



SENATE BILL 122: Towns of Spruce Pine & Weaverville Deannex.

2021-2022 General Assembly

Committee:		Date:	July 13, 2021
Introduced by:	Sen. Hise	Prepared by:	Billy R. Godwin
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *Senate Bill 122 would:*

- *Remove 1 tract of land from the corporate limits of the Town of Spruce Pine*
- *Remove 1 tract of land from the corporate limits of the Town of Weaverville*

CURRENT LAW: Under Section 1 of Article VII of the North Carolina Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes which governs municipal annexations. In addition, the General Assembly may annex property by local act. However, the General Assembly has not enacted any method for municipalities to deannex property. Only the General Assembly may deannex property.

BILL ANALYSIS: Senate Bill 122 would:

- Remove 1 tract of land from the corporate limits of the Town of Spruce Pine
- Remove 1 tract of land from the corporate limits of the Town of Weaverville

EFFECTIVE DATE: Senate Bill 122 would become effective June 30, 2022, and would apply to tax years beginning July 1, 2022.

BACKGROUND: By Resolution dated 2/8/21, the Town Council of Spruce Pine requested the deannexation of the approximately 400-acre parcel. By letter dated 3/16/2020, the property owner requested the deannexation.

By letter dated 5/26/21, the Mayor of Weaverville stated that the Town Council took no action on the deannexation and no resolution, either in support of or opposed to the deannexation, is expected. By undated letter, the property owner requested the deannexation and provided a description stating the parcel was 1.3 acres.

Staff Attorney Greg Roney of the Legislative Analysis Division substantially contributed to this summary.

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