

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 114

By: Herbert

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 1991, Section 21-114, which relates to petitions to annex unincorporated territory; modifying the width of the boundary; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 21-114, is amended to read as follows:

Section 21-114. 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)~~ twenty (20) 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~~ July 1, 2001. 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 July 1, 2001.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-1-491

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