

17B-1-413 Hearing, notice, and protest provisions do not apply for certain petitions.

- (1) Section 17B-1-412 does not apply, and, except as provided in Subsection (2)(a), Sections 17B-1-409 and 17B-1-410 do not apply:
 - (a) if the process to annex an area to a local district was initiated by:
 - (i) a petition under Subsection 17B-1-403(1)(a)(i);
 - (ii) a petition under Subsection 17B-1-403(1)(a)(ii)(A) that was signed by the owners of private real property that:
 - (A) is located within the area proposed to be annexed;
 - (B) covers at least 75% of the total private land area within the entire area proposed to be annexed and within each applicable area; and
 - (C) is equal in assessed value to at least 75% of the assessed value of all private real property within the entire area proposed to be annexed and within each applicable area; or
 - (iii) a petition under Subsection 17B-1-403(1)(a)(ii)(B) that was signed by registered voters residing within the entire area proposed to be annexed and within each applicable area equal in number to at least 75% of the number of votes cast within the entire area proposed to be annexed and within each applicable area, respectively, for the office of governor at the last regular general election before the filing of the petition;
 - (b) to an annexation under Section 17B-1-415; or
 - (c) to a boundary adjustment under Section 17B-1-417.
- (2)
 - (a) If a petition that meets the requirements of Subsection (1)(a) is certified under Section 17B-1-405, the local district board:
 - (i) shall provide notice of the proposed annexation as provided in Subsection (2)(b); and
 - (ii)
 - (A) may, in the board's discretion, hold a public hearing as provided in Section 17B-1-409 after giving notice of the public hearing as provided in Subsection (2)(b); and
 - (B) shall, after giving notice of the public hearing as provided in Subsection (2)(b), hold a public hearing as provided in Section 17B-1-409 if a written request to do so is submitted, within 20 days after the local district provides notice under Subsection (2)(a)(i), to the local district board by an owner of property that is located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition.
 - (b) The notice required under Subsections (2)(a)(i) and (ii) shall:
 - (i) be given:
 - (A)
 - (I) for a notice under Subsection (2)(a)(i), within 30 days after petition certification; or
 - (II) for a notice of a public hearing under Subsection (2)(a)(ii), at least 10 but not more than 30 days before the public hearing; and
 - (B) by:
 - (I) posting written notice at the local district's principal office and in one or more other locations within or proximate to the area proposed to be annexed as are reasonable under the circumstances, considering the number of parcels included in that area, the size of the area, the population of the area, and the contiguousness of the area; and
 - (II) providing written notice:
 - (Aa) to at least one newspaper of general circulation, if there is one, within the area proposed to be annexed or to a local media correspondent; and
 - (Bb) on the Utah Public Notice Website created in Section 63F-1-701; and
 - (ii) contain a brief explanation of the proposed annexation and include the name of the local district, the service provided by the local district, a description or map of the area proposed

to be annexed, a local district telephone number where additional information about the proposed annexation may be obtained, and, for a notice under Subsection (2)(a)(i), an explanation of the right of a property owner or registered voter to request a public hearing as provided in Subsection (2)(a)(ii)(B).

(c) A notice under Subsection (2)(a)(i) may be combined with the notice that is required for a public hearing under Subsection (2)(a)(ii)(A).

Amended by Chapter 90, 2010 General Session