

## **Annexation Law in Georgia**

There are three primary methods of annexation in Georgia.\* All three require the consent of a majority of the persons living in an area to be annexed into a city.

### **100% Method**

Property owners of all the land in an area may seek to have their property annexed into an adjacent city by signing a petition.

### **60% Method**

Petitioners owning at least 60% of the property in the area to be annexed, and at least 60% of the voters in an area, may seek to have their property annexed into an adjacent city.

### **Resolution and Referendum Method**

An election may be held in the area proposed for annexation to determine if the area should be annexed. This method requires that an agreement between all the local governments providing services in that area be reached and that a majority of voters in the area to be annexed vote in favor of the annexation.

\* There are two other methods of annexation; 1) annexations by the General Assembly through local legislation; and 2) the annexation of unincorporated islands totally surrounded by a city.

## **Benefits of Annexation**

There are numerous reasons why property owners and citizens desire to have their property added to the city limits.

### **Increased Levels of Service**

Many residents are interested in obtaining higher levels of government services than are provided in the unincorporated area.

- better ISO ratings and consequently lower homeowner's insurance rates because of the enhanced response times that municipal fire departments can offer
- higher police officer to resident ratio and smaller patrolling areas
- municipal water service at rates that are more cost efficient for homeowners than paying to pump well water

### **Livable Communities**

Many residents wish to take advantage of the efforts that cities have made to create more livable and prosperous communities.

- active downtowns, a strong sense of community and professional planning
- service coordination and infrastructure improvements like sidewalks and parks
- annexation often results in increased property value

### **More Responsive Local Government**

Many residents enjoy having access to a smaller and more responsive local government. In the metro Atlanta area, where counties contain hundreds of thousands of residents, being able to rely on a Mayor and Council that represent only a few thousand people allows for decision making that respects the needs of individuals and individual neighborhoods.

## **Annexation Myths**

Some have claimed that annexation places a burden on county governments by depriving them of revenue, making land use decisions difficult, or interfering with the provisions of service delivery. These concerns are typically the result of misconceptions about annexation or already have been more than adequately addressed by existing law.

### **Annexation Does Not Result in Revenue Loss for Counties**

- counties do not "lose" property once it is annexed
- counties continue to collect revenue on property that is annexed
- counties are freed from the costs associated with providing services that will be provided by the city

### **Annexation Does Not Increase Growth Pressures**

- counties can require that dispute resolution be entered into between the city and county where the county can substantiate that proposed changes in land use will adversely impact the county

### **Annexations Does Not Cause Service Delivery Issues**

- cities and counties must enter into service delivery strategy agreements in order to work out issues with service duplication
- these agreements can accommodate service delivery changes because of annexation
- counties can raise service delivery concerns with cities about the zoning of recently annexed property
- almost all cities and counties have intergovernmental and mutual aid agreements in place that clearly establish respective roles for service delivery

**Georgia's annexation laws work well. In the final analysis, the value of annexation is that it empowers people to choose the government that will provide them with the highest level of municipal services and be responsive to their needs.**

APPENDIX C

100 PERCENT METHOD OF ANNEXATION  
SAMPLE PETITION REQUESTING ANNEXATION

\_\_\_\_\_  
(Date of Submission)

To the \_\_\_\_\_ of \_\_\_\_\_, Georgia.  
(Name of Governing Body) (City)

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council (*governing body*) annex this territory to the City of \_\_\_\_\_, Georgia, and extend the city boundaries to include the same.

2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of \_\_\_\_\_, Georgia, and the description of such territory is as follows:

*[Insert complete description of land to be annexed.]*

Name (Print)	Address	Signature	Date
1.			
2.			
3.			
etc.			

**APPENDIX D**

**60 PERCENT METHOD OF ANNEXATION SAMPLE ANNEXATION & NOTICE**

**SAMPLE PETITION REQUESTING ANNEXATION**

\_\_\_\_\_ (Date of Submission)

To the \_\_\_\_\_ of \_\_\_\_\_, Georgia.  
(Name of Governing Body) (City)

1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council (governing body) of \_\_\_\_\_, Georgia, annex the territory described below to the City of \_\_\_\_\_, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.

2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-31) to the existing corporate limits of \_\_\_\_\_, Georgia, and the description of such territory is as follows:

*[Insert complete description of land to be annexed.]*

**LAND OWNERS AND ELECTORS**

Name (Print)	Address (Print)	Signature	Date <sup>1</sup> (Print)
1.			
2.			

**LAND OWNERS ONLY**

Name (Print)	Address (Print)	Signature	Date (Print)
1.			
2.			

**RESIDENT ELECTORS ONLY (NON-LAND OWNERS)**

Name (Print)	Address (Print)	Signature	Date (Print)
1.			
2.			

<sup>1</sup> All signatures must be collected within one year of the date on which the first signature was obtained. O.C.G.A. § 36-36-32(g).