairmont. The bill would be effective when it becomes law.

[As introduced, this bill was identical to H4, as introduced by Rep. Pierce, which is currently in House Finance.]

**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:** Senate Bill 105 would annex two non-contiguous satellite tracts to the Town of Fairmont totaling 324 acres: (1) The Fox Tract, 207.36 acres; and (2) The 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.

Staff Attorney Giles Perry substantially contributed to this bill summary.

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