

(REPRINTED WITH ADOPTED AMENDMENTS)
THIRD REPRINT **A.B. 179**

ASSEMBLY BILL NO. 179—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CITY OF LAS VEGAS)

FEBRUARY 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing annexation of territory by certain incorporated cities. (BDR 21-475)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cities; expanding the authority of the governing body of an incorporated city in a larger county to annex certain territory; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 268.580 is hereby amended to read as follows:
2 268.580 1. The governing body of any city may extend the corporate
3 limits of the city to include any territory which meets the general standards
4 of subsection 2 and every part of which meets the requirements of
5 subsection 3, 4, 5 or 6.
6 2. The total area proposed to be annexed must meet the following
7 standards:
8 (a) It must be contiguous to the annexing city's boundaries at the time
9 the annexation proceedings are instituted.
10 (b) Not less than one-eighth of the aggregate external boundaries must
11 be contiguous to the boundaries of the annexing city.
12 (c) No part of the territory proposed to be annexed may be included
13 within the boundaries of another incorporated city as those boundaries exist
14 on July 1, 1983.
15 (d) No part of the territory proposed to be annexed may be included
16 within the boundaries of any unincorporated town as those boundaries exist
17 on July 1, 1983, without the prior approval of the governing body of the
18 unincorporated town in which the territory is located.



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1 3. All of the territory proposed to be annexed must be developed for
2 urban purposes. An area developed for urban purposes is defined as any
3 area which meets any one of the following standards:

4 (a) Has a total resident population density of two or more persons per
5 acre of land included within its boundaries;

6 (b) Has a total resident population density of one or more persons per
7 acre of land included within its boundaries, and is subdivided or parceled,
8 through separate ownerships, into lots or parcels such that at least 60
9 percent of the total acreage consists of lots and parcels 5 acres or less in
10 size and such that at least 60 percent of the total number of lots and parcels
11 are 1 acre or less in size; or

12 (c) Is so developed that at least 60 percent of the total number of lots
13 and parcels in the territory to be annexed, at the time of the annexation, are
14 used for any combination of residential, commercial, industrial,
15 institutional or governmental purposes, and is subdivided or is parceled,
16 through separate ownerships, into lots or parcels such that at least 60
17 percent of the total acreage, not including the acreage used at the time of
18 annexation for commercial, industrial, institutional or governmental
19 purposes, consists of lots and parcels 5 acres or less in size.

20 4. In addition to the areas developed for urban purposes, the governing
21 body may include in the territory proposed to be annexed any territory
22 which does not meet the requirements of subsection 3 if the area:

23 (a) Is contiguous to the boundary of the annexing city and lies between
24 the boundary of the annexing city and an area developed for urban
25 purposes, so that the area developed for urban purposes is ~~either~~ not
26 adjacent to the boundary of the annexing city or cannot be served by the
27 annexing city without extending services through such sparsely developed
28 territory; and

29 (b) Is contiguous, on at least 60 percent of its aggregate external
30 boundaries, to any combination of the boundary of the annexing city and
31 the boundary of the area or areas developed for urban purposes as defined
32 in subsection 3.

33 The purpose of this subsection is to permit municipal governing bodies to
34 extend corporate limits to include all nearby areas developed for urban
35 purposes where it is necessary to include areas which, at the time of
36 annexation, are not yet developed for urban purposes, but which constitute
37 necessary land connections between the municipality and areas developed
38 for urban purposes or between two or more areas developed for urban
39 purposes.

40 5. A governing body may also annex any ~~area which~~ *territory that*
41 does not meet the requirements of subsection 3 if the ~~area~~ *territory* is
42 bounded on at least 75 percent of its aggregate external boundaries by *the*
43 existing corporate boundaries of the annexing city.

44 6. A governing body may also annex any ~~area which~~ *territory that*
45 does not meet the requirements of subsection 3 if ~~the~~ :

46 (a) *The* owners of record of not less than 75 percent of the individual
47 lots or parcels of land within the ~~area~~ *territory* sign a petition requesting
48 the governing body to annex the ~~area~~ *territory* to the municipality ~~it~~ ; or



(b) *The governing body receives a written statement from a governmental entity indicating that the governmental entity:*

(1) *Owns the territory; and*

(2) *Does not object to the annexation of that territory by the governing body.*

Sec. 2. NRS 268.597 is hereby amended to read as follows:

268.597 *1. As an alternative to the procedures for annexation set forth in NRS 268.578 to 268.596, inclusive, the governing body of a city may, subject to the provisions of section 1 of **Assembly Bill No. 101** of this ~~act,~~ session, annex territory ~~which meets~~ :*

(a) *That meets* the requirements of subsection 2 of NRS 268.580 if all of the owners of record of individual lots or parcels of land within the ~~area~~ territory sign a petition requesting the governing body to annex the ~~area~~ territory to the city ~~[- If the petition]~~ ;

(b) *That, on January 1, 2001, was undeveloped land and was bounded on at least 75 percent of its aggregate external boundaries by the existing corporate boundaries of the annexing city, if the governing body provides or will provide, within a reasonable period, municipal services to the territory that are substantially equivalent to the municipal services provided by the governing body to any area of the city and the governing body does not, on or before October 1, 2001, enter into a cooperative agreement with the governing body of the governmental entity within whose boundaries the territory is located which provides for the cooperation of the parties to the agreement concerning issues of land use and boundaries of that territory; or*

(c) *That is undeveloped land and is bounded on at least 75 percent of its aggregate external boundaries by the existing corporate boundaries of the annexing city and for which the governing body has received a written statement from a governmental entity indicating that the governmental entity:*

(1) *Owns the territory; and*

(2) *Does not object to the annexation of that territory by the governing body.*

2. If:

(a) *A petition specified in paragraph (a) of subsection 1 is accepted by the governing body* ~~[-]~~ ;

(b) *The territory proposed for annexation meets the requirements of paragraph (b) of subsection 1; or*

(c) *The governing body receives a written statement from a governmental entity pursuant to the provisions of paragraph (c) of subsection 1,*

the governing body may proceed to adopt an ordinance annexing the ~~area~~ territory and to take such other action ~~as~~ that is appropriate to accomplish the annexation.

3. As used in this section, "municipal services" includes, without limitation:

(a) *Water;*

(b) *Sewerage;*

(c) *Police protection;*



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- 1 (d) *Fire protection;*
2 (e) *Parks;*
3 (f) *Maintenance of streets; and*
4 (g) *Master planning for:*
5 (1) *The development and use of land;*
6 (2) *The provision of water and sewerage by the governing body; or*
7 (3) *The construction of regional infrastructure, including systems*
8 *for the control of floods and street and utility projects.*
9 **Sec. 3.** 1. This section and section 1 of this act become effective on
10 July 1, 2001.
11 2. Section 2 of this act becomes effective at 12:01 a.m. on October 1,
12 2001.

