

55 ~~[(b)(i)]~~ (ii) (A) the [municipality] city or town consents in writing to the development;
56 or

57 ~~[(ii)(A)]~~ (B) within 90 days after the county's notification of the proposed
58 development, the [municipality] city or town submits to the county a written objection to the
59 county's approval of the proposed development~~[-and (B)]~~ and the county responds in writing to
60 the [municipality's] city or town's objections.

61 **(b) ~~§~~ → In a county of the first class, ~~←~~ §** Subsection (5)(a) does not apply to:

62 (i) commercial or industrial development within a mining protection area as defined in
63 Section 17-41-101, regardless of whether the commercial or industrial development is for a
64 mining use as defined in Section 17-41-101; or

65 (ii) urban development consisting of 500 or more acres of rural real property as defined
66 in Section 17B-2a-1107.

67 (6) (a) An annexation petition may not be filed under this part proposing the
68 annexation of an area located in a county that is not the county in which the proposed annexing
69 municipality is located unless the legislative body of the county in which the area is located has
70 adopted a resolution approving the proposed annexation.

71 (b) Each county legislative body that declines to adopt a resolution approving a
72 proposed annexation described in Subsection (6)(a) shall provide a written explanation of its
73 reasons for declining to approve the proposed annexation.

74 (7) (a) As used in this Subsection (7), "airport" means an area that the Federal Aviation
75 Administration has, by a record of decision, approved for the construction or operation of a
76 Class I, II, or III commercial service airport, as designated by the Federal Aviation
77 Administration in 14 C.F.R. Part 139.

78 (b) A municipality may not annex an unincorporated area within 5,000 feet of the
79 center line of any runway of an airport operated or to be constructed and operated by another
80 municipality unless the legislative body of the other municipality adopts a resolution
81 consenting to the annexation.

82 (c) A municipality that operates or intends to construct and operate an airport and does
83 not adopt a resolution consenting to the annexation of an area described in Subsection (7)(b)
84 may not deny an annexation petition proposing the annexation of that same area to that
85 municipality.