

Chart 9. Mutual Corporate Boundary Adjustments

Current Tennessee Law	Proposed Changes	Other States' Laws
Cities with contiguous boundaries may adjust their boundaries by contract in certain situations.	Public Chapter 441 directed the Commission to study the issue of annexation as part of a comprehensive review and evaluation of the efficacy of state policies set forth in Tennessee Code Annotated Title 6, Chapters 51 (Change of Municipal Boundaries) and 58 (Comprehensive Growth Plan). The laws governing mutual adjustment of boundaries is in Title 6, Chapter 51.	Ten states have laws authorizing municipalities to adjust their boundaries by mutual agreement.

Other States' Laws on Mutual Corporate Boundary Adjustments

State	Current Law
Arizona	A municipality may deannex territory and a municipality may simultaneously annex that territory by ordinance. The mutual annexation and deannexation of territory may be stopped if 51% of property owners in the territory protest.
Arkansas	A municipality that wants to deannex or annex property is required to pass an ordinance and send it to the other municipality. The other municipality's governing body must approve or deny the request. If approved, the territory is detached from one municipality and annexed by the other municipality.
Illinois	There are four different methods of mutual adjustment in Illinois. Municipalities may detach and annex territory of 60 acres or less by mutual agreement of governing bodies. Municipalities may detach and annex unoccupied territory by mutual agreement. Municipalities may also detach and annex by mutual agreement when one-half of the electors and one-half of the property owners within a territory not exceeding 160 acres petition. Also, electors in the territory to be annexed may petition for referendum with 10% of the area to be detached and annexed.
Iowa	Property in a municipality that is contiguous to another municipality may be annexed by agreement with the contiguous city. The property owner must first petition for the annexation.
Kentucky	Two municipalities of the 2nd through 6th Class may mutually adjust their boundaries by ordinance supported by a petition signed by 51% of voters in the territory to be transferred.
Massachusetts	Before a boundary change takes place, it must be approved by the governing body of each town, the department of highways, and the general court.

State	Current Law
Minnesota	Property may be concurrently detached/annexed by (1) submitting to the chief administrative law judge resolutions of both municipalities, or (2) submitting to the chief administrative law judge the petition of property owners and the resolution of at least one municipality. The administrative law judge will then make a determination.
Missouri	Property may be deannexed by one municipality and annexed by another municipality by an ordinance.
Ohio	Any two adjoining municipal corporations may agree to a change in the boundary line separating such municipal corporations by ordinance, provided such change does not involve the transfer of territory inhabited by more than five voters from one to the other or from each to the other.
Utah	Boundary adjustment may be accomplished by ordinance passed by both municipalities. Adjustment will be final unless a protest is filed by landowners of 25% of the area to be adjusted and 15% of the total value.

DRAFT