

1 HB369  
2 164089-1  
3 By Representative Williams (JD)  
4 RFD: County and Municipal Government  
5 First Read: 07-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.