

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 373

Short Title: Caldwell Annexation Restricted.

(Local)

Sponsors: Representative Starnes.

Referred to: Local and Regional Government II, if favorable, Finance.

March 3, 1997

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. (a) An annexation ordinance adopted under Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes as to territory in a county by any municipality the majority of whose population is in another county according to the most recent decennial federal census is not effective unless approved in a referendum provided by subsection (b) of this section.

(b) Upon adoption of the ordinance, the city council shall order the county board of elections to call an election to determine whether or not the proposed territory shall be annexed to the city or town. Within 90 days after receiving such order from the governing body, the county board of elections shall proceed to hold an election on the question.

Such election shall be called by a resolution or resolutions of said county board of elections which shall:

- (1) Describe the territory proposed to be annexed to the said city or town as set out in the order of the said local governing body;

1 (2) Provide that the matter of annexation of such territory shall be submitted
2 to the vote of the qualified voters of the territory proposed to be
3 annexed; and

4 (3) Provide for registration of voters in the territory proposed to be annexed
5 for said election in accordance with G.S. 163-288.2.

6 The resolution shall be published in one or more newspapers of the said county once a
7 week for 30 days prior to the closing of the registration books. All costs of holding such
8 election shall be paid by the city or town. Except as herein provided, the election shall be
9 held under the same statutes, rules, and regulations as are applicable to elections in the
10 municipality whose corporate limits are being enlarged.

11 At such election the question on the ballot shall be:

12 **"[] FOR [] AGAINST**
13 **ANNEXATION."**

14 If at the election a majority of the votes cast from the area proposed for annexation shall
15 be "For Annexation", the annexation ordinance shall become effective as provided by
16 law. Otherwise, the annexation ordinance does not become effective.

17 Section 2. This act applies only to territory in Caldwell County.

18 Section 3. This act is effective when it becomes law.