

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 39

BY: WRIGHT

AS INTRODUCED

AN ACT RELATING TO CITIES AND TOWNS; ALLOWING
PROPERTY OWNERS IN CERTAIN TERRITORY TO PETITION
CERTAIN MUNICIPALITY FOR ANNEXATION; PROVIDING
PROCEDURE FOR ANNEXATION; AUTHORIZING MUNICIPALITY
TO BRING ACTION IN DISTRICT COURT; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 21-114 of Title 11, unless there
is created a duplication in numbering, reads as follows:

A. The majority of the owners of a subdivision or property
owners located in unincorporated territory which is enclosed by the
boundaries of a municipality may petition for annexation in writing
to another municipality if:

1. The width of the boundary is less than two hundred (200)
feet; and

2. The property is contiguous to the other municipality except
for the boundary.

B. The governing body of the other municipality may grant the
petition after notifying the enclosing municipality in writing at
least thirty (30) days prior to adoption of the annexation

ordinance. The boundary of the enclosing municipality shall recede to the extent of the annexation. The enclosing municipality at any time may reestablish its boundary within unincorporated territory enclosed by it on the effective date of this act. The enclosing municipality may bring an action in district court to invalidate the annexation. If the district court finds that the conditions for annexation exist and that the enclosing municipality has not demonstrated a substantial governmental interest in the use of the property, it shall uphold the annexation.

SECTION 2. This act shall become effective September 1, 1991.

43-1-158

MJF