

Effective 5/10/2016

10-2-501 Municipal disconnection -- Definitions -- Request for disconnection -- Requirements upon filing request.

- (1) As used in this part "petitioner" means:
 - (a) one or more persons who:
 - (i) own title to real property within the area proposed for disconnection; and
 - (ii) sign a request for disconnection proposing to disconnect the area proposed for disconnection from the municipality; or
 - (b) the mayor of the municipality within which the area proposed for disconnection is located who signs a request for disconnection proposing to disconnect the area proposed for disconnection from the municipality.
- (2)
 - (a) A petitioner proposing to disconnect an area within and lying on the borders of a municipality shall file with that municipality's legislative body a request for disconnection.
 - (b) Each request for disconnection shall:
 - (i) contain the names, addresses, and signatures of the owners of more than 50% of any private real property in the area proposed for disconnection;
 - (ii) give the reasons for the proposed disconnection;
 - (iii) include a map or plat of the territory proposed for disconnection; and
 - (iv) designate between one and five persons with authority to act on the petitioner's behalf in the proceedings.
- (3) Upon filing the request for disconnection, the petitioner shall:
 - (a) cause notice of the request to be published:
 - (i) once a week for three consecutive weeks in a newspaper of general circulation within the municipality; and
 - (ii) in accordance with Section 45-1-101 for three weeks;
 - (b) cause notice of the request to be mailed to each owner of real property located within the area proposed to be disconnected; and
 - (c) deliver a copy of the request to the legislative body of the county in which the area proposed for disconnection is located.

Amended by Chapter 406, 2016 General Session