

ASSEMBLY BILL NO. 287—COMMITTEE ON GOVERNMENT AFFAIRS
(ON BEHALF OF WASHOE COUNTY)

MARCH 12, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the annexation of certain territory by certain cities. (BDR 21-361)

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; authorizing certain cities to annex certain noncontiguous territory; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, if a city is located in a county whose population is 100,000
2 or more but less than 400,000 (currently Washoe County) for which a
3 comprehensive regional plan has been adopted, the city is required to adopt a
4 program of annexation, which must be certified by the regional planning
5 commission. (NRS 268.625) Except under an alternative procedure set forth in
6 existing law, such a city is prohibited from considering the annexation of an area
7 that is not both within a designated sphere of influence of the city and included in
8 the city's program of annexation. (NRS 268.625, 268.670) Under existing law,
9 noncontiguous territory may be proposed for annexation by a certified program of
10 annexation if: (1) the proposal is a voluntary annexation; (2) the timing of the
11 annexation is consistent with the certified program; and (3) the services and
12 facilities required for the development of the land will be provided upon
13 annexation. (NRS 268.625) However, under the procedural provisions in existing
14 law for initiating annexation, the governing body of a city in a county whose
15 population is less than 400,000 (currently counties other than Clark County) is only
16 authorized to initiate the annexation of territory that is contiguous to the city. (NRS
17 268.610, 268.636) This bill authorizes the governing body of a city in a county
18 whose population is less than 400,000 that has a certified program of annexation to
19 initiate the annexation of noncontiguous territory that is in a designated sphere of
20 influence of the city and was included in the city's program of annexation because
21 it was a voluntary annexation, the timing of the annexation was consistent with the
22 program and the required services and facilities will be provided upon annexation.



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

Section 1. NRS 268.6255 is hereby amended to read as follows:

268.6255 1. The land proposed for annexation by **inclusion** **in** a certified program of annexation must be contiguous to the annexing city unless:

(a) The proposal is a voluntary annexation;

(b) The timing of the proposal is consistent with the certified program of annexation; and

(c) The services and facilities required for the development of the land proposed for annexation will be provided upon annexation.

2. The annexation of the land must not have the effect of:

(a) Creating an island of 40 acres or less; or

(b) Dividing an individual lot or parcel of land so that only a portion of the lot or parcel is proposed for annexation.

Sec. 2. NRS 268.636 is hereby amended to read as follows:

268.636 1. The annexation of territory not included within the boundaries of any city to a city, or the detachment of territory from one city and its annexation to another city, may be initiated by either of the following methods:

~~1-1~~ (a) Whenever a majority of the property owners of any territory lying contiguous to a city desire to annex such territory to the city, they may cause an accurate map or plat of the territory to be made under the supervision of a competent surveyor. A copy of the map or plat, certified by the surveyor, and a petition in writing signed by a majority of the property owners of such territory ~~shall~~ **must** be filed in the office of the clerk of the governing body of such city.

~~1-2~~ (b) Whenever the governing body of any city deems it necessary to annex ~~any~~ **to the city:**

(1) **Any** contiguous territory ~~to the city;~~ **;** or

(2) **If the city has adopted a program of annexation that has been certified pursuant to NRS 268.625, any noncontiguous territory that is in a designated sphere of influence of the city and is included in the city's program of annexation pursuant to NRS 268.625 and 268.6255,**

➔ the governing body may adopt a resolution declaring its intention to annex such territory. ~~The~~

2. A resolution ~~shall~~ adopted pursuant to paragraph (b) of subsection 1 must:

(a) Describe the territory to be annexed; and

(b) Order a plat of the territory to be filed in the office of the clerk of the governing body.



1 **Sec. 3.** This act becomes effective upon passage and approval.

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