

Effective 5/10/2016

Part 7
Agency and Project Area Dissolution

17C-1-701.1 Title.

This part is known as "Agency and Project Area Dissolution."

Enacted by Chapter 350, 2016 General Session

17C-1-701.5 Agency dissolution -- Restrictions -- Notice -- Recording requirements -- Agency records -- Dissolution expenses.

- (1)
 - (a) Subject to Subsection (1)(b), the community legislative body may, by ordinance, dissolve an agency.
 - (b) A community legislative body may adopt an ordinance described in Subsection (1)(a) only if the agency has no outstanding bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations with a person other than the community.
- (2)
 - (a) The community legislative body shall:
 - (i) within 10 days after adopting an ordinance described in Subsection (1), file with the lieutenant governor a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and
 - (ii) upon the lieutenant governor's issuance of a certificate of dissolution under Section 67-1a-6.5, submit to the recorder of the county in which the agency is located:
 - (A) the original notice of an impending boundary action;
 - (B) the original certificate of dissolution; and
 - (C) a certified copy of the ordinance that dissolves the agency.
 - (b) Upon the lieutenant governor's issuance of the certificate of dissolution under Section 67-1a-6.5, the agency is dissolved.
 - (c) Within 10 days after receiving the certificate of dissolution from the lieutenant governor under Section 67-1a-6.5, the community legislative body shall send a copy of the certificate of dissolution and the ordinance adopted under Subsection (1) to the State Board of Education, and each taxing entity.
 - (d) The community legislative body shall publish a notice of dissolution in a newspaper of general circulation in the county in which the dissolved agency is located.
- (3) The books, documents, records, papers, and seal of each dissolved agency shall be deposited for safekeeping and reference with the recorder of the community that dissolved the agency.
- (4) The agency shall pay all expenses of the dissolution.

Renumbered and Amended by Chapter 350, 2016 General Session

17C-1-702 Project area dissolution.

- (1) Regardless of when a project area funds collection period ends, the project area remains in existence until:
 - (a) the agency adopts a resolution dissolving the project area; and
 - (b) the community legislative body adopts an ordinance dissolving the project area.

- (2) The ordinance described in Subsection (1)(b) shall include:
 - (a) the name of the project area; and
 - (b) a project area map or boundary description.
- (3) Within 30 days after the day on which the community legislative body adopts an ordinance described in Subsection (1)(b), the community legislative body shall:
 - (a) submit a copy of the ordinance to the county recorder of the county in which the dissolved project area is located; and
 - (b) mail or electronically submit a copy of the ordinance to the county auditor, the State Tax Commission, the State Board of Education, and each taxing entity that levies or imposes a tax on property within the dissolved project area.

Enacted by Chapter 350, 2016 General Session