

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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SENATE BILL 907

State and Local Government Committee Substitute Adopted 6/14/22

State and Local Government Committee Substitute Adopted 6/22/22

Short Title: Economic Growth Act.

(Local)

Sponsors:

Referred to:

June 1, 2022

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE MUNICIPALITIES LOCATED WHOLLY OR PARTLY IN
2 DAVIDSON COUNTY TO INFORM THE DAVIDSON COUNTY BOARD OF
3 COMMISSIONERS PRIOR TO ANNEXING CONTIGUOUS PROPERTY AND TO
4 REQUIRE MUNICIPALITIES LOCATED WHOLLY OR PARTLY IN DAVIDSON
5 COUNTY TO OBTAIN THE APPROVAL OF THE DAVIDSON COUNTY BOARD OF
6 COMMISSIONERS PRIOR TO CONDUCTING A SATELLITE ANNEXATION OF
7 CERTAIN PROPERTY AND PRIOR TO REZONING CERTAIN PROPERTY
8 ACQUIRED BY SATELLITE ANNEXATION.
9

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** When conducting an annexation under Part 1 of Article 4A of Chapter
12 160A of the General Statutes, in addition to the provisions of that Part, the governing body of a
13 municipality shall, not less than 10 days prior to the adoption of an annexation ordinance, notify
14 the Davidson County Board of Commissioners (Board) that the governing body intends to adopt
15 the annexation ordinance.

16 **SECTION 2.(a)** When conducting an annexation under Part 4 of Article 4A of
17 Chapter 160A of the General Statutes, in addition to the provisions of that Part, the following
18 additional requirements shall apply:

- 19 (1) The governing body of a municipality shall, prior to the adoption of an
20 annexation ordinance, notify the Board that the governing body intends to
21 adopt the annexation ordinance.
- 22 (2) Upon receipt of the notice under subdivision (1) of this section, the Board
23 shall fix a date for a public hearing on the annexation ordinance. The public
24 hearing shall be held no more than 45 days after receipt of the notice. The
25 Board shall cause notice of the hearing to be published once at least 10 days
26 before the date of hearing. At the hearing, any person residing in or owning
27 property in the area proposed for annexation and any resident of the
28 municipality seeking the annexation may appear and be heard on the question
29 of annexation.
- 30 (3) If the Board finds, after the public hearing, that the interests of the inhabitants
31 of the county and the area proposed for annexation will be best served by the
32 annexation, the Board shall adopt a resolution approving the annexation and
33 the governing body of the municipality may proceed with the adoption of the
34 annexation ordinance.



1 (4) If the Board finds, after the public hearing, that the interests of the inhabitants
2 of the county and the area proposed for annexation will not be best served by
3 the annexation, the Board shall adopt a resolution disapproving the
4 annexation. The governing body of the municipality may not proceed with the
5 adoption of the annexation ordinance or begin a separate annexation process
6 with respect to that area proposed for annexation, or any part thereof, for at
7 least 36 months from the date of the Board's adoption of the resolution
8 disapproving annexation.

9 **SECTION 2.(b)** If the Board adopts a resolution approving the annexation and the
10 governing body of the municipality adopts the annexation ordinance under this section, no
11 rezoning under Chapter 160D of the General Statutes of any area that includes the annexed
12 property, or any part thereof, may occur without the approval of both the governing body of the
13 municipality and the Board.

14 **SECTION 3.** This act applies only to Davidson County and any municipality located
15 wholly or partly in Davidson County seeking to annex an area located wholly within Davidson
16 County.

17 **SECTION 4.** This act does not apply to annexation of any property used for
18 single-family residential or multi-family residential purposes.

19 **SECTION 5.** This act does not alter or amend the provisions of S.L. 2012-54.

20 **SECTION 6.** This act becomes effective July 1, 2022, and applies to annexations
21 initiated on or after that date.