

Bond Case Briefs

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ANNEXATION - ARKANSAS

Pritchett v. City of Hot Springs

Supreme Court of Arkansas - March 16, 2017 - S.W.3d - 2017 Ark. 95 - 2017 WL 1032562

Property owners brought action against city, claiming that statutory scheme authorizing city's annexation ordinance was unconstitutional and that annexed area did not fall within statutory language.

The Circuit Court dismissed the complaint on city's motion for summary judgment and declaratory judgment. Owners appealed.

The Supreme Court of Arkansas held that:

- State was not required to prove compelling interest to authorize annexation without citizen vote, and
- Area to be annexed met statutory definition of being "completely surrounded" by city.

Equal Protection Clause of Fourteenth Amendment did not require State to prove compelling state interest to enact statutory scheme allowing for city's annexation of property without citizen vote, after State had enacted some statutes providing for annexation by election. No fundamental right was at stake, and statute did not create any suspect classifications.

Area to be annexed by city met statutory definition of being "completely surrounded" by city, as required to invoke statutory annexation procedure, despite contention that annexed land was surrounded on two sides by lake and two sides by city. Statute included situations in which land was surrounded by municipality on three sides and fourth side was lake as one example, but not exclusive example, of area that was completely surrounded by municipality, and area to be annexed, which did not have four distinct sides, had no borders other than those with city and lake.