

CLASSIFICATION OF CITIES AND TOWNS

2001 SECOND SPECIAL SESSION

STATE OF UTAH

Sponsor: Wayne A. Harper

This act modifies the Utah Municipal Code relating to the classification of cities and towns. The act provides for the reduction in classification of a municipality, at the request of the municipality, where a census or census estimate shows that the population of a city or town has fallen below the threshold level. The act provides an effective date.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

10-2-302, as repealed and reenacted by Chapter 318, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-2-302** is amended to read:

10-2-302. Change of class of municipality.

(1) Each municipality shall retain its classification under Section 10-2-301 until changed as provided in this section.

(2) The lieutenant governor shall monitor the population figure for each municipality as shown on:

(a) each official census or census estimate of the United States Bureau of the Census; or

(b) if the population figure for a municipality is not available from the United States Bureau of the Census, the population estimate from the Utah Population Estimates Committee.

(3) If the applicable population figure under Subsection (2) indicates that a municipality's population has increased beyond the limit for its current class, the lieutenant governor shall:

(a) prepare a certificate indicating the class in which the municipality belongs based on the increased population figure; and

(b) within ten days after preparing the certificate, deliver a copy of the certificate to the legislative body of the municipality whose class has changed.

(4) (a) If the applicable population figure under Subsection (2) indicates that a municipality's population has decreased below the limit for its current class, the legislative body

of the municipality may petition the lieutenant governor to prepare a certificate indicating the class in which the municipality belongs based on the decreased population figure.

(b) Upon receipt of a petition under Subsection (4)(a), the lieutenant governor shall prepare the certificate, and within ten days after preparing the certificate, deliver a copy of the certificate to the legislative body of the municipality whose class has changed.

[~~(4)~~] (5) A municipality's change in class is effective on the date of the lieutenant governor's certificate under Subsection (3) or (4).

Section 2. Effective date.

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.