

Superseded 5/12/2015

10-2-416 Commission decision -- Time limit -- Limitation on approval of annexation.

- (1) Subject to Subsection (3), after the public hearing under Subsection 10-2-415(1) the boundary commission may:
 - (a) approve the proposed annexation, either with or without conditions;
 - (b) make minor modifications to the proposed annexation and approve it, either with or without conditions; or
 - (c) disapprove the proposed annexation.
- (2) The commission shall issue a written decision on the proposed annexation within 30 days after the conclusion of the hearing under Section 10-2-415 and shall send a copy of the decision to:
 - (a) the legislative body of the county in which the area proposed for annexation is located;
 - (b) the legislative body of the proposed annexing municipality;
 - (c) the contact person on the annexation petition;
 - (d) the contact person of each entity that filed a protest; and
 - (e) if a protest was filed under Subsection 10-2-407(1)(a)(ii) with respect to a proposed annexation of an area located in a county of the first class, the contact person designated in the protest.
- (3) Except for an annexation for which a feasibility study may not be required under Subsection 10-2-413(1)(b), the commission may not approve a proposed annexation of an area located within a county of the first class unless the results of the feasibility study under Section 10-2-413 show that the average annual amount under Subsection 10-2-413(3)(a)(ix) does not exceed the average annual amount under Subsection 10-2-413(3)(a)(viii) by more than 5%.