

1 **CLASSIFICATION OF CITIES AND TOWNS**

2 2001 SECOND SPECIAL SESSION

3 STATE OF UTAH

4 **Sponsor: Wayne A. Harper**

5 **This act modifies the Utah Municipal Code relating to the classification of cities and towns.**
6 **The act provides for the reduction in classification of a municipality, at the request of the**
7 **municipality, where a census or census estimate shows that the population of a city or town**
8 **has fallen below the threshold level. The act provides an effective date.**

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **10-2-302**, as repealed and reenacted by Chapter 318, Laws of Utah 2000

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **10-2-302** is amended to read:

14 **10-2-302. Change of class of municipality.**

15 (1) Each municipality shall retain its classification under Section 10-2-301 until changed
16 as provided in this section.

17 (2) The lieutenant governor shall monitor the population figure for each municipality as
18 shown on:

19 (a) each official census or census estimate of the United States Bureau of the Census; or

20 (b) if the population figure for a municipality is not available from the United States
21 Bureau of the Census, the population estimate from the Utah Population Estimates Committee.

22 (3) If the applicable population figure under Subsection (2) indicates that a municipality's
23 population has increased beyond the limit for its current class, the lieutenant governor shall:

24 (a) prepare a certificate indicating the class in which the municipality belongs based on
25 the increased population figure; and

26 (b) within ten days after preparing the certificate, deliver a copy of the certificate to the
27 legislative body of the municipality whose class has changed.



28 (4) (a) If the applicable population figure under Subsection (2) indicates that a
29 municipality's population has decreased below the limit for its current class, the legislative body
30 of the municipality may petition the lieutenant governor to prepare a certificate indicating the class
31 in which the municipality belongs based on the decreased population figure.

32 (b) Upon receipt of a petition under Subsection (4)(a), the lieutenant governor shall prepare
33 the certificate, and within ten days after preparing the certificate, deliver a copy of the certificate
34 to the legislative body of the municipality whose class has changed.

35 ~~[(4)]~~ (5) A municipality's change in class is effective on the date of the lieutenant
36 governor's certificate under Subsection (3) or (4).

37 Section 2. **Effective date.**

38 If approved by two-thirds of all the members elected to each house, this act takes effect
39 upon approval by the governor, or the day following the constitutional time limit of Utah
40 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
41 date of veto override.

Legislative Review Note
as of 9-25-01 9:43 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel