

## Part 5 Gifts to Railroads

### **10-7-19 Election to authorize -- Notice -- Ballots.**

- (1) The board of commissioners or city council of any city or the board of trustees of any incorporated town is authorized to aid and encourage the building of railroads by granting to any railroad company for depot or other railroad purposes real property of such city or incorporated town, not necessary for municipal or public purposes, upon such limitations and conditions as the board of commissioners, council or board of trustees may prescribe; provided, however, that no such grant shall be made to any railroad company unless the question of making it has been submitted to the qualified electors of the city or town at the next municipal election, or special election to be called for that purpose by the board of commissioners, city council or town board.
- (2) If the question is submitted at a special election, it shall be held as nearly as practicable in conformity with the general election laws of the state.
- (3) Notice of an election described in Subsection (2) shall be given by publication:
  - (a)
    - (i) in a newspaper published or having general circulation in the city or town once a week for four weeks prior to the election; or
    - (ii) if there is not a newspaper as described in Subsection (3)(a)(i), then by posting notices; and
  - (b) in accordance with Section 45-1-101 for four weeks prior to the election.
- (4) The board of commissioners, city council or town board shall cause ballots to be printed and furnished to the qualified electors, which shall read: "For the proposed grant for depot or other railroad purposes: Yes. No."
- (5) If a majority of the qualified electors voting thereon shall have voted in favor of such grant, the board of commissioners, city council or town board shall then proceed to convey the property to the railroad company.

Amended by Chapter 388, 2009 General Session