

HOUSE BILL NO. HB0003

Annexation agreements.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to cities and towns; prohibiting finalizing
2 of planning and zoning in annexed area until final reading
3 of annexation ordinance; providing for agreements on access
4 to water or sewer services to be petitions for annexation
5 or waivers of objection to annexation; and providing for an
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 15-1-403 by creating new subsections
11 (e) and (f), 15-1-410(a) and 15-7-602 by creating a new
12 subsection (d) are amended to read:

13

14 **15-1-403. Annexing territories; initiation of**
15 **proceedings; by landowners' petition; validity of**
16 **signatures; determinations.**

17

1 (e) If the clerk has certified compliance in
2 accordance with this section, the city or town may accept
3 and act on platting and zoning requests concerning the
4 territory petitioning for annexation. Platting or zoning
5 in the annexed area shall not be finalized until the
6 annexation ordinance has been approved on final reading by
7 the governing body.

8
9 (f) Agreements which provide for access to a city or
10 town owned water or sewer services to property outside the
11 city or town's corporate limits may be conditioned to serve
12 as a petition by the landowner for annexation under this
13 section and may serve as a waiver by the landowner of any
14 objection to an annexation for the property subject to the
15 agreement. The agreement may be filed as a petition either
16 by the landowner or by the city or town. The area subject
17 to annexation based in any manner on such an agreement
18 shall be required to meet the provisions of W.S.
19 15-1-402(a) and the procedures of this section, except that
20 the signatures provided on the agreement are not subject to
21 the time limitations of subsection (b) of this section.
22 Any agreement subject to a condition to serve as a petition
23 for or waiver to objections to annexation shall be recorded
24 with the county clerk and the terms and conditions of the

1 agreement shall run with the property and be binding upon
2 the heirs, successors and assigns of the landowners
3 entering into the agreement.

4
5 **15-1-410. Annexing territories; extension of laws and**
6 **rights; extension of public utility service.**

7
8 (a) The territory and inhabitants of any annexed area
9 are subject to all the laws, ordinances, rules and
10 regulations of the city or town to which they are annexed
11 and are entitled to all the rights, privileges and
12 franchises or other services afforded the inhabitants
13 thereof. The services shall be provided in accordance with
14 the timetable provided pursuant to W.S. 15-1-402(c)(iii).
15 Notwithstanding any other provision of law, no law,
16 ordinance, rule or regulation of a municipality annexing
17 property under W.S. 15-1-404 or pursuant to an agreement
18 treated as a petition pursuant to W.S. 15-1-403(f) shall
19 restrict the continuous use of the property by a current or
20 subsequent owner of an interest in the property, if the use
21 was existing at any time within the year prior to the date
22 of annexation and was lawful at the time the property was
23 annexed. For purposes of this subsection, a use which has
24 been discontinued for any one (1) year period after the

1 date of annexation shall not be considered continuous and
2 shall not thereafter be reestablished unless in conformance
3 with current law, ordinance, rule or regulation.

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5 **15-7-602. Extension of system; outside corporate**
6 **limits; rates; existing contracts; controversies; appeal.**

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8 (d) An agreement as provided in this section may be
9 conditioned to serve as a petition by the landowner for
10 annexation under W.S. 15-1-403(f) and may serve as a waiver
11 by the landowner to any objection to annexation of the
12 property as provided in W.S. 15-1-403(f).

13

14 **Section 2.** This act is effective July 1, 2006.

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(END)