

Effective 5/10/2016

17C-1-806 Requirements for notice provided by agency.

- (1) The notice required by Section 17C-1-805 shall be given by:
 - (a)
 - (i) publishing one notice, excluding the map referred to in Subsection (3)(b), in a newspaper of general circulation within the county in which the project area or proposed project area is located, at least 14 days before the hearing;
 - (ii) if there is no newspaper of general circulation, posting notice at least 14 days before the day of the hearing in at least three conspicuous places within the county in which the project area or proposed project area is located; or
 - (iii) posting notice, excluding the map described in Subsection (3)(b), at least 14 days before the day on which the hearing is held on:
 - (A) the Utah Public Notice Website described in Section 63F-1-701; and
 - (B) the public website of a community located within the boundaries of the project area; and
 - (b) at least 30 days before the hearing, mailing notice to:
 - (i) each record owner of property located within the project area or proposed project area;
 - (ii) the State Tax Commission;
 - (iii) the assessor and auditor of the county in which the project area or proposed project area is located; and
 - (iv)
 - (A) each member of the taxing entity committee, if applicable; or
 - (B) if a taxing entity committee has not been formed, the State Board of Education and the legislative body or governing board of each taxing entity.
- (2) The mailing of the notice to record property owners required under Subsection (1)(b)(i) shall be conclusively considered to have been properly completed if:
 - (a) the agency mails the notice to the property owners as shown in the records, including an electronic database, of the county recorder's office and at the addresses shown in those records; and
 - (b) the county recorder's office records used by the agency in identifying owners to whom the notice is mailed and their addresses were obtained or accessed from the county recorder's office no earlier than 30 days before the mailing.
- (3) The agency shall include in each notice required under Section 17C-1-805:
 - (a)
 - (i) a boundary description of the project area or proposed project area; or
 - (ii)
 - (A) a mailing address or telephone number where a person may request that a copy of the boundary description be sent at no cost to the person by mail, email, or facsimile transmission; and
 - (B) if the agency or community has an Internet website, an Internet address where a person may gain access to an electronic, printable copy of the boundary description and other related information;
 - (b) a map of the boundaries of the project area or proposed project area;
 - (c) an explanation of the purpose of the hearing; and
 - (d) a statement of the date, time, and location of the hearing.
- (4) The agency shall include in each notice under Subsection (1)(b):
 - (a) a statement that property tax revenues resulting from an increase in valuation of property within the project area or proposed project area will be paid to the agency for project area

development rather than to the taxing entity to which the tax revenues would otherwise have been paid if:

- (i) the taxing entity committee consents to the project area budget; and
 - (ii) the project area plan provides for the agency to receive tax increment; and
 - (b) an invitation to the recipient of the notice to submit to the agency comments concerning the subject matter of the hearing before the date of the hearing.
- (5) An agency may include in a notice under Subsection (1) any other information the agency considers necessary or advisable, including the public purpose achieved by the project area development and any future tax benefits expected to result from the project area development.

Renumbered and Amended by Chapter 350, 2016 General Session