

17B-1-111 Impact fee resolution -- Notice and hearing requirements.

- (1)
 - (a) If a local district wishes to impose impact fees, the board of trustees of the local district shall:
 - (i) prepare a proposed impact fee resolution that meets the requirements of Title 11, Chapter 36a, Impact Fees Act;
 - (ii) make a copy of the impact fee resolution available to the public at least 14 days before the date of the public hearing and hold a public hearing on the proposed impact fee resolution; and
 - (iii) provide reasonable notice of the public hearing at least 14 days before the date of the hearing.
 - (b) After the public hearing, the board of trustees may:
 - (i) adopt the impact fee resolution as proposed;
 - (ii) amend the impact fee resolution and adopt or reject it as amended; or
 - (iii) reject the resolution.
- (2) A local district meets the requirements of reasonable notice required by this section if it:
 - (a) posts notice of the hearing or meeting in at least three public places within the jurisdiction and publishes notice of the hearing or meeting in a newspaper of general circulation in the jurisdiction, if one is available; or
 - (b) gives actual notice of the hearing or meeting.
- (3) The local district's board of trustees may enact a resolution establishing stricter notice requirements than those required by this section.
- (4)
 - (a) Proof that one of the two forms of notice required by this section was given is prima facie evidence that notice was properly given.
 - (b) If notice given under authority of this section is not challenged within 30 days from the date of the meeting for which the notice was given, the notice is considered adequate and proper.

Amended by Chapter 47, 2011 General Session