ORDINANCE NO. 2000-05

AN ORDINANCE ADOPTING A WENDOVER CITY BUSINESS LICENSE FEE SCHEDULE

RECITALS

A. The City of Wendover has conducted a study of its costs to provide services to businesses in the City, including costs to the City for businesses that use a disproportionate level of police services.

B. The City is authorized by law to collect licensing fees from businesses located in the City.

C. The Governing Body of the City now desires to adopt amended regulations on business licensing and fees to be collected by the City

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WENDOVER, TOOELE COUNTY, UTAH AS FOLLOWS:

Section 1. Adoption of Ordinance. An Ordinance relating to business license fees in the City of Wendover, Utah is adopted, to read in its entirety as set forth in Exhibit "A" attached hereto.

Section 2. Approval of Fee Study. The business license fee study performed by the City staff and requested by the governing body is hereby approved.

Section 3. Penalty and Remedies. In addition to any remedies described in the City's Business License Ordinance any person who violates the requirements of this Ordinance shall be guilty of a Class B misdemeanor, and subject to the penalties provided by law. The City is authorized to initiate a civil action to enforce the collection of fees described herein. In the event a civil action is filed to enforce the provision of this Ordinance, the City shall be entitled to recover its costs and attorney's fees.

Section 4. Severability. If any section, paragraph, clause or provision of this ordinance shall be held invalid, unlawful or unenforceable, the same shall not effect the validity or enforceability of the remaining provisions of this Ordinance.

Section 5. Effective Date. This ordinance shall become effective immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WENDOVER, TOOELE COUNTY, UTAH THIS 18 DAY OF AUGUST, 2000.

THE CITY OF WENDOVER

BY: Stephen B. Perry

STEPHEN B. PERRY
MAYOR

ATTEST:

Margaret L. Wheeler

MARGARET WHEELER
CITY RECORDER

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August 17, 2000

Margaret Wheeler
City of Wendover
P.O. Box 430
Wendover, Utah 84083

Re: Ordinance No. 2000-05
Business License Fees

Dear Margaret:

I am enclosing the original of Ordinance No. 2000-05 relating to business license fees for the City. This contains the revisions discussed in the council meeting last night and approved by the City Council.

Please present this to Mayor Perry and obtain his signature. When this is done, please mail a photocopy to me.

Sincerely,

Mark Fitzgerald Bell

enclosure

EXHIBIT "A"

WENDOVER CITY BUSINESS LICENSE FEES

1-101. BUSINESS LICENSE FEE SCHEDULE -- TITLE, PURPOSES AND ADOPTION OF FEES.

(1) Title. This Chapter shall be known as the "Wendover City Business License Fee Schedule."

(2) Purposes. The purpose of this Chapter is to: (a) create and designate fees to be applied for business licenses in the City of Wendover; (b) to consolidate all business licensing fees and charges of the City into a single ordinance or resolution; and (c) to simplify and clarify all business license fees in the City of Wendover.

(3) Adoption of Fees. The fees listed in this Chapter are hereby imposed as set forth herein. The fees described herein may be changed from time to time by ordinance or resolution of the Wendover City Council.

1-102. BUSINESS LICENSE FEES. The following fees shall be assessed by the City and paid by all businesses requiring a license under the City's Business license ordinance.

A.	Base Licensing Fee: General base licensing fee for all businesses, including home occupations, solicitors, peddlers and transient merchants, and businesses defined by City ordinances as "interior businesses" and "junior businesses".	$50.00
B.	Special Regulatory Fee. For pawn shops operating within the City	$220.00
C.	Disproportionate Impact Fees. The following fees shall be Assessed and paid by businesses in the categories described below:	
	Rentals-Residential (per unit -- only on rentals of 3 or more units)	$5.90/unit
	Motels and overnight lodging, to include recreational vehicle spaces	$2.91/unit
	24 Hour retail sales - C-Stores; Gas Stations & Grocery	$377.00
D.	The following additional fees shall be paid by businesses:	
	Reissue license, name change or address change	15.00
	Bonds, permits, deposits, etc.: As required by other City ordinances or otherwise by law.	

1-103. MAYOR AND CITY COUNCIL AUTHORITY TO AMEND CONSOLIDATED FEE SCHEDULE.

(1) The Mayor, with the advice and consent of the City Council, shall have the authority to impose new fees as are deemed lawful, appropriate or necessary. Said fees may be implemented by ordinance or resolution duly adopted by the City Council.

(2) Any fee added to or amended under this Section shall be effective as specified in the ordinance or resolution implementing the fee. In the event of any change to or addition of any fee, the Mayor shall cause the Fee Schedule on file with the office of the City Recorder to be amended to include the new fee.

1-104. OTHER FEES.

It is not intended by the provisions herein repeal, abrogate, annul or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws, except to effect modification of the specific fees reflected herein. The fees listed in this Fee Schedule supersede present fees for the matters specified, but all fees not listed herein continue to remain in effect. Where this Chapter imposes a higher fee than is imposed or required by existing provisions of resolution, ordinance, or law, the provisions of this Chapter shall control.

1-105. ADJUSTMENT OF FEES

Should any business licensee be aggrieved by the imposition of any fee described herein, he shall be entitled to request an adjustment of said fee by petition to the Board of Adjustment, or other entity approved by the City for considering adjustments in business licensing charges. The adjustment of fees shall be consistent with the rules and regulations governing the Board of Adjustment or other entity created for that purpose.