

Bond Case Briefs

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Burr v. City of Orem

Supreme Court of Utah - August 30, 2013 - P.3d - 2013 UT 57

City residents brought action challenging proposed language for referendum ballot title, asserting three challenges to the language: (1) the language failed to give a true and impartial statement of the purpose of the measure by failing to mention UTOPIA, a city-owned telecommunications network, (2) the title created an argument for the measure by minimizing the perceived burden on businesses, and (3) the wording was otherwise “unsatisfactory” in that it sought to hide from the voters the causal connection between the UTOPIA bond obligation and the requested tax rate increase.

The Supreme Court of Utah held that:

- Supreme Court’s review of a referendum ballot title encompasses requirements that the ballot title gives a true and impartial statement of the purpose of the measure, that the ballot title not exceed 100 words in length, and that the ballot title be submitted by the stated deadline; abrogating *Walker v. Weber County*, 973 P.2d 927, and
- Content of title satisfied requirement to present a true and impartial statement of purpose of resolution.