

17D-1-202 Limitations on the creation of a special service district.

- (1) Subject to Subsection (2), the boundary of a proposed special service district may include all or part of the area within the boundary of the county or municipality that creates the special service district.
- (2)
 - (a) The boundary of a proposed special service district may not include an area included within the boundary of an existing special service district that provides the same service that the proposed special service district is proposed to provide.
 - (b) The boundary of a proposed special service district may not include an area included within the boundary of an existing local district that provides the same service that the proposed special service district is proposed to provide, unless the local district consents.
 - (c) A proposed special service district may not include land that will not be benefitted by the service that the special service district is proposed to provide, unless the owner of the nonbenefitted land consents to the inclusion.
 - (d) A county may not create a special service district that includes some or all of the area within a municipality unless the legislative body of that municipality adopts a resolution or ordinance consenting to the inclusion.
- (3) All areas included within a special service district need not be contiguous.

Enacted by Chapter 360, 2008 General Session