

House Bill 243

By: Representatives Thomas of the 21st, Carson of the 46th, Smith of the 133rd, and Washburn of the 141st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated,
2 relating to annexation pursuant to application by 100 percent of landowners, so as to revise
3 provisions defining contiguous area; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to
8 annexation pursuant to application by 100 percent of landowners, is amended by revising
9 subsection (a) of Code Section 36-36-20, relating to "contiguous area" defined, as follows:
10 "(a) As used in this article, the term 'contiguous area' means, at the time the annexation
11 procedures are initiated, any area that meets the following conditions:
12 (1) At least one-eighth of the aggregate external boundary or 50 feet of the area to be
13 annexed, whichever is less, either abuts directly on the municipal boundary or would
14 directly abut on the municipal boundary if it were not otherwise separated from the
15 municipal boundary by lands owned by the municipal corporation or some other political
16 subdivision, by lands owned by this state, or by the definite width of:

17 (A) Any street or street right of way;

18 (B) Any creek or river; or

19 (C) Any right of way of a railroad or other public service corporation

20 which divides the municipal boundary and any area proposed to be annexed;

21 (1.1) If multiple parcels are being simultaneously annexed, each parcel must meet the
22 requirements of paragraph (1) of this subsection;

23 (2) The entire parcel or parcels of real property owned by the person seeking annexation
24 is being annexed; provided, however, that lots shall not be subdivided in an effort to
25 evade the requirements of this paragraph; and

26 (3) The private property annexed, excluding any right of way of a railroad or other public
27 service corporation, complies with the annexing municipality's minimum size
28 requirements, if any, to construct a building or structure occupiable by persons or
29 property under the policies or regulations of the municipal development, zoning, or
30 subdivision ordinances."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.