**RESOLUTION NO. \_\_\_\_**

**A Resolution of the Board of County Commissioners of Weber County CREATING AN OVERLAY DISTRICT FOR MUNICIPAL-TYPE SERVICES TO BE PROVIDED AND FOR THE ASSOCIATED TAXES TO BE LEVIED**

**WHEREAS,** in December 2012, the Board of County Commissioners of Weber County (“Commission”) created a municipal services area pursuant to Utah Code chapter 17-34, Municipal-Type Services to Unincorporated Areas, Utah Code Annotated, 1953, as amended; and

**WHEREAS,** the boundaries of that municipal services area included all areas of unincorporated Weber County, which would adjust from time to time due to annexations and de-annexations; and

**WHEREAS,** the municipal services area was created so that a tax could be levied on properties within it for the purpose of providing funding for various municipal-type services authorized by state statute; and

**WHEREAS,** Utah Code Ann. § 17-34-3(2)(a) authorizes the Commission to establish “a district or districts” within the unincorporated areas of the county for the purpose of levying taxes, service charges, and fees to fund municipal-type services provided in those areas; and

**WHEREAS,** the provision of certain municipal-type services, such as snow removal, costs significantly more for county roads in the mountainous area beyond the north terminus of SR-158; and

**WHEREAS,** the Commission now finds it to be in the public’s interest to create an overlay district, with accompanying taxes levied, to help defray the added costs of providing municipal-type services in the mountainous area beyond the north terminus of SR-158;

**NOW THEREFORE,** the Board of County Commissioners of Weber County, acting under authority of Utah Code Ann. § 17-34-3(2)(a) and other applicable laws, hereby resolves as follows:

1. The existing municipal services area will continue to exist, comprising the entire unincorporated part of Weber County.
2. The Mountain Road Overlay District is hereby created and established as a separate district, as described in Utah Code Ann. § 17-34-3(2)(a), for the purpose of levying additional taxes, service charges, or fees for the provision of municipal-type services.
3. The boundaries of the Mountain Road Overlay District are set forth in Exhibit A, which is attached to this Resolution. These boundaries shall not include any areas that are included within the boundaries of any incorporated city or town. If any property within the District is later annexed into an incorporated municipality, the District’s boundaries shall automatically be adjusted to exclude the annexed property. If the District boundary splits a parcel, the entire parcel shall be considered to be in the District if the property receives municipal-type services through the District area.
4. The County shall continue to provide the same municipal-type services that it currently provides in the Mountain Road Overlay District area. Any future changes to the types of services provided shall be made in accordance with state law.
5. The County will separately budget and account for all revenues and expenditures related to the Mountain Road Overlay District in the County’s existing municipal services fund, or in a separate municipal services fund, as required by state law. All taxes levied in the new District shall be done in the same manner as other taxes of the County. Revenues generated from taxes, service charges, and fees levied under Utah Code chapter 17-34 shall continue to be used only to pay for services that are provided in the unincorporated areas of Weber County.
6. The various offices of the County are directed to comply with all statutory requirements for establishing the Mountain Road Overlay District and levying the appropriate taxes.

Resolved this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS

OF WEBER COUNTY

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gage Froerer, Chair

Commissioner Froerer voted \_\_\_\_\_\_

Commissioner Harvey voted \_\_\_\_\_\_

Commissioner Jenkins voted \_\_\_\_\_\_

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ricky Hatch, CPA

Weber County Clerk/Auditor

**EXHIBIT A**

[INSERT LEGAL DESCRIPTIONS AND MAP EXHIBIT]