

53B-2-109 Notice to local government when constructing student housing.

- (1) Each institution that intends to construct student housing on property owned by the institution shall provide written notice of the intended construction, as provided in Subsection (2), before any funds are committed to the construction, if any of the proposed student housing buildings is within 300 feet of privately owned residential property.
- (2) Each notice under Subsection (1) shall be provided to the legislative body and, if applicable, the mayor of:
 - (a) the county in whose unincorporated area the privately owned residential property is located;
or
 - (b) the municipality in whose boundaries the privately owned residential property is located.
- (3)
 - (a)
 - (i) Within 21 days after receiving the notice required by Subsection (1), a county or municipality entitled to the notice may submit a written request to the institution for a public hearing on the proposed student housing construction.
 - (ii) Each county or municipality that submits a written request for a hearing under Subsection (3)(a) shall deliver a copy of the request to the Division of Facilities Construction and Management.
 - (b) If a county or municipality requests a hearing under Subsection (3)(a), the legislative body of the affected county or municipality and the institution shall jointly hold a public hearing to provide information to the public and to allow the institution and the county or municipality to receive input from the public about the proposed student housing construction.
 - (c) A public hearing held under Subsection (3)(a) satisfies the public hearing requirement of Subsection 63A-5-206(13)(b) for the same proposed student housing construction.

Enacted by Chapter 231, 2005 General Session