

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 698

Committee Substitute Favorable 4/29/97

Senate State Government, Local Government, and Personnel Committee Substitute
Adopted 6/3/97

Short Title: Morehead-Newport Annexations.

(Local)

Sponsors:

Referred to: Finance.

March 31, 1997

A BILL TO BE ENTITLED

1 AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY
2 AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS AND MODIFYING
3 THE LAWS RELATING TO SATELLITE ANNEXATIONS WHICH APPLY TO
4 MOORESVILLE.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. The Towns of Morehead City and Newport may not annex
8 noncontiguous areas as provided in Part 4 of Article 4A of Chapter 160A of the General
9 Statutes if the area to be annexed is closer to the other Town's corporate limits than it is
10 to the corporate limits of the Town desiring to annex the area. However, either Town may
11 annex such an area if it lies within an area where the Town is exercising its
12 extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the General
13 Statutes.

14 Section 2. Section 2 of Chapter 82 of the 1995 Session Laws reads as
15 rewritten:

16 "Sec. 2. This act applies only to the ~~Towns~~ Town of Apex and ~~Mooreville~~ and only
17 with respect to annexation ordinances adopted on or before December 31, 2000. The

1 authority this act grants to the Town of Apex does not apply to property in Chatham
2 County; therefore, the Town of Apex may not annex property in Chatham County by
3 satellite annexation if the area to be annexed, when added to the area within the satellite
4 corporate limits of the Town of Apex, exceeds the limit set by general law in G.S. 160A-
5 58.1(b)(5)."

6 Section 3. G.S. 160A-58.1(b)(5) does not apply to the Town of Mooresville.

7 Section 4. G.S. 160A-58.4, as amended by Chapter 289 of the 1991 Session
8 Laws, reads as rewritten:

9 "**§ 160A-58.4. Extraterritorial powers.**

10 Satellite corporate limits for areas annexed prior to January 1, 1997, shall be
11 considered a part of the city's corporate limits for the purposes of extraterritorial land-use
12 regulation pursuant to G.S. 160A-360, but not for purposes of abatement of public health
13 nuisances pursuant to G.S. 160A-193. Satellite corporate limits for areas annexed on or
14 after January 1, 1997, shall not be considered a part of the city's corporate limits for the
15 purposes of extraterritorial land-use regulation pursuant to G.S. 160A-360. However, a
16 city's power to regulate land use pursuant to Chapter 160A, Article 19, or to abate public
17 health nuisances pursuant to G.S. 160A-193, shall be the same within satellite corporate
18 limits as within its primary corporate limits."

19 Section 5. Section 4 of this act applies only to the Town of Mooresville.

20 Section 6. This act is effective when it becomes law.