

**54-8-11 Protests -- Hearings -- Representatives of utilities to be present -- Changes in proposal -- Adoption or abandonment of project.**

- (1)
- (a) On the date and at the time and place specified in the notice under Section 54-8-9, the governing body shall in open and public session hear all objections to the creation of the proposed district, the making of the proposed improvements, and the benefits accruing to any tract, block, lot, or parcel of land in the proposed district.
  - (b) Representatives of the public utilities concerned shall be present at each hearing under Subsection (1)(a).
  - (c) A hearing under Subsection (1)(a) may be adjourned from time to time to a fixed future time and place.
  - (d) If at any time during a hearing under Subsection (1)(a), it appears to the governing body that changes in the proposed improvements or the proposed district should be made, which, after consultation with the public utilities concerned, appear to affect either the cost or feasibility of the improvements, the hearing shall be adjourned to a fixed future time and place and a new costs and feasibility report prepared on the basis of the contemplated changes.
- (2) After the hearing has been concluded and after all persons desiring to be heard have been heard, the governing body:
- (a) shall consider the arguments put forth;
  - (b) may make changes in the area to be included in the district as it considers desirable or necessary, if a costs and feasibility report has been prepared on the basis of those changes; and
  - (c) shall adopt a resolution either abandoning the district and project or determining to proceed with the district and project, either as described in the notice or with changes made as authorized in this section.

Amended by Chapter 129, 2006 General Session