

Effective 5/12/2015

Partial Sunset 6/1/2016

10-9a-304 State and federal property -- Mountainous planning district.

- (1) Unless otherwise provided by law, nothing contained in this chapter may be construed as giving a municipality jurisdiction over property owned by the state or the United States.
- (2)
 - (a) Except as provided in Subsection (2)(b), for purposes of this chapter, a municipality, a municipal planning commission, or a municipal land use authority does not have jurisdiction over property located within a mountainous planning district as defined in Section 17-27a-103.
 - (b) Subsection (2)(a) does not apply to a municipality that:
 - (i)
 - (A) is wholly located within the boundaries of a mountainous planning district; and
 - (B) was incorporated in or before 1970;
 - (ii) is exercising its extraterritorial jurisdiction as authorized by Section 10-8-15; or
 - (iii) has been granted joint authority to regulate, subject to Subsection (2)(c), its watershed areas by a local health authority.
 - (c) The exception for a municipality under Subsection (2)(b)(iii) applies only for matters related to regulation of the watershed within a watershed area.