

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 2128*

Short Title: New Hanover Annexation Moratorium.

(Local)

Sponsors: Senator Boseman.

Referred to: State & Local Government.

May 29, 2008

A BILL TO BE ENTITLED

1 AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS BY
2 MUNICIPALITIES IN NEW HANOVER COUNTY.

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4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** No resolution of consideration, resolution of intent, or
6 annexation ordinance may be adopted under Part 2 or 3 of Article 4A of Chapter 160A
7 of the General Statutes from the date this act becomes law until June 30, 2009. If any
8 annexation proceeding has been initiated under those Parts prior to the date this act
9 becomes effective but the annexation ordinance has not yet been adopted, any provision
10 of law requiring any action or notice by the municipality or any person within a certain
11 period of time is tolled during the suspension of authority provided by this section.

12 **SECTION 2.** An annexation ordinance adopted under Part 2 or 3 of Article
13 4A of Chapter 160A of the General Statutes that has an effective date on or after the day
14 this act becomes law shall not become effective until after June 30, 2009, unless the
15 municipality by ordinance adopts a new effective date later than June 30, 2009, for the
16 annexation ordinance. An annexation ordinance that was adopted under Part 2 or 3 of
17 Article 4A of Chapter 160A of the General Statutes prior to the effective date of this act
18 and is the subject of litigation in any court on the effective date of this act shall not
19 become effective until after June 30, 2009, unless the municipality by ordinance adopts
20 a new effective date later than June 30, 2009, for the annexation ordinance.

21 **SECTION 3.** If any municipality has adopted its budget ordinance for the
22 2008-2009 fiscal year prior to the date this act becomes effective and the total amount
23 of assessed valuation estimated in that budget ordinance has been reduced because of
24 this act, the municipality may amend the budget ordinance to account for this act
25 including establishment of a different tax rate.

26 **SECTION 4.** This act applies to all municipalities located wholly or partly
27 in the County of New Hanover only.

28 **SECTION 5.** This act is effective when it becomes law.