



SENATE BILL 219: Indian Beach Annex/Morehead City Charter Chgs.

2017-2018 General Assembly

Committee:	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 9, 2017
Introduced by:	Sen. Sanderson	Prepared by:	Nicholas Giddings Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: *Senate Bill 219 would add certain described territory to the corporate limits of the Town of Indian Beach and amend the Charter of the Town of Morehead City to repeal a specific article dealing with the disposal of surplus real and personal property.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "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."

Pursuant to this Section, 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.

Article 8 of the Charter of the Town of Morehead City lays out certain guidelines Morehead City must follow when disposing of surplus real and personal property.

BILL ANALYSIS: Senate Bill 219 would annex various areas of Mariner's Point Condominiums to the corporate limits of the Town of Indian Beach. The annexed property would be located in the Town of Indian Beach's General Business District (B-1) zone. The annexed property would be deemed conforming to the land use ordinances of Indian Beach and may be repaired, rebuilt or restored after June 30, 2017 unless such actions are prohibited to maintain eligibility for participation in the National Flood Insurance Program. The bill would also repeal Article 8 of the Charter of the Town of Morehead City regarding the disposal of surplus real and personal property.

EFFECTIVE DATE: Sections 1 through 3 of this act would become effective June 30, 2017. Property in the territory described by Section 1 of this act as of January 1, 2017, would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017. The remainder of this act would become effective when it becomes law.

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