

**Senator Ralph Okerlund** proposes the following substitute bill:

**MUNICIPAL BOUNDARY CLARIFICATION**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ralph Okerlund**

House Sponsor: Patrick Painter

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**LONG TITLE**

**General Description:**

This bill creates a process to clarify a municipal boundary.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a process to clarify a municipal boundary to:
  - resolve a discrepancy in the location of a municipal boundary generated by conflicting data and records; and
  - realign, as appropriate, the location of a municipal boundary to be more positionally accurate;
- ▶ sets a repeal date of July 1, 2014, to repeal the municipal boundary clarification process created in this bill;
- ▶ authorizes the legislative bodies of two adjacent municipalities to clarify their common municipal boundary by adopting a boundary clarification map proposed and prepared by the state cadastral surveyor;
- ▶ authorizes the legislative bodies of a municipality and a county to clarify the common boundary between the municipality and the unincorporated county by adopting a boundary clarification map proposed and prepared by the state cadastral



- 26 surveyor;
- 27       ▶ authorizes, in certain circumstances, the state cadastral surveyor to prepare and
- 28 propose a boundary clarification map;
- 29       ▶ establishes requirements for:
- 30             • a boundary clarification map;
- 31             • a public notice, including notice to affected private property owners;
- 32             • a public hearing and a public meeting;
- 33             • reporting a boundary clarification to the lieutenant governor and county
- 34 recorder; and
- 35             • the lieutenant governor's certification of a municipal boundary clarification;
- 36       ▶ clarifies the repository authority regarding geographic information system data
- 37 showing a graphical representation of the boundary of a political subdivision; and
- 38       ▶ makes technical corrections.

39 **Monies Appropriated in this Bill:**

40       None

41 **Other Special Clauses:**

42       None

43 **Utah Code Sections Affected:**

44 **AMENDS:**

45       **63F-1-506**, as last amended by Laws of Utah 2009, Chapter 350

46       **63F-1-507**, as last amended by Laws of Utah 2009, Chapter 350

47       **63I-2-210**, as last amended by Laws of Utah 2009, Chapter 205

48       **63I-2-267**, as renumbered and amended by Laws of Utah 2008, Chapter 382

49       **67-1a-6.5**, as repealed and reenacted by Laws of Utah 2009, Chapter 350

50 **ENACTS:**

51       **10-2-801**, Utah Code Annotated 1953

52       **67-1a-6.6**, Utah Code Annotated 1953



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

55       Section 1. Section **10-2-801** is enacted to read:

56   **Part 8. Municipal Boundary Clarification**

57 10-2-801. Municipal boundary clarification -- Limitations and requirements --  
58 Boundary clarification map -- Notice and public hearing -- Reporting -- Effective date.

59 (1) As used in this section:

60 (a) "Adjacent municipalities" means two municipalities whose boundaries:

61 (i) overlap;

62 (ii) touch; or

63 (iii) are separated only by a street or similar publicly owned property.

64 (b) "Affected property owner" means an owner of property whose property:

65 (i) is split by a municipal boundary on record in government boundary data; or

66 (ii) would be moved to the other side of the municipal boundary for any variant of a

67 municipal boundary in the government boundary data if that variant were adopted as the

68 clarified municipal boundary.

69 (c) "Border entity" means:

70 (i) in the case of two adjacent municipalities, each of the two municipalities; or

71 (ii) in the case of a municipality bordering an unincorporated part of the county, the

72 municipality and the county.

73 (d) "Border legislative body" means the legislative body of a border entity.

74 (e) "Boundary clarification map" means a map:

75 (i) created by, or under the direction of, the state cadastral surveyor to clarify a

76 municipal boundary; and

77 (ii) that meets the requirements of Subsection (7).

78 (f) "Boundary discrepancy" means a discrepancy in the location of a municipal

79 boundary:

80 (i) when comparing government boundary data; and

81 (ii) that occurred prior to January 1, 2010.

82 (g) "Clarify" or "clarification" means to clearly delineate and legally establish a

83 municipal boundary in order to:

84 (i) resolve a municipal boundary discrepancy; or

85 (ii) realign a municipal boundary.

86 (h) "Geographic information system" is as defined in Section 63F-1-502.

87 (i) "Government boundary data" means geographic information system data or other

88 boundary records kept by:

89 (i) a border entity;

90 (ii) for each county in which the municipal boundary that is proposed to be clarified is  
91 located:

92 (A) the county surveyor, if the county has a county surveyor;

93 (B) the county recorder; and

94 (C) the county's geographic information system department, or, if the county does not  
95 have a geographic information system department, a similar department;

96 (iii) the State Tax Commission;

97 (iv) the Office of the Lieutenant Governor; or

98 (v) the State Geographic Information Database.

99 (j) "Realign a municipal boundary" means to adjust a municipal boundary to follow a:

100 (i) street centerline;

101 (ii) parcel boundary; or

102 (iii) natural geographic feature, including a river or ridge line.

103 (k) "Signed boundary clarification map" means a boundary clarification map that has  
104 been:

105 (i) certified and signed by the state cadastral surveyor;

106 (ii) reviewed by each border legislative body; and

107 (iii) signed by the chair of each border legislative body.

108 (l) "Specified entities" means:

109 (i) each of the two border entities;

110 (ii) for each county in which the municipal boundary that is proposed to be clarified is  
111 located:

112 (A) the county surveyor, if the county has a county surveyor;

113 (B) the county recorder; and

114 (C) the county's geographic information system department, or, if the county does not  
115 have a geographic information system department, a similar department;

116 (iii) the State Tax Commission; and

117 (iv) the Office of the Lieutenant Governor.

118 (m) "State cadastral surveyor" means the surveyor whose position is established within

119 the Automated Geographic Reference Center under Section 63F-1-506.

120 (n) "State Geographic Information Database" means the database created under Section  
121 63F-1-507.

122 (o) "Street" is as defined in Subsection 41-1a-102(21).

123 (2) In accordance with this section, the border legislative bodies of two border entities  
124 may, with the state cadastral surveyor, clarify a common municipal boundary between the two  
125 border entities.

126 (3) The state cadastral surveyor, in consultation with specified entities, may propose  
127 for adoption by each border legislative body a boundary clarification map that, subject to  
128 Subsection (7), clarifies the common municipal boundary between the two border entities.

129 (4) When researching a boundary discrepancy, the state cadastral surveyor shall:

130 (a) review historical and current boundary records and data provided by:

131 (i) each border entity;

132 (ii) for each county in which the municipal boundary that is proposed to be clarified is  
133 located:

134 (A) the county recorder;

135 (B) the county surveyor, if the county has a county surveyor; and

136 (C) the county's geographic information system department, or, if the county does not  
137 have a geographic information system department, a similar department; and

138 (iii) the State Tax Commission;

139 (b) use information regarding taxation and delivery of municipal type services;

140 (c) use evidence gathered from geo-referenced aerial imagery if the imagery has a high  
141 level of positional accuracy;

142 (d) use the statewide parcel layer and other relevant data sets available from the county  
143 and the State Geographic Information Database; and

144 (e) use official county records from the affected entities.

145 (5) When proposing a realignment of a municipal boundary, the state cadastral  
146 surveyor:

147 (a) may not:

148 (i) split a residential unit; or

149 (ii) split a privately owned parcel, unless it was the intent of the original boundary to

150 split the parcel; and  
151 (b) shall:  
152 (i) use municipal boundary records from the county recorder;  
153 (ii) use geo-referenced aerial imagery if the imagery has a high level of positional  
154 accuracy;  
155 (iii) use parcel boundaries;  
156 (iv) move a boundary to a position that is most accurate after reviewing available  
157 government boundary data, geo-referenced aerial imagery, and parcel boundaries; and  
158 (v) move a boundary to the street centerline, if:  
159 (A) the boundary is parallel to the street with no privately owned property between the  
160 boundary and the street centerline; and  
161 (B) both border legislative bodies agree to move the boundary to the street centerline  
162 under Subsection (11).  
163 (6) Clarification of a municipal boundary does not affect property ownership.  
164 (7) A boundary clarification map shall:  
165 (a) contain and label a graphical representation depicting the location of the municipal  
166 boundary:  
167 (i) for the proposed clarification; and  
168 (ii) geographic information system data that reflects official records from:  
169 (A) each of the two border entities;  
170 (B) the State Geographic Information Database;  
171 (C) the county's geographic information system department, or, if the county does not  
172 have a geographic information system department, a similar department; and  
173 (D) the State Tax Commission;  
174 (b) contain a graphical representation depicting the location of the:  
175 (i) Public Land Survey System section corners;  
176 (ii) county parcels; and  
177 (iii) street centerlines;  
178 (c) show geo-referenced aerial imagery, as needed;  
179 (d) contain accurate boundary information for the proposed clarification sufficient to  
180 enable the county recorder to identify, for tax purposes, each tract or parcel included within the

- 181 boundary:
- 182 (e) be drawn to a scale so that all data are legible;
- 183 (f) be created on reproducible material that is:
- 184 (i) permanent in nature; and
- 185 (ii) the size and type specified by the county recorder; and
- 186 (g) contain:
- 187 (i) the names of the two border entities;
- 188 (ii) the name of each county within which any property depicted on the map is located;
- 189 (iii) a north arrow, legend, and graphic scale of the drawing;
- 190 (iv) the date that the map was prepared;
- 191 (v) a signature block for the signatures of:
- 192 (A) the state cadastral surveyor; and
- 193 (B) each chair of the two border legislative bodies; and
- 194 (vi) a three-inch by three-inch block in the lower, right-hand corner for the county
- 195 recorder's use when recording the map.
- 196 (8) For the purpose of considering a boundary clarification map proposed by the state
- 197 cadastral surveyor, each border legislative body shall hold a public hearing and provide notice
- 198 in accordance with Subsection (9).
- 199 (9) (a) Each border legislative body shall give notice of the date, time, and place of:
- 200 (i) the first public hearing to consider adoption of the boundary clarification map
- 201 described in Subsection (8); and
- 202 (ii) each subsequent public meeting held to consider adoption of the boundary
- 203 clarification map.
- 204 (b) The notice of a public hearing or public meeting under Subsection (9)(a)(i) shall:
- 205 (i) be posted:
- 206 (A) (I) in at least three public locations within the border entity; or
- 207 (II) on the border entity's official website; and
- 208 (B) on the Utah Public Notice Website established in Section 63F-1-701;
- 209 (ii) be mailed at least 10 calendar days before the day on which the public hearing is
- 210 held to each affected property owner; and
- 211 (iii) include a copy of the boundary clarification map of sufficient quality that an

212 affected property owner may clearly determine the location of the proposed boundary  
213 clarification.

214 (c) Each notice of a public hearing under Subsection (9)(a)(i) or a public meeting under  
215 Subsection (9)(a)(ii) shall comply with the requirements of Section 52-4-202 in addition to the  
216 requirements of this Subsection (9).

217 (10) (a) An affected property owner may, at or before the first public hearing described  
218 in Subsection (9)(a)(i), submit a written request that the border legislative body postpone, up to  
219 28 days after the day of the first public hearing, the decision on the boundary clarification map  
220 if the request is to allow the affected property owner:

221 (i) time to gather additional evidence; and

222 (ii) to present the evidence described in Subsection (10)(a)(i) to the border legislative  
223 body for its consideration.

224 (b) If a border legislative body receives a request under Subsection (10)(a), the border  
225 legislative body shall:

226 (i) postpone the decision for the time requested, not to exceed 40 days after the day on  
227 which the first public hearing is held;

228 (ii) within 40 days after the day on which the first public hearing was held, hold a  
229 public meeting to consider evidence presented by an affected property owner; and

230 (iii) at the public meeting described in Subsection (10)(b)(ii), allow each affected  
231 property owner submitting a written request under Subsection (10)(a) to present any new  
232 evidence before the border legislative body makes a decision on the boundary clarification  
233 map.

234 (11) (a) The border legislative body may adopt an ordinance approving the boundary  
235 clarification map as the boundary of the municipality:

236 (i) upon conclusion of the public hearing under Subsection (8);

237 (ii) at the subsequent public meeting under Subsection (10)(b)(ii); or

238 (iii) upon conclusion of the public hearing under Subsection (11)(b)(ii)(B)(I).

239 (b) (i) If a border legislative body determines that the boundary clarification depicted in  
240 the boundary clarification map is inaccurate, the border legislative body shall forward any new  
241 information to the:

242 (A) other border legislative body; and



243 (B) state cadastral surveyor.  
244 (ii) (A) After review of any new information received under Subsection (11)(b)(i), the  
245 state cadastral surveyor may, in consultation with specified entities, prepare a revised boundary  
246 clarification map for adoption by each of the two border legislative bodies.  
247 (B) A border legislative body that receives a revised boundary clarification map under  
248 Subsection (11)(b)(ii)(A) shall:  
249 (I) hold a public hearing to consider the revised boundary clarification map; and  
250 (II) give notice of the public hearing under Subsection (11)(b)(ii)(B)(I) in accordance  
251 with Subsection (9).  
252 (12) An ordinance adopted under Subsection (11)(a) is not effective until:  
253 (a) each border legislative body involved in the boundary clarification has adopted an  
254 ordinance under Subsection (11)(a); and  
255 (b) the lieutenant governor issues a certificate of boundary clarification under Section  
256 67-1a-6.6.  
257 (13) Each border legislative body that enacts an ordinance under this section approving  
258 the boundary clarification shall:  
259 (a) within 30 days after the day on which the last border legislative body involved in  
260 the boundary clarification has enacted an ordinance under Subsection (11)(a), file with the  
261 lieutenant governor:  
262 (i) a notice of an impending boundary clarification, as defined in Section 67-1a-6.6,  
263 that meets the requirements of Subsection 67-1a-6.6(3);  
264 (ii) a copy of the signed boundary clarification map; and  
265 (iii) a copy of the ordinance approving the boundary clarification; and  
266 (b) upon the lieutenant governor's issuance of a certificate of boundary clarification  
267 under Section 67-1a-6.6, submit to the county recorder:  
268 (i) the original notice of an impending boundary clarification;  
269 (ii) the original certificate of boundary clarification;  
270 (iii) the original signed boundary clarification map; and  
271 (iv) a certified copy of the ordinance approving the boundary clarification.  
272 (14) A boundary clarification under this section is completed and takes effect on the  
273 date of the lieutenant governor's issuance of a certificate of boundary clarification under

274 Section 67-1a-6.6.

275 (15) Each specified entity shall update its records and data to reflect a clarified  
276 boundary completed under Subsection (14).

277 (16) Nothing in this section may be construed to give authority to modify the boundary  
278 of a municipality when any of the following statutes is a more applicable statute to modify the  
279 municipal boundary:

280 (a) Part 4, Annexation;

281 (b) Part 5, Restriction of Municipal Limits; or

282 (c) Section 10-2-419.

283 Section 2. Section **63F-1-506** is amended to read:

284 **63F-1-506. Automated Geographic Reference Center.**

285 (1) There is created the Automated Geographic Reference Center as part of the  
286 division.

287 (2) The center shall:

288 (a) provide geographic information system services to state agencies under rules  
289 adopted in accordance with Section 63F-1-504 and policies established by the division;

290 (b) provide geographic information system services to federal government, local  
291 political subdivisions, and private persons under rules and policies established by the division;

292 (c) manage the State Geographic Information Database; and

293 (d) establish standard format, lineage, and other requirements for the database.

294 (3) (a) There is created a position of surveyor within the center.

295 (b) The surveyor under this Subsection (3) shall:

296 (i) be licensed as a professional land surveyor under Title 58, Chapter 22, Professional  
297 Engineers and Land Surveyors Licensing Act;

298 (ii) provide technical support to the office of lieutenant governor in the lieutenant  
299 governor's evaluation under Section 67-1a-6.5 of a proposed boundary action, as defined in  
300 Section 17-23-20;

301 (iii) research and propose a clarification of a municipal boundary under Section  
302 10-2-801, as needed;

303 [~~(iii)~~] (iv) as requested by a county surveyor, provide technical assistance to the county  
304 surveyor with respect to the county surveyor's responsibilities under Section 17-23-20;

305 [~~(iv)~~] (v) fulfill the duties described in Section 17-50-105, if engaged to do so as  
306 provided in that section;

307 [~~(v)~~] (vi) assist the State Tax Commission in processing and quality assurance of  
308 boundary descriptions or maps into digital format for inclusion in the State Geographic  
309 Information Database;

310 [~~(vi)~~] (vii) coordinate with county recorders and surveyors to create a statewide parcel  
311 layer in the State Geographic Information Database containing parcel boundary, parcel  
312 identifier, parcel address, owner type, and county recorder contact information; and

313 [~~(vii)~~] (viii) facilitate and integrate the collection efforts of local government and  
314 federal agencies for data collection to densify and enhance the statewide Public Land Survey  
315 System reference network in the State Geographic Information Database.

316 (4) The division may:

317 (a) make rules and establish policies to govern the center and its operations; and

318 (b) set fees for the services provided by the center.

319 (5) The state may not sell information obtained from counties under Subsection

320 (3)(b)[~~(v)~~](vii).

321 Section 3. Section **63F-1-507** is amended to read:

322 **63F-1-507. State Geographic Information Database.**

323 (1) There is created a State Geographic Information Database to be managed by the  
324 center.

325 (2) The database shall:

326 (a) serve as the central reference for all information contained in any GIS database by  
327 any state agency;

328 (b) serve as a clearing house and repository for all data layers required by multiple  
329 users;

330 (c) serve as a standard format for geographic information acquired, purchased, or  
331 produced by any state agency; and

332 (d) include an accurate representation of all civil subdivision boundaries of the state.

333 (3) The boundary of a political subdivision within the database is the official boundary  
334 of the political subdivision for administrative purposes, including geographic data analysis that  
335 supports state administrative functions relating to:

- 336 (a) revenue collection;
- 337 (b) disbursement of funds;
- 338 (c) location-based jurisdictional information services and applications;
- 339 (d) data quality control processes; and
- 340 (e) cartographic referencing.

341 ~~[(3)]~~ (4) Each state agency that acquires, purchases, or produces digital geographic  
342 information data shall:

- 343 (a) inform the center of the existence of the data layers and their geographic extent;
- 344 (b) allow the center access to all data classified public; and
- 345 (c) comply with any database requirements established by the center.

346 ~~[(4) At least annually, the State Tax Commission shall deliver to the center information~~  
347 ~~the State Tax Commission receives under Section 67-1a-6.5 relating to the creation or~~  
348 ~~modification of the boundaries of political subdivisions.]~~

349 (5) The boundary of a political subdivision within the State Geographic Information  
350 Database is the official boundary of the political subdivision for purposes of meeting the needs  
351 of the United States Bureau of the Census in identifying the boundary of the political  
352 subdivision.

353 Section 4. Section **63I-2-210** is amended to read:

354 **63I-2-210. Repeal dates -- Title 10.**

355 (1) Section 10-2-801 is repealed July 1, 2014.

356 (2) Subsection 10-9a-305(2) is repealed July 1, 2013.

357 Section 5. Section **63I-2-267** is amended to read:

358 **63I-2-267. Repeal dates -- Title 67.**

359 Section 67-1a-6.6 is repealed July 1, 2014.

360 Section 6. Section **67-1a-6.5** is amended to read:

361 **67-1a-6.5. Certification of local entity boundary actions.**

362 (1) As used in this section:

363 (a) "Applicable certificate" means:

364 (i) for the impending incorporation of a city, town, local district, or conservation  
365 district, a certificate of incorporation;

366 (ii) for the impending creation of a county, school district, special service district,

- 367 community development and renewal agency, or interlocal entity, a certificate of creation;
- 368 (iii) for the impending annexation of territory to an existing local entity, a certificate of  
369 annexation;
- 370 (iv) for the impending withdrawal or disconnection of territory from an existing local  
371 entity, a certificate of withdrawal or disconnection, respectively;
- 372 (v) for the impending consolidation of multiple local entities, a certificate of  
373 consolidation;
- 374 (vi) for the impending division of a local entity into multiple local entities, a certificate  
375 of division;
- 376 (vii) for the impending adjustment of a common boundary between local entities, a  
377 certificate of boundary adjustment; and
- 378 (viii) for the impending dissolution of a local entity, a certificate of dissolution.
- 379 (b) "Approved final local entity plat" means a final local entity plat, as defined in  
380 Section 17-23-20, that has been approved under Section 17-23-20 as a final local entity plat by  
381 the county surveyor.
- 382 (c) "Approving authority" [~~has the same meaning~~] is as defined in Section 17-23-20.
- 383 (d) "Boundary action" [~~has the same meaning~~] is as defined in Section 17-23-20.
- 384 (e) "Center" means the Automated Geographic Reference Center created under Section  
385 63F-1-506.
- 386 (f) "Community development and renewal agency" [~~has the same meaning~~] is as  
387 defined in Section 17C-1-102.
- 388 (g) "Conservation district" [~~has the same meaning~~] is as defined in Section 17D-3-102.
- 389 (h) "Interlocal entity" [~~has the same meaning~~] is as defined in Section 11-13-103.
- 390 (i) "Local district" [~~has the same meaning~~] is as defined in Section 17B-1-102.
- 391 (j) "Local entity" means a county, city, town, school district, local district, community  
392 development and renewal agency, special service district, conservation district, or interlocal  
393 entity.
- 394 (k) "Notice of an impending boundary action" means a written notice, as described in  
395 Subsection (3), that provides notice of an impending boundary action.
- 396 (l) "Special service district" [~~has the same meaning~~] is as defined in Section  
397 17D-1-102.

398           (m) "State Geographic Information Database" means the database created under  
399 Section 63F-1-507.

400           (2) Within 10 days after receiving a notice of an impending boundary action, the  
401 lieutenant governor shall:

402           (a) (i) issue the applicable certificate, if:

403               (A) the lieutenant governor determines that the notice of an impending boundary action  
404 meets the requirements of Subsection (3); and

405               (B) except in the case of an impending local entity dissolution, the notice of an  
406 impending boundary action is accompanied by an approved final local entity plat;

407           (ii) send the applicable certificate to the local entity's approving authority;

408           (iii) return the original of the approved final local entity plat to the local entity's  
409 approving authority;

410           (iv) send a copy of the applicable certificate and approved final local entity plat to:

411               (A) the State Tax Commission;

412               (B) the center; and

413               (C) the county assessor, county surveyor, county auditor, and county attorney of each  
414 county in which the property depicted on the approved final local entity plat is located; and

415           (v) send a copy of the applicable certificate to the state auditor, if the boundary action  
416 that is the subject of the applicable certificate is:

417               (A) the incorporation or creation of a new local entity;

418               (B) the consolidation of multiple local entities;

419               (C) the division of a local entity into multiple local entities; or

420               (D) the dissolution of a local entity; or

421           (b) (i) send written notification to the approving authority that the lieutenant governor  
422 is unable to issue the applicable certificate, if:

423               (A) the lieutenant governor determines that the notice of an impending boundary action  
424 does not meet the requirements of Subsection (3); or

425               (B) the notice of an impending boundary action is:

426                   (I) not accompanied by an approved final local entity plat; or

427                   (II) accompanied by a plat or final local entity plat that has not been certified as a final  
428 local entity plat by the county surveyor under Section 17-23-20; and

429 (ii) explain in the notification under Subsection (2)(b)(i) why the lieutenant governor is  
430 unable to issue the applicable certificate.

431 (3) Each notice of an impending boundary action shall:

432 (a) be directed to the lieutenant governor;

433 (b) contain the name of the local entity or, in the case of an incorporation or creation,  
434 future local entity, whose boundary is affected or established by the boundary action;

435 (c) describe the type of boundary action for which an applicable certificate is sought;  
436 and

437 (d) (i) contain a statement, signed and verified by the approving authority, certifying  
438 that all [~~requirements applicable to the~~] boundary action requirements have been met; or

439 (ii) in the case of the dissolution of a municipality, be accompanied by a certified copy  
440 of the court order approving the dissolution of the municipality.

441 (4) The lieutenant governor may require the approving authority to submit [~~a paper or  
442 electronic copy of~~] a notice of an impending boundary action and approved final local entity  
443 plat [~~in conjunction with the filing of the original of those documents.~~] in:

444 (a) a paper format;

445 (b) an electronic format; or

446 (c) any combination of a paper or electronic format.

447 (5) (a) The lieutenant governor shall:

448 (i) keep, index, maintain, and make available to the public each notice of an impending  
449 boundary action, approved final local entity plat, applicable certificate, and other document that  
450 the lieutenant governor receives or generates under this section;

451 (ii) make a copy of each document listed in Subsection (5)(a)(i) available on the  
452 Internet for 12 months after the lieutenant governor receives or generates the document;

453 (iii) furnish a paper copy of any of the documents listed in Subsection (5)(a)(i) to any  
454 person who requests a paper copy; and

455 (iv) furnish a certified copy of any of the documents listed in Subsection (5)(a)(i) to  
456 any person who requests a certified copy.

457 (b) The lieutenant governor may charge a reasonable fee for a paper copy or certified  
458 copy of a document that the lieutenant governor provides under this Subsection (5).

459 (6) (a) The center is the repository for geographic information system data regarding

460 the boundary of a political subdivision.

461 (b) The center shall update the State Geographic Information Database with:

462 (i) a boundary action under this section; and

463 (ii) a boundary clarification as defined in Section 10-2-801.

464 (c) A political subdivision boundary in the State Geographic Information Database is  
465 the official boundary of the political subdivision for administrative purposes, including  
466 purposes listed in Subsection 63F-1-507(3).

467 Section 7. Section **67-1a-6.6** is enacted to read:

468 **67-1a-6.6. Certification of municipal boundary clarifications.**

469 (1) As used in this section:

470 (a) "Approving authority" means a border legislative body as defined in Section  
471 10-2-801.

472 (b) "Center" means the Automated Geographic Reference Center created under Section  
473 63F-1-506.

474 (c) "Clarification" is as defined in Section 10-2-801.

475 (d) "Local entity" means a border entity as defined in Section 10-2-801.

476 (e) "Notice of an impending boundary clarification" means a written notice described  
477 in Subsection (3).

478 (f) "Signed boundary clarification map" is as defined in Section 10-2-801.

479 (2) Within 10 days after the day on which the lieutenant governor receives the last of  
480 the two notices of an impending boundary clarification from the local entities involved in a  
481 boundary clarification, the lieutenant governor shall:

482 (a) (i) issue a certificate of boundary clarification, if:

483 (A) the lieutenant governor determines that each of the two notices of an impending  
484 boundary clarification meet the requirements of Subsection (3); and

485 (B) at least one of the notices of an impending boundary clarification is accompanied  
486 by a signed boundary clarification map;

487 (ii) email or send the certificate of boundary clarification to each local entity's  
488 approving authority; and

489 (iii) email or send a copy of the certificate of boundary clarification and signed  
490 boundary clarification map to:



- 491 (A) the State Tax Commission;
- 492 (B) the center; and
- 493 (C) for each county in which the property depicted on the signed boundary clarification
- 494 map is located:
- 495 (I) the county assessor;
- 496 (II) the county surveyor;
- 497 (III) the county auditor; and
- 498 (IV) the county attorney; or
- 499 (b) (i) email or send written notification to the approving authority that the lieutenant
- 500 governor is unable to issue a certificate of boundary clarification, if:
- 501 (A) the lieutenant governor determines that the notice of an impending boundary
- 502 clarification does not meet the requirements of Subsection (3); or
- 503 (B) the notice of an impending boundary clarification is not accompanied by a signed
- 504 boundary clarification map; and
- 505 (ii) explain in the notification under Subsection (2)(b)(i) why the lieutenant governor is
- 506 unable to issue a certificate of boundary clarification.
- 507 (3) Each notice of an impending boundary clarification shall:
- 508 (a) be directed to the lieutenant governor;
- 509 (b) contain the name of each local entity whose boundary is modified by the boundary
- 510 clarification;
- 511 (c) request the lieutenant governor to issue a certificate of boundary clarification; and
- 512 (d) contain a statement, signed and verified by the approving authority, certifying that
- 513 all boundary clarification requirements have been met.
- 514 (4) The lieutenant governor may require the approving authority to submit a notice of
- 515 an impending boundary clarification and a signed boundary clarification map in:
- 516 (a) a paper format;
- 517 (b) an electronic format; or
- 518 (c) a combination of Subsections (4)(a) and (b).
- 519 (5) (a) The lieutenant governor shall comply with the requirements of Subsection
- 520 67-1a-6.5(5) as if the boundary clarification were a boundary action.
- 521 (b) The center shall comply with the requirements of Subsection 67-1a-6.5(6) as if the

522 boundary clarification were a boundary action.

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**S.B. 199 1st Sub. (Green) - Municipal Boundary Clarification**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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