

Bond Case Briefs

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ANNEXATION - SOUTH CAROLINA

City of Charleston v. City of North Charleston

Court of Appeals of South Carolina - February 1, 2023 - S.E.2d - 2023 WL 1424899

City brought action challenging two annexations by neighboring municipality.

The Court of Common Pleas granted neighboring municipality's motion to dismiss. City appealed.

The Court of Appeals held that:

- Municipality sufficiently complied with statutory annexation requirements, and
- City's argument that it possessed standing to challenge municipality's annexation was moot.

Municipality sufficiently complied with statutory annexation requirements by including a description of the property to be annexed and attaching a plat of the area in annexation ordinance, although ordinance inadvertently incorporated a parcel already annexed by neighboring city; municipality's inadvertent inclusion of already-annexed parcel based on existing county information was a technical deficiency capable of correction by municipality's subsequent ordinance.

City's argument that it possessed standing to challenge neighboring municipality's annexation based on municipality's infringement of city's statutory and proprietary rights by including parcel already annexed by city was moot; municipality's initial ordinance relied on existing county information and inadvertently included parcel already annexed by city, and subsequent ordinance corrected the description of the property to be annexed to omit parcel annexed by city