

Effective 5/12/2015

17B-1-508 Public hearing -- Quorum of board required to be present.

- (1) A public hearing on the proposed withdrawal shall be held by the board of trustees of a local district that:
 - (a) certifies a petition under Subsection 17B-1-507(1)(b)(i) unless the petition was signed by all of the owners of private land within the area proposed to be withdrawn or all of the registered voters residing within the area proposed to be withdrawn; or
 - (b) adopts a resolution under Subsection 17B-1-504(1)(a)(iii) unless another local district provides to the area proposed to be withdrawn the same retail or wholesale service as provided by the local district that adopted the resolution.
- (2) The public hearing required by Subsection (1) for a petition certified by the board of trustees of a local district under Subsection 17B-1-507(1)(b)(i), other than a petition filed in accordance with Subsection 17B-1-504(1)(a)(iv), may be held as an agenda item of a meeting of the board of trustees of the local district without complying with the requirements of Subsection (3)(b), (3)(c), or Section 17B-1-509.
- (3) Except as provided in Subsection (2), the public hearing required by Subsection (1) shall be held:
 - (a) no later than 90 days after:
 - (i) certification of the petition under Subsection 17B-1-507(1)(b)(i); or
 - (ii) adoption of a resolution under Subsection 17B-1-504(1)(a)(iii);
 - (b)
 - (i) for a local district located entirely within a single county:
 - (A) within or as close as practicable to the area proposed to be withdrawn; or
 - (B) at the local district office; or
 - (ii) for a local district located in more than one county:
 - (A)
 - (I) within the county in which the area proposed to be withdrawn is located; and
 - (II) within or as close as practicable to the area proposed to be withdrawn; or
 - (B) if the local district office is reasonably accessible to all residents within the area proposed to be annexed, at the local district office;
 - (c) on a weekday evening other than a holiday beginning no earlier than 6:00 p.m.; and
 - (d) for the purpose of allowing:
 - (i) the public to ask questions and obtain further information about the proposed withdrawal and issues raised by it; and
 - (ii) any interested person to address the board of trustees concerning the proposed withdrawal.
- (4) A quorum of the board of trustees of the local district shall be present throughout the public hearing provided for under this section.
- (5) A public hearing under this section may be postponed or continued to a new time, date, and place without further notice by a resolution of the board of trustees adopted at the public hearing held at the time, date, and place specified in the published notice; provided, however, that the public hearing may not be postponed or continued to a date later than 15 days after the 90-day period under Subsection (3).

Amended by Chapter 436, 2015 General Session