



RECOMMENDATIONS TO REFORM NORTH CAROLINA'S ANNEXATION LAW

Appendix

Chart 1

Forced Annexation Process Assuming a Resolution of Consideration

Step in Process	Time in Process
Resolution of Consideration	Start of Process
Resolution of Intent	1-2 years after passage of the resolution of consideration
Approval of Annexation Report	30 days or more before public information meeting
Public Informational Meeting	45-55 days after passage of the resolution of intent
Public Hearing	60-90 days after passage of resolution of intent
Water and Sewer Requests	No more than 5 days after public hearing
Authority to Adopt Annexation Ordinance	10-90 days after public hearing

Chart 2

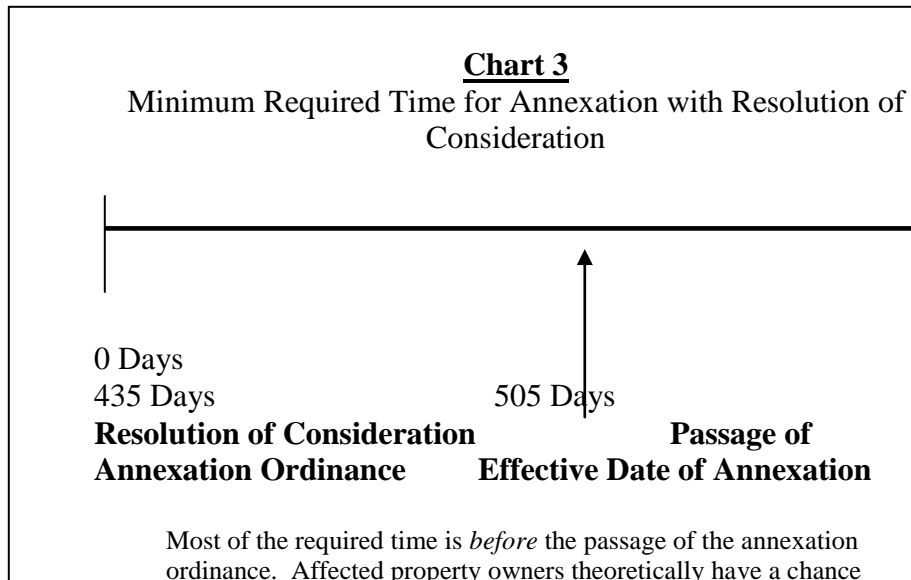
Forced Annexation Process Assuming No Resolution of Consideration

<p>Chart 2</p> <p><u>Forced Annexation Process Assuming No Resolution of Consideration</u></p>

Legal Challenge in Superior Court on Limited Matters	Within 60 days following adoption of annexation ordinance
Effective Date of Annexation	70-400 days after passage of annexation ordinance
Major Municipal Services (not Water and Sewer) Must be Provided	Within 60 Days of effective date of annexation
May Petition Local Government Commission for Abatement of Taxes	Not more than 90 Days after expiration of 60-day period to provide services
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Services	12-15 months after effective date of annexation
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Water and Sewer Services	24-27 months after effective date of annexation
May Petition the Local Government Commission for Abatement of Taxes	Not more than 60 days after expiration of two-year period to provide water and sewer

Note: This is not an exhaustive list, but it covers most of the important issues.
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Step in Process	Time in Process
Resolution of Intent	Start of Process
Approval of Annexation Report	30 days or more before public information meeting
Public Informational Meeting	45-55 days after passage of resolution of intent
Public Hearing	60-90 days after passage of resolution of intent
Water and Sewer Requests	No more than 5 days after public hearing
Authority to Adopt Annexation Ordinance	10-90 days after public hearing
Legal Challenge in Superior Court on Limited Matters	Within 60 days following adoption of annexation ordinance
Effective Date of Annexation	At least one year after passage of annexation ordinance
Major Municipal Services (not Water and Sewer) Must be Provided	Within 60 Days of effective date of annexation
May Petition Local Government Commission for Abatement of Taxes	Not more than 90 Days after expiration of 60-day period to provide services
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Services	12-15 months after effective date of annexation
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Water and Sewer Services	24 months-27 months after effective date of annexation
May Petition the Local Government Commission for Abatement of Taxes	Not more than 60 days after expiration of two-year period to provide water and sewer



helpful to them. This required time also only helps when people are aware that the resolution of consideration was even passed. Unfortunately, the notice required is inadequate.

Chart 4

Minimum Required Time for Annexation without Resolution of Consideration

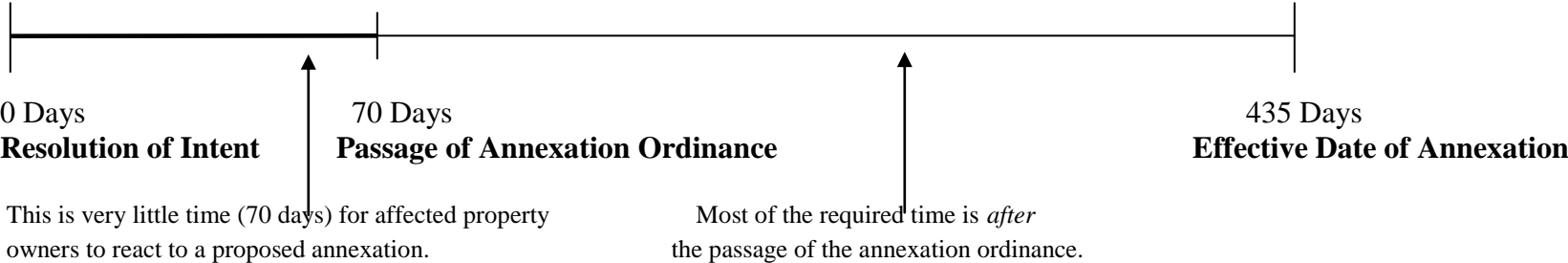


Chart 5
Recommended Forced Annexation Process

Step in Process	Time in Process
Resolution of Preliminary Intent	Start of Process
Resolution of Intent	1-2 years after passage of the resolution of preliminary intent
Approval of Annexation Report	45 days or more before public information meeting
Public Informational Meeting	45-55 days after passage of resolution of intent
Public Hearing	90-100 days after passage of resolution of intent
Water and Sewer Requests	No more than 5 days after public hearing
Local Government Commission (LGC) Must Certify Financial Viability of Annexation	30-60 days following public hearing
Public Hearing in County where Property is Located	10-30 days following LGC certification of financial viability of annexation
County May Pass a Resolution Approving the Annexation	30-60 days after county public hearing
Municipality has Authority to Adopt Annexation Ordinance	10-90 days after county approval of resolution
Petition for Vote Must be Presented to the County	Within 30 days after approval of annexation ordinance
Board of Elections Must Verify Petition	Within 60 days of presentation of petition
Call for Election	Within 30 days after verification of petition
Election on Annexation	60-100 days after call for election
Legal Challenge in Superior Court on Several Matters	If a vote permits annexation, then within 60 days following the election, if a petition is presented and is inadequate, then within 60 days following the rejection of petition, and if no petition is presented, then within 60 days after the 30-day period has elapsed for a petition to be presented.
Effective Date of Annexation	70-400 days after election or 70-400 days after the 30-day period to present petition has elapsed (without a petition)
Meaningful Services (not Water and Sewer) Must be Provided	Within 60 Days of effective date of annexation
City Must Demonstrate to the Local Government Commission that Promised Services are Being Provided	Not more than 90 Days after expiration of 60-day period to provide services
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Services	12-15 months after effective date of annexation
May Apply for a Writ of Mandamus in Superior Court for Failure to Provide Water and Sewer Service	24-27 months after effective date of annexation
City Must Demonstrate to Local Government Commission that Requested Water and Sewer Services are Being Provided	Not more than 60 days after expiration of two-year period to provide water and sewer

Note: This is not an exhaustive list, but it covers most of the important issues.