

**Effective 5/1/2024**

**10-1-201.5 Metro townships converted to municipalities -- Classification -- Form of government -- Continuity of operations.**

- (1) As used in this section:
  - (a) "Converted municipality" means a municipality that is converted from an incorporated township into a municipality under Subsection (2).
  - (b) "Incorporated township" means a metro township incorporated under Laws of Utah 2015, Chapter 352, Sections 50 through 62.
- (2) As of May 1, 2024, an incorporated township is automatically converted into a municipality.
- (3) The classification of a converted municipality is governed by Section 10-2-301, based on the converted municipality's population on May 1, 2024.
- (4)
  - (a) The powers of municipal government of a converted municipality are vested in a five-member council, as provided in Chapter 3b, Part 4, Five-Member Council Form of Municipal Government.
  - (b) Subsection (4)(a) does not limit a converted municipality's ability to change the converted municipality's form of government, as provided in Chapter 3b, Part 6, Changing to Another Form of Municipal Government.
  - (c)
    - (i) Notwithstanding Chapter 3b, Part 6, Changing to Another Form of Municipal Government, the council of a converted municipality may, by a resolution adopted before July 1, 2024 by two-thirds of all council members, change the converted municipality's form of government to another form listed in Subsection 10-3b-601(1).
    - (ii) If a converted municipality's form of government is changed under Subsection (4)(c)(i), the election of municipal officers under the new form of government is governed by Section 10-3b-606.
- (5)
  - (a) The members of a converted municipality's council on May 1, 2024 consist of the individuals serving as council members for the incorporated township immediately before the incorporated township was converted into a municipality under Subsection (2), with the mayor of the incorporated township becoming the mayor of the converted municipality.
  - (b)
    - (i) Subject to Subsection (4)(c), if applicable, and to Subsection (5)(b)(ii), the term of office of a member of the converted municipality's council on May 1, 2024 is the same as the term of office that would have applied to the council member if the incorporated township had not converted to a municipality under Subsection (2).
    - (ii)
      - (A) The office of mayor of a converted municipality is subject to election beginning the first municipal election after the incorporated township converts to a municipality under Subsection (2).
      - (B) The term of office of the mayor of a converted municipality continues from May 1, 2024 until a successor to the office of mayor is elected and qualified.
- (6)
  - (a) Upon an incorporated township's conversion to a municipality under Subsection (2):
    - (i) each ordinance, resolution, or policy of the incorporated township becomes the ordinance, resolution, or policy of the converted municipality;
    - (ii) the converted municipality may continue to:

- (A) operate and function as the incorporated township had been operating and functioning before the conversion; and
  - (B) provide services the incorporated township had been providing before the conversion;
  - (iii) a converted municipality may, after the conversion, continue to impose and collect a tax, fee, fine, or other charge that the incorporated township was authorized to impose and collect before the conversion;
  - (iv) a proceeding pending before the incorporated township at the time of conversion continues without change before the converted municipality;
  - (v) a right or privilege of the incorporated township becomes the right or privilege of the converted municipality; and
  - (vi) a contractual or other obligation of the incorporated township, including a contractual or other obligation with another governmental entity, becomes the contractual or other obligation of the converted municipality.
- (b) An ordinance that under Subsection (6)(a)(i) becomes an ordinance of the converted municipality includes a county ordinance that became an ordinance of the incorporated township under Laws of Utah 2016, Chapter 176, Section 2 and has not been repealed, subject to any amendment of that ordinance that the incorporated township enacted before the incorporated township's conversion to a municipality under Subsection (2).
- (7) A converted municipality succeeds to the position of the incorporated township with respect to the incorporated township's participation or inclusion in a special district or special service district, including a municipal services district.

Enacted by Chapter 438, 2024 General Session