

Part 2
Requirements for Political Subdivisions

63L-4-201 Political subdivisions to adopt guidelines.

- (1) Each political subdivision shall enact an ordinance establishing guidelines to assist them in identifying actions involving the physical taking or exaction of private real property that may have constitutional taking issues.
- (2) Each political subdivision shall consider the guidelines required by this section when taking any action that might result in the physical taking or exaction of private real property.
- (3)
 - (a) The guidelines adopted under the authority of this section are advisory.
 - (b) A court may not impose liability upon a political subdivision for failure to comply with the guidelines required by this section.
 - (c) The guidelines neither expand nor limit the scope of any political subdivision's liability for a constitutional taking.

Renumbered and Amended by Chapter 382, 2008 General Session