

BOARD OF COMMISSIONERS POLICY NO. 11

ANNEXATION

A. Purpose

1. General Purpose. The purpose of this policy is to set forth the intent, general plan, and guidance of the Board of Commissioners with respect to the expansion of the corporate limits of the Town of Swansboro.
2. State Policy. The State of North Carolina declares, as a matter of policy that: (1) sound urban development is essential to the economic development of the state; and (2) municipalities are created to provide governmental services essential for sound urban development and to protect health, safety, and welfare in areas developed for urban purposes or undergoing development for urban purposes. [Reference: G.S. 160A-33]
3. Municipal Policy. The Town of Swansboro declares, as a matter of policy, that areas that are substantially developed for urban purposes and that are located within or adjacent to the boundaries and environs of the town are enjoying many of the benefits and services of proximity to a developed governmental entity and an urban economic center and should share in the responsibilities of inclusion in this urban setting. For purposes of this policy, the following areas shall, at a minimum, be considered areas of interest for annexation: (1) all areas which meet the standards of eligibility for annexation under the criteria set forth in state law; (2) all areas which enjoy or seek to enjoy key resources or services furnished by- or under the control of the Town, such as wastewater treatment capacity; (3) all areas which are completely or substantially surrounded by the corporate limits of the Town; and (4) all substantially developed areas located across the street from areas that are within the corporate limits.

B. Annexation Studies and Study Areas

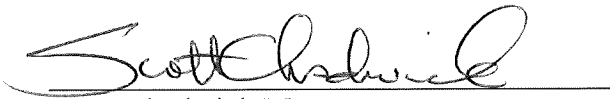
1. Study Areas. The Board of Commissioners shall adopt, at least annually, a resolution of consideration delineating those areas that are under consideration for annexation. [G.S. 160A-36(i)]
2. Annexation Studies. The Board of Commissioners shall determine, at least annually, those areas that it considers – for purposes of the sound and orderly growth of the town – to be specific areas of interest for annexation. If the Board desires to further explore annexation of such areas of interest, the Board shall direct the staff or a qualified consultant to undertake preliminary and/or detailed studies and reports of these areas to determine whether they are developed for urban purposes and meet other statutory requirements for annexation. [G.S. 160A-35 and 160A-36]
3. Annexation Procedures. If the Board determines, after receipt of such preliminary or detailed studies or reports, that it wishes to proceed with annexation, it shall undertake those resolutions, hearings, findings, and other actions necessary to annex the area, according to law. [G.S. 160A-37]
4. Financial Impact. In consideration of areas for annexation, the Board shall, in general, give careful consideration to whether the estimated revenue that would be generated from the area will be adequate to fund the services which would have to be extended to the area. The Board may elect to waive this consideration in determining whether it should annex properties

owned by public agencies or by non-profit organizations that provide a substantial benefit to the community. The effective date of annexations shall be set in a manner that allows the orderly and adequate allocation of funding to provide required services.

C. Required Annexation.

A voluntary petition for annexation shall be required for all properties that seek allocation of key resources provided by- or under the control of the Town, including wastewater treatment capacity. If the Board elects – after a petition is determined to be sufficient and a hearing has been conducted – to postpone immediate action on such petitions, the Board may require that the property owner(s) undertake actions which would make such requests for annexation irrevocable and which would allow the Town to complete such annexations at a later time. [G.S. 160A-31]

Adopted by the Swansboro Board of Commissioners in regular session, October 21, 2008.


Scott Chadwick Mayor

10/24/08
copied to
Depts.