

CHAPTER 9 WATER AND SEWER IN THE ETJ

ARTICLE I. IN GENERAL

Section 9-1. Initiation of projects outside the corporate limits

- A. The Town of Holly Ridge and/or any water and/or sewer authority created and existing pursuant to North Carolina General Statutes, chapter 162A, may permit extensions of water and/or sewer service to areas outside the corporate limit of the Town and either (1) within the Town's area of extraterritorial zoning jurisdiction (ETJ), or (2) otherwise within the area wherein the Town's annexation authority may be lawfully exercised. Such extension of water and/or sewer service may occur only under the conditions set out in this section.
1. At or prior to the time the owner(s) of such property apply for the extension of water and/or sewer service within or to any area described in this section, the owner(s) of the property shall execute and deliver to the Town of Holly Ridge in a form acceptable to the Town a petition for annexation of such area signed by all owners of the property (and, if such owners are individual natural persons, then by all such owners and all spouses, if any, of such owners).
 2. The Town Council of the Town of Holly Ridge shall timely act upon any such petition for annexation of such area, provided however, that nothing herein shall be deemed to bind the Town of Holly Ridge to approve such annexation.
 3. The Council's actions upon its receipt of such a petition may include (a) approval of the petition and the passage of an ordinance annexing such area into the Town of Holly Ridge; or (b) denial of the petition and a decision not to annex such area into the Town of Holly Ridge; or, (c) negotiation of an agreement with the property owner(s) of an irrevocable petition from such owners applying/petitioning for annexation of the subject property, such petition being in such a form that it can be recorded in the Office of the Register of Deeds of Onslow County and such petition binding the owners and their heirs, assigns, purchasers and all other successors in interest for a time certain to be set out in the agreement; or (d) any other action permitted by law.