

Effective 5/10/2016

17C-5-403 Blight study -- Requirements -- Deadline.

- (1) A blight study shall:
 - (a) undertake a parcel by parcel survey of the survey area;
 - (b) provide data so the board and taxing entity committee may determine:
 - (i) whether the conditions described in Subsection 17C-5-405:
 - (A) exist in part or all of the survey area; and
 - (B) meet the qualifications for a finding of blight in all or part of the survey area; and
 - (ii) whether the survey area contains all or part of a superfund site;
 - (c) include a written report that states:
 - (i) the conclusions reached;
 - (ii) any area within the survey area that meets the statutory criteria of blight under Section 17C-5-405; and
 - (iii) any other information requested by the agency to determine whether blight exists within the survey area; and
 - (d) be completed within one year after the day on which the survey area resolution is adopted.
- (2)
 - (a) If a blight study is not completed within the time described in Subsection (1)(d), the agency may not approve a community reinvestment project area plan based on a blight study unless the agency first adopts a new resolution under Subsection 17C-5-103(1).
 - (b) A new resolution described in Subsection (2)(a) shall in all respects be considered to be a resolution under Subsection 17C-5-103(1) adopted for the first time, except that any actions taken toward completing a blight study under the resolution that the new resolution replaces shall be considered to have been taken under the new resolution.
- (3)
 - (a) For the purpose of making a blight determination under Subsection 17C-5-402(2)(c)(ii), a blight study is valid for one year from the day on which the blight study is completed.
 - (b)
 - (i) Except as provided in Subsection (3)(b)(ii), an agency that makes a blight determination under a valid blight study and subsequently adopts a community reinvestment project area plan in accordance with Section 17C-5-104 may amend the community reinvestment project area plan without conducting a new blight study.
 - (ii) An agency shall conduct a supplemental blight study for the area proposed to be added to the community reinvestment project area if the agency proposes an amendment to a community reinvestment project area plan that:
 - (A) increases the community reinvestment project area's geographic boundary and the area proposed to be added was not included in the original blight study; and
 - (B) provides for the use of eminent domain within the area proposed to be added to the community reinvestment project area.

Enacted by Chapter 350, 2016 General Session