



HOUSE BILL 1165: Salisbury Voluntary Annex Temp. Moratoria.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 15, 2022
Introduced by:	Rep. Warren	Prepared by:	Billy R. Godwin
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 1165 would place a temporary moratoria on the authority of the City of Salisbury to voluntarily annex any territory outside of its extraterritorial jurisdiction.*

CURRENT LAW: Annexation is a method by which municipalities add territory to their boundaries through either a statutory prescribed process or legislative act of the General Assembly. 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 a noncontiguous area desiring to be annexed sign a petition requesting annexation and the property 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.

Extraterritorial jurisdiction (ETJ) is the power of a municipality to exercise planning and development regulatory jurisdiction beyond its corporate limits. All cities may exercise ETJ authority within one mile of their contiguous corporate limits. If the county has not adopted and is not enforcing zoning and subdivision regulations, cities with a population between 10,000 - 25,000 may exercise ETJ authority for up to two miles; and cities with a population of more than 25,000 may exercise ETJ authority for up to three miles.¹

BILL ANALYSIS: House Bill 1165 would place a moratoria, until December 31, 2023, on the authority of the City of Salisbury to voluntarily annex any contiguous or satellite territory outside of its extraterritorial jurisdiction.

EFFECTIVE DATE: The act would be effective when it becomes law and expire on December 31, 2023.

¹ The population of the City of Salisbury according to the 2020 [Decennial Census](#) is 35,540.

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