



ANNEXATION PROCESS GUIDE

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ANNEXATION PROCESS

To initiate a request for annexation, the applicant must attend a pre-application meeting to discuss the requirements. The cost of a pre-application meeting is \$300.

After attending a pre-application meeting, an application can be filed with the City's Planning Division in the Development and Engineering Services Department along with the required non-refundable filing fee of \$6,000 for staff processing expenses. The \$300 pre-application fee will be applied towards the filing fee if filed within six (6) months of the pre-application meeting. A City Planner will be assigned to manage the annexation request and will coordinate the required steps with the applicant.

If the area proposed for annexation contains any territory that was part of an unsuccessful annexation attempt within the past forty-five days, the City will not accept an application for an annexation petition unless the property owner waives the forty-five-day waiting period for their property that was part of the original unsuccessful annexation.

For information about state requirements for annexation, refer to A.R.S Title 9, Chapter 4, Article 7.

Upon receipt of a completed application, the City of Avondale uses the following process for the review of a territory annexation requests:

1. Staff routes the annexation request for review by the appropriate City departments to assess the potential impact of the annexation proposal on the City and to determine whether the City would be able to provide services to the newly annexed territory. City staff also reviews the annexation request to ensure it meets the contiguity, size, and shape requirements required by State statutory requirements.
2. Upon completion of the review, applicants will receive comments for the purpose of obtaining additional information or addressing potential impacts of the proposed annexation. Staff may request that the applicant submit additional information and route the re-submission for another review by the appropriate City departments.
3. Once the application has received an adequate review by Staff, the annexation proposal will be scheduled for review by the City Council at a regular meeting of the City Council.
4. The City Council will consider the annexation proposal and make an initial determination whether to authorize Staff to proceed with the annexation.
5. If authorization to proceed is not provided by the City Council, then no further action on the annexation will be taken.

6. If the City Council determines that the annexation would be in the best interests of the City and should proceed, Staff will begin the formal annexation process in accordance with the State statutory requirements for annexing the land into the City. The decision at this stage to proceed in no way ensures that the annexation will be approved.
7. City staff requests a list of real and personal property owners in the area to be annexed from the Maricopa County Assessor and Arizona Department of Revenue. These agencies have up to 30 days to respond. This information is needed before a blank petition can be recorded.
8. A blank (unsigned) petition containing the legal description and an accurate map of all exterior boundaries of the territory proposed to be annexed, including all County rights-of-way and roadways with no taxable value, shall be filed with the County Recorder by the City. Notice and a copy of the filing shall be given to the Clerk of the Board of Supervisors and to the County Assessor. If State land is included in the territory to be annexed, written approval of State Land Commissioner and the Selection Board (established by ARS Section 37-202) shall also be filed, unless the State land is utilized as State rights-of-way or held by the State by tax deed. Additionally, the petitioner or the City shall submit to the County Recorder a sworn affidavit verifying that no part of the territory for which the filing is made has been subject to an earlier filing for annexation.
9. Signatures for annexation shall not be obtained for 30 days after filing the blank (unsigned) petition (30-day waiting period).
10. The City Council must hold a public hearing within the last ten 10 days of the 30-day waiting period to discuss the annexation proposal. No action is taken by the Council.
11. Notice of the public hearing must be published in a newspaper of general circulation at least six (6) days prior to the hearing and at least fifteen days before the end of the 30-day waiting period.
12. Notices of the public hearing must be posted in at least three (3) conspicuous public places in the territory proposed to be annexed at least six (6) days prior to the hearing.
13. Notice of the public hearing must be sent by first class mail to the Chairman of the County Board of Supervisors at least six (6) days prior to the hearing.
14. Notice of the public hearing, along with an accurate map of the proposed annexation area, must be mailed first class to each owner of real and personal property that would be subject to taxation by the City in the event of annexation at least six (6) days prior to the hearing.

15. Within one (1) year after the last day of the 30-day waiting period, signatures by the owners of one-half or more in value and more than one-half of the persons owning real and personal property that would be subject to taxation by the City upon annexation, must be obtained on the previously recorded blank petition together with the date when the petition was signed.
16. No alterations increasing or decreasing the proposed annexation area can be made after a property owner has signed a petition.
17. The City will post notice of a City Council meeting for adoption of the annexation ordinance at least 24 hours in advance.
18. Provided all annexation requirements have been compiled with in a timely manner, an annexation ordinance will then be presented to the City Council for adoption. At least 30 days prior to the City Council meeting, notice must be sent to any Fire District that has territory within the area proposed for annexation advising the Fire District of the proposed annexation.
19. The annexation shall become final after the expiration of 30 days from the adoption of the ordinance annexing territory by the City, provided the annexation ordinance was adopted in accordance with procedures established by statute, charter provisions, or local ordinances, and provided no petitions in objection have been filed. If petitions in objection have been filed, the annexation shall not become final until the court has determined the validity of the annexation.
20. The City shall record the annexation ordinance in the office of the County Recorder 30 days after the adoption of the annexation ordinance. A copy of the adopted annexation ordinance must be provided to the Clerk of the Board of Supervisors within sixty days. The City will send a copy of the recorded annexation ordinance to various agencies.
21. If the property annexed had been part of a Fire District, pursuant to ARS Section 48-813, a notice must be sent to the Office of the County Assessor specifically stating that the City has elected to provide fire service to the newly annexed territory and the effective date of such change. A copy of the notice also shall be sent to the Fire District who will no longer be responsible to provide such fire service. The taxes assessed against the property will continue to be assessed until the July 1 following the date that the annexation was completed, provided the Office of the County Assessor was notified of such action in a timely manner.

The following is the process for review of right-of-way annexations:

1. Staff routes the annexation request for review by the appropriate City departments to assess the potential impact of the annexation proposal on the City. City staff also

reviews the annexation request to ensure it meets the State statutory requirements.

2. Upon completion of the review, applicants will receive comments for the purpose of obtaining additional information or addressing potential impacts of the proposed annexation. Staff may request that the applicant submit additional information and route the re-submission for another review by the appropriate City departments.
3. The annexation is published as an agenda item and is scheduled for adoption by the City at a regular City Council meeting. No petitions are required.
4. The County also publishes the annexation as an agenda item at a Board of Supervisors meeting and passes a similar ordinance.
5. The annexation is recorded with the County Recorder and copies are sent to various agencies.