

Bond Case Briefs

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ANNEXATION. - UTAH

Summit County v. Town of Hideout

Supreme Court of Utah - June 13, 2024 - P.3d - 2024 WL 2967609 - 2024 UT 16

County brought declaratory judgment action against town challenging town's annexation of unincorporated area in county without an annexation petition and without county's consent, alleging violations of annexation code, Municipal Land Use, Development, and Management Act (LUDMA), and Open and Public Meetings Act (OPMA).

The Fourth District Court denied town's motion for summary judgment based on standing, granted county's summary judgment motion on a merits issue, and denied reconsideration. Town appealed.

The Supreme Court held that:

- Annexation code did not provide county with a legally protectible interest as a basis for standing;
- County Land Use, Development, and Management Act (CLUDMA) did not provide basis for standing;
- Statutes concerning a county's general enforcement authority did not provide basis for standing;
- OPMA section giving county attorneys authority to enforce OPMA did not provide basis for standing;
- LUDMA sections concerning judicial review of land-use regulations did not provide basis for standing; and
- County could not use public interest standing to overcome its lack of statutory standing.