



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 526

Chairperson: Mike Friend
Committee: Urban Affairs
Date of Hearing: February 10, 2009

The following constitute the reasons for this bill and the purposes which are sought to be accomplished thereby:

Recognizing the special development pressures and needs of cities and villages located in close proximity to metropolitan class cities, this legislation is introduced to provide enhanced annexation authority for such municipalities to enable them to more quickly and effectively bring developed areas within municipal boundaries.

Section 2 (the portion of the bill making the substantive changes) provides three significant changes in annexation law which would broadly widen the authority for the specified cities and villages to annex property.

The new authority may only be exercised by cities and villages located in counties that border on a county within which is located a city of the metropolitan class.

Subdivision 1 of Section 2 provides the authority for such cities and villages to engage in the annexation of non-contiguous property if it is (a) located within the area over which the city or village exercised extraterritorial zoning jurisdiction on January 1, 2009 and (b) would not add more than twenty-five new residents to the city or village in consequence of the annexation.

Subdivision 2 of Section 2 authorizes the annexation by such cities or villages of noncontiguous territory with a population in excess of twenty-five persons with the approval of a majority of the *property* owners located in the area proposed for annexation. The approval would be obtained in an election conducted in the same manner as an election for members of the board of trustees of a sanitary and improvement district. If the property owners approve of the election, the annexation may be accomplished by means of a "strip" annexation.

Recognizing that annexation serves to permit the extension of a city or village's zoning jurisdiction, subdivision 3 of Section 2 extends the authority provided in subdivisions 1 and 2 by permitting the non-contiguous annexation to continue into those areas of extended zoning authority following an annexation, but limits the authority to do so for one year beyond the effective date of the ordinance extending the zoning jurisdiction

Principal Introducer: _____
Senator Mike Friend
