

17D-1-403 Notice and plat to lieutenant governor -- Lieutenant governor certification -- Recording requirements -- Effective date.

- (1) If a county or municipal legislative body adopts a resolution approving the annexation of an area to an existing special service district, the legislative body shall:
 - (a) within 30 days after adopting the resolution, file with the lieutenant governor:
 - (i) a copy of a notice 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) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and
 - (b) upon the lieutenant governor's issuance of a certificate of annexation under Section 67-1a-6.5, submit to the recorder of the county in which the special service district is located:
 - (i) the original notice of an impending boundary action;
 - (ii) the original certificate of annexation;
 - (iii) the original approved final local entity plat; and
 - (iv) a certified copy of the resolution approving the annexation.
- (2)
 - (a) Upon the lieutenant governor's issuance of the certificate of annexation under Section 67-1a-6.5, the additional area that is the subject of the legislative body's resolution is annexed to the special service district.
 - (b)
 - (i) The effective date of an annexation under this section for purposes of assessing property within the annexed area is governed by Section 59-2-305.5.
 - (ii) Until the documents listed in Subsection (1)(b) are recorded in the office of the recorder of the county in which the property is located:
 - (A) the county, city, or town that created the special service district may not levy or collect a property tax for special service district purposes on property within the annexed area; and
 - (B) the special service district may not:
 - (I) levy or collect an assessment on property within the annexed area; or
 - (II) charge or collect a fee for service provided to property within the annexed area.
 - (iii) Subsection (2)(b)(ii)(B)(II):
 - (A) may not be construed to limit a special service district's ability before annexation to charge and collect a fee for service provided to property that is outside the special service district's boundary; and
 - (B) does not apply until 60 days after the effective date, under Subsection (2)(a), of the special service district's annexation, with respect to a fee that the special service district was charging for service provided to property within the annexed area immediately before the area was annexed to the special service district.

Amended by Chapter 350, 2009 General Session