

Effective 5/10/2016

17C-4-202 Resolution or interlocal agreement to provide project area funds for the community development project area plan -- Notice -- Effective date of resolution or interlocal agreement -- Time to contest resolution or interlocal agreement -- Availability of resolution or interlocal agreement.

- (1) The approval and adoption of each resolution or interlocal agreement under Subsection 17C-4-201(2) shall be in an open and public meeting.
- (2)
 - (a) Upon the adoption of a resolution or interlocal agreement under Section 17C-4-201, the agency shall provide notice as provided in Subsection (2)(b) by:
 - (i)
 - (A) publishing or causing to be published a notice in a newspaper of general circulation within the agency's boundaries; or
 - (B) if there is no newspaper of general circulation within the agency's boundaries, causing a notice to be posted in at least three public places within the agency's boundaries; and
 - (ii) publishing or causing to be published a notice on the Utah Public Notice Website created in Section 63F-1-701.
 - (b) Each notice under Subsection (2)(a) shall:
 - (i) set forth a summary of the resolution or interlocal agreement; and
 - (ii) include a statement that the resolution or interlocal agreement is available for public inspection and the hours of inspection.
- (3) The resolution or interlocal agreement shall become effective on the date of:
 - (a) if notice was published under Subsection (2)(a)(i)(A) or (2)(a)(ii), publication of the notice; or
 - (b) if notice was posted under Subsection (2)(a)(i)(B), posting of the notice.
- (4)
 - (a) For a period of 30 days after the effective date of the resolution or interlocal agreement under Subsection (3), any person may contest the resolution or interlocal agreement or the procedure used to adopt the resolution or interlocal agreement if the resolution or interlocal agreement or procedure fails to comply with applicable statutory requirements.
 - (b) After the 30-day period under Subsection (4)(a) expires, a person may not contest:
 - (i) the resolution or interlocal agreement;
 - (ii) a distribution of tax increment to the agency under the resolution or interlocal agreement; or
 - (iii) the agency's use of project area funds under the resolution or interlocal agreement.
- (5) Each agency that is to receive project area funds under a resolution or interlocal agreement under Section 17C-4-201 and each taxing entity that approves a resolution or enters into an interlocal agreement under Section 17C-4-201 shall make the resolution or interlocal agreement, as the case may be, available at the taxing entity's offices to the public for inspection and copying during normal business hours.

Amended by Chapter 350, 2016 General Session