

17B-2a-704 Mosquito abatement district board of trustees.

- (1)
 - (a) Notwithstanding Subsection 17B-1-302(2):
 - (i) the board of trustees of a mosquito abatement district shall consist of no less than five members appointed in accordance with this section; and
 - (ii) subject to Subsection (1)(b), the legislative body of each municipality that is entirely or partly included within a mosquito abatement district shall appoint one member to the board of trustees.
 - (b) If 75% or more of the area of a mosquito abatement district is within the boundaries of a single municipality:
 - (i) the board of trustees shall consist of five members; and
 - (ii) the legislative body of that municipality shall appoint all five members of the board.
- (2) The legislative body of each county in which a mosquito abatement district is located shall appoint at least one member but no more than three members to the district's board of trustees as follows:
 - (a) one member may be appointed if:
 - (i) some or all of the county's unincorporated area is included within the boundaries of the mosquito abatement district and Subsection (2)(b) does not apply; or
 - (ii)
 - (A) the number of municipalities that are entirely or partly included within the district is an even number less than nine; and
 - (B) Subsection (1)(b) does not apply; or
 - (b) subject to Subsection (3), up to and including three members may be appointed if:
 - (i) more than 25% of the population of the mosquito abatement district resides outside the boundaries of all municipalities that may appoint members to the board of trustees; and
 - (ii) at least four members of the board of trustees are appointed by a municipality.
- (3) A member appointed in accordance with Subsection (2)(b) may not reside within a municipality that may appoint a member to the board of trustees.
- (4) If the number of board members appointed by application of Subsections (1) and (2)(a) is an even number less than nine, the legislative body of the county in which the district is located shall appoint an additional member.
- (5) Notwithstanding Subsection (2):
 - (a) if the mosquito abatement district is located entirely within one county and, in accordance with this section, only one municipality may appoint a member of the board of trustees, the county legislative body shall appoint at least four members to the district's board of trustees; and
 - (b) if the mosquito abatement district is located entirely within one county and no municipality may appoint a member of the board of trustees, all of the members of the board shall be appointed by the county legislative body.
- (6) Each board of trustees member shall be appointed as provided in Section 17B-1-304.
- (7) Each vacancy on a mosquito abatement district board of trustees shall be filled by the applicable appointing authority as provided in Section 17B-1-304, or if the vacancy is a midterm vacancy, as provided in Section 20A-1-512.

Amended by Chapter 97, 2012 General Session