

Renumbered 5/10/2016

17C-1-201 Creation of agency -- Name change.

- (1) A community may, by ordinance adopted by its legislative body, approve the creation of a community development and renewal agency.
- (2)
 - (a) The community legislative body shall:
 - (i) after adopting an ordinance under Subsection (1), file with the lieutenant governor a copy of a notice, subject to Subsection (2)(b), of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and
 - (ii) upon the lieutenant governor's issuance of a certificate of creation under Section 67-1a-6.5, submit to the recorder of the county in which the agency is located:
 - (A) the original notice of an impending boundary action;
 - (B) the original certificate of creation; and
 - (C) a certified copy of the ordinance approving the creation of the community development and renewal agency.
 - (b) The notice required under Subsection (2)(a)(i) shall state that the agency's boundaries are, and shall always be, coterminous with the boundaries of the community that created the agency.
 - (c) Upon the lieutenant governor's issuance of the certificate of creation under Section 67-1a-6.5, the agency is created and incorporated.
 - (d) Until the documents listed in Subsection (2)(a)(ii) are recorded in the office of the recorder of the county in which the property is located, an agency may not receive or spend tax increment funds.
- (3)
 - (a) An agency may approve a change in its name, whether to indicate it is a community development and renewal agency or otherwise, by:
 - (i) adopting a resolution approving a name change; and
 - (ii) filing with the lieutenant governor a copy of a notice of an impending name change, as defined in Section 67-1a-6.7, that meets the requirements of Subsection 67-1a-6.7(3).
 - (b)
 - (i) Upon the lieutenant governor's issuance of a certificate of name change under Section 67-1a-6.7, the agency shall file with the recorder of the county in which the agency is located:
 - (A) the original notice of an impending name change;
 - (B) the original certificate of name change; and
 - (C) a certified copy of the resolution approving a name change.
 - (ii) Until the documents listed in Subsection (3)(b)(i) are recorded in the office of the county recorder, the agency may not operate under the new name.