



FOR IMMEDIATE RELEASE

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City Submits Final Batch of Remonstrance Waivers to Auditor

Bloomington, Ind.—On Friday, February 4, the City of Bloomington submitted its last responses to Monroe County Auditor Cathy Smith detailing which annexation remonstrators own properties subject to remonstrance waivers.

With this final set of waiver reviews, the City has reviewed 4,034 unique signatures and identified 1,980 as having an applicable waiver preventing remonstrations.* The City's review process is ongoing and will involve closely scrutinizing all details surrounding signatures including notarization, timeliness, circulation of petitions, and more.

"Though early, speculative reports have offered certain remonstrance numbers, the careful review and tallying of remonstrance signatures is a long and detailed process under state law," said Bloomington Mayor John Hamilton. "Friday marked the conclusion of one more step in the process of annexation, and in the interest of transparency, as we have embraced throughout, we are sharing this current status. But the process is not over. We look forward to seeing the numbers provided by the Auditor after her review concludes later this month. Once that step is

completed, it will be appropriate to consider whether the numbers need further reconciling or review, either administratively or through any court proceedings.”

A remonstrance waiver is a voluntary contract negotiated between an unincorporated property owner and a city wherein the property owner agrees not to challenge a future annexation, and the city agrees to extend sewer or water service to the unincorporated property. Bloomington, like municipalities around the state, negotiates waivers as a routine part of its operations to allow services to be established before formal annexation. The city believes that counting all such waivers is appropriate despite a 2019 state law that purports to negate those agreements older than 15 years. The state legislature passed that 2019 law after a 2017 law, later declared unconstitutional by the state supreme court, interrupted and delayed Bloomington’s annexation for four years.

The chart below gives by annexation area the current status of review reporting the number of unique signatures received from the Auditor and subject to waivers, including those both over and under 15 years old:

Annexation Area	Remonstrance Signatures		Waivers Over 15 Years	Waiver Under 15 Years
	Received from the Auditor	Subject to Waiver		
1A	1141	522	378	144
1B*	1363	690	651	39
1C	83	79	79	0
2	1185	617	509	108
3	86	20	17	3
4	78	15	9	6
5	98	37	22	15
Totals*	4034	1980	1665	315

Under Indiana’s annexation statute, individuals opposed to a proposed city annexation have a 90-day period to file remonstrance petitions with the County Auditor, which period ended on January 6th in the Bloomington process. The Auditor has five business days after she receives a petition from a property owner in an annexation area to transmit the petition to the city. The city then has fifteen business days to send a response to the Auditor documenting the existence of any applicable remonstrance waivers.

Over the last three and a half months, the Auditor sent hundreds of petitions to the city, and the city replied to each petition, identifying any property with an applicable waiver. The Auditor delivered her final batch of petitions to the city on January 14, and on February 4th the city sent its last set of responses.

Under state law, the Auditor has up to fifteen business days from February 4 to report her remonstrance count.

***The reported numbers for Area 1B have been corrected from an earlier version. This version also corrects the total number of unique signatures from 3,641 to 4,034 and the total signatures subject to a remonstrance from 1,880 to 1,980.**

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