

Superseded 5/10/2016

10-18-204 Vote permissible -- Referendum.

- (1)
 - (a) A legislative body by a majority vote may call an election on whether or not the municipality shall provide the proposed:
 - (i) cable television services; or
 - (ii) public telecommunications services.
 - (b) If under Subsection (1)(a) the legislative body calls an election, the election shall be held:
 - (i)
 - (A) at the next municipal general election; or
 - (B) as provided in Subsection 20A-1-203(1), at a local special election the purpose of which is authorized by this section; and
 - (ii) in accordance with Title 20A, Election Code, except as provided in this section.
 - (c) The notice of the election shall include with any other information required by law:
 - (i) a summary of the cable television services or public telecommunications services that the legislative body of the municipality proposes to provide to subscribers residing within the boundaries of the municipality;
 - (ii) the feasibility study summary under Section 10-18-203;
 - (iii) a statement that a full copy of the feasibility study is available for inspection and copying; and
 - (iv) the location in the municipality where the feasibility study may be inspected or copied.
 - (d) The ballot at the election shall pose the question substantially as follows: Shall the [name of the municipality] provide [cable television service or public telecommunications service] to the inhabitants of the [municipality].
 - (e) The ballot proposition may not take effect until submitted to the electors and approved by the majority of those voting on the ballot.
- (2) In accordance with Title 20A, Chapter 7, Issues Submitted to the Voters, a municipality legislative body's action to have the municipality provide cable television services or public telecommunications services is subject to local referenda.