

2015 Regular Session

HOUSE BILL NO. 733

BY REPRESENTATIVE HENSGENS

MUNICIPAL/ANNEXATION: Provides relative to annexation procedures in the city of Abbeville

1 AN ACT

2 To enact R.S. 33:172.4 and to repeal R.S. 33:172.4, relative to the city of Abbeville; to  
3 provide with respect to annexation procedures; to provide with respect to notice for  
4 property owners in areas to be annexed; to provide with respect to public hearings  
5 relative to proposed annexations; and to provide for related matters.

6 Notice of intention to introduce this Act has been published  
7 as provided by Article III, Section 13 of the Constitution of  
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:172.4 is hereby enacted to read as follows:

11 §172.4. City of Abbeville; authority to annex certain properties; notice to property  
12 owners

13 A. Notwithstanding the provisions of R.S. 33:172(A)(1)(a) and R.S.  
14 33:172(D) to the contrary, the city of Abbeville may adopt an ordinance annexing  
15 properties without obtaining the request or approval of the residents and property  
16 owners of the area if the area to be annexed is an unincorporated area of less than  
17 five acres that exists completely within the external boundaries of the city of  
18 Abbeville.

19 B. The city of Abbeville shall hold a public hearing to receive public  
20 comment concerning the annexation of such properties. The governing authority of  
21 the city shall provide notice of its intent to annex such properties by advertisement

- 1        in its official journal on at least three separate days at least thirty days prior to the  
 2        date on which the hearing is to be held. After such hearing and after giving due  
 3        consideration to any public comment, the governing authority of the city may, at a  
 4        regularly scheduled meeting, adopt an ordinance that authorizes such annexation. In  
 5        addition to notice by publication, and at least ten days prior to the hearing, a good  
 6        faith attempt to notify the owner or owners of record of the properties to be annexed  
 7        shall be made by the sending of an official notice by certified mail of the time and  
 8        place of the hearing.
- 9        Section 2. R.S. 33:172.4 as enacted by this Act is hereby repealed in its entirety.
- 10       Section 3. Section 2 of this Act shall become effective on December 31, 2017.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 733 Engrossed

2015 Regular Session

Hensgens

**Abstract:** Provides relative to annexation procedures in the city of Abbeville.

Present law (R.S. 33:171 et seq.) authorizes municipalities to annex contiguous territory by ordinance. Generally requires compliance with one of the following procedures in adoption of the ordinance:

- (1) The ordinance is requested by a petition signed by a majority of the registered voters and a majority in number of the resident property owners as well as 25% in value of the property of the resident property owners within the area proposed to be included in the corporate limits. Provides that the requirement for voter signatures shall not apply if there are no registered voters in the area.
- (2) The ordinance is approved by the voters of the area proposed to be annexed in an election requested by a petition signed by at least 25% of the resident property owners and by the owners of at least 25% in value of the resident property within such area.

Proposed law authorizes the city of Abbeville to adopt an ordinance annexing properties without obtaining the request or approval of the residents and property owners of the area required by present law if the area to be annexed is an unincorporated area of less than five acres that exists completely within the external boundaries of the city.

Proposed law further requires the city of Abbeville to hold a public hearing to receive public comment concerning the annexation of such properties. Requires the governing authority of the city to provide notice of its intent to annex such properties by advertisement in its official journal on at least three separate days at least 30 days prior to the date on which the hearing is to be held. Provides that, after such hearing, the governing authority of the city may adopt an ordinance that authorizes such annexation. Further requires, at least 10 days prior to the hearing, a good faith attempt to notify the owner or owners of record of the

properties to be annexed by the sending of an official notice by certified mail of the time and place of the hearing.

Proposed law is repealed effective Dec. 31, 2017.

(Adds R.S. 33:172.4; Repeals R.S. 33:172.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Add provision to repeal proposed law on Dec. 31, 2017.