

**20 NCAC 03 .0906 ANNEXATION: REQUESTS BY RURAL FIRE DEPARTMENT**

(a) A rural fire department may apply, pursuant to G.S. 160A-37.1 and 49.1, to the Commission for an order staying the operation of an annexation ordinance where it is alleged that no good faith offer of compensation has been made.

(b) The request shall be made in letter form signed by the president and secretary of the rural fire department. To this letter shall be attached the following:

- (1) A certified copy of the resolution of the governing body of the fire department. The resolution shall contain as a minimum:
  - (A) The petition to the commission;
  - (B) The circumstances surrounding the annexation including all substantive dates.
- (2) The history of the rural fire department with emphasis on changes in jurisdiction and debt during the period beginning 12 months prior to the adoption of intent with respect to the annexation.
- (3) A map showing both the areas of jurisdiction of the fire department, any special districts related thereto, and the area to be annexed.
- (4) A summary of discussions, meetings, etc. relating to any negotiations or requests by the rural fire department for fair compensation as defined in the law.

(c) The request shall be processed as provided in 20 NCAC 3.0901 except that the Secretary shall hold a conference at which both the city and the rural fire department shall be invited.

(d) The Commission hereby authorizes the secretary to issue, in his discretion, an order staying the annexation ordinance until the business day after the next actual meeting of the Commission or the executive committee thereof. The Secretary may in his discretion, vacate his order prior to expiration.

*History Note: Authority G.S. 159-3(f); 160A-37.1; 160A-49.1;  
Eff. April 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*