

1 SB266
2 164089-1
3 By Senators Coleman-Madison, Smitherman and Dunn
4 RFD: County and Municipal Government
5 First Read: 02-MAR-17

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8 SYNOPSIS: Under existing law, a municipality may annex
9 property by statutory procedures or by local law.
10 Additionally, Section 11-44B-24 of the Code of
11 Alabama 1975, authorizes any Class 4 municipality
12 organized in accordance with Chapter 44B of Title
13 11 of the Code of Alabama 1975, to annex
14 unincorporated territory that has been enclosed
15 within the corporate limits of the municipality for
16 a period of one year or more.

17 This bill would provide that any
18 municipality in Alabama may use these same
19 procedures available to these Class 4
20 municipalities to annex unincorporated property
21 enclosed within the corporate limits of the
22 municipality.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to municipalities; to provide an additional
2 annexation method to allow municipalities to annex
3 unincorporated territory which has been enclosed within the
4 corporate limits of the municipality for a period of one year
5 or more.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Any incorporated municipality in this
8 state shall have the following additional power and authority:

9 To annex all unincorporated territory or territories
10 that are enclosed within the corporate limits of the
11 municipality and have been enclosed for a period of one year
12 or more and which are 15 acres in size or less. The
13 municipality shall adopt an ordinance finding and declaring
14 that the unincorporated territory or territories set forth and
15 described therein have been enclosed for a period of one year
16 or more and that the annexation of the unincorporated
17 territory or territories is in the best interest of the public
18 good and welfare of the municipality. Annexation of the
19 unincorporated territory or territories described in the
20 ordinance shall be effective following the adoption and the
21 publication thereof as required by law, and the filing of a
22 copy of the ordinance, together with a map of the territory or
23 territories annexed in the office of the judge of probate of
24 the county or counties where the annexed territory is located.
25 A municipality may not annex any part of an industrial park
26 established pursuant to Chapter 23 of Title 11, Code of
27 Alabama 1975.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.