

RESOLUTION

Supporting Reform to Georgia’s Annexation Dispute Resolution Law

WHEREAS, annexation of unincorporated areas by municipalities may be appropriate to provide public services not otherwise available from the county, but may be abused when its primary objectives are to expand a city’s tax base or circumvent a county’s land use plan or zoning ordinance; and,

WHEREAS, the pressure from growth and development is expected to increase in the future and annexation for land use changes may adversely impact neighboring residents, disrupt a county’s land use plan, cause significant service delivery challenges, and/or strain existing county infrastructure;

WHEREAS, city governments are neither elected by nor accountable to unincorporated residents and may not duly consider their concerns in making land use decisions impacting them;

WHEREAS, in 2007 the Georgia General Assembly established an annexation dispute resolution procedure to try to help balance these interests while respecting everyone’s property rights;

WHEREAS, this dispute resolution procedure has not been changed since its enactment and is long overdue for revisions to further avoid the negative impact on Georgia citizens;

WHEREAS, in 2021, the Georgia House of Representatives adopted House Resolution 222, establishing a Study Committee on Annexation to review the dispute resolution procedure; and

WHEREAS, the House Study Committee held hearings around the state, solicited recommendations from impacted annexation stakeholders, and has issued its final report and recommendations.

NOW, THEREFORE, BE IT RESOLVED by the DeKalb Board of Commissioners that this body urges the Georgia General Assembly to follow the recommendations of the 2021 House Study Committee on Annexation and adopt meaningful reforms to Georgia’s annexation dispute resolution law during the 2022 legislative session. These changes should:

- revise the procedures of the annexation dispute resolution process; and
- empower the Department of Community Affairs to administer this process more effectively; and
- better balance the oftentimes conflicting interests among counties, cities, incorporated and unincorporated citizens, and developers seeking different land uses through annexation. As only State law can help reach this balance, State law must be changed to respect all parties and persons impacted by Georgia’s continued population growth.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to each member of the Georgia House of Representatives and Senate representing DeKalb County and made available to ACCG, the public and press.

ADOPTED by the DeKalb County Board of Commissioners, this 11th day of January, 2022.

STEPHEN R. BRADSHAW

Presiding Officer

Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this 11th day of January, 2022.

MICHAEL L. THURMOND

Chief Executive Officer DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE ERNSTES

County Attorney

DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC

Clerk to the Board of Commissioners and Chief Executive Officer

DeKalb County, Georgia