

**HARRISVILLE CITY
ORDINANCE 556**

GOOD BUSINESS PROGRAM REPEALED

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, REPEALING GOOD
BUSINESS PROGRAMS; MAKE TECHNICAL CHANGES;
SEVERABILITY; AND PROVIDE AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, *Utah Code Annotated* §10-1-203 states "the legislative body of a municipality may license for the purpose of regulation and revenue any business within the limits of the municipality and may regulate that business by ordinance."

WHEREAS, the City Council finds it necessary to update the municipal code in order to keep the municipal code modern, current with state law, and to protect public health, safety, and welfare;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

Section 1: Repealer. Title 3 is hereby repealed as set forth herein.

Section 2: Amendment. Title 3 of the *Harrisville Municipal Code* are hereby amended to read as follows:

3.01.060 Business License Fees

Any business license fees imposed and levied shall be on an annual basis by the classification of business specified the Business License Fee Schedule as determined by the Study, and shall be administered as follows:

1. Fees imposed. The Business License Fee Schedule set forth in the Study is hereby adopted and incorporated herein by this reference for each classification of business identified therein as determined by the licensing officer. Said Business License Fee Schedule is hereby imposed as the business license fee upon each respective classification of business set forth in the Schedule. The Schedule may be updated or amended from time-to-time.
2. Fee adjustment. The city administrator may, in consultation with the licensing authority, make minor or temporary fee adjustments for good cause, unreasonable hardship, or considerations of basic fairness on a case-by-case basis.
3. Programs. The city may adjust license fees as provided herein:

1. Phasing. Upon request by a business, increases in the schedule may be phased in over a two (2) year period. Phasing does not apply to residential rental businesses.
2. Programs. Businesses participating in a program offered by the City, subject to being in good standing, are eligible for program and fee discounts as follows:
 1. Chapter 3.15 provides for the "Good Landlord Program" for residential rentals. In order for a residential rental business to obtain any program reductions, the rental business shall complete and follow an agreement relating to such programs. If the licensing officer or enforcement authority discovers that an affidavit for the program reduction was incorrect or falsified by a rental business, then that rental business shall not be eligible for the fee reduction or discount for the next business license renewal year.
 2. ~~"Good Business Programs"~~
 1. ~~Large retail is eligible for an fifty percent (50%) asset protection discount based upon the implementation of an "asset protection program" that includes employing an asset protection team and providing appropriate industry standard security measures.~~
 2. ~~As a measure to encourage business activities that may decrease the disproportional impact, the Police Department, in conjunction with the licensing authority, shall coordinate and implement a Good Business Program curriculum for all businesses, other than large retail, desiring to voluntarily participate in such a program. The licensing authority shall develop a Schedule providing up to a twenty five percent (25%) fee discount for businesses participating in the Good Business Program and its curriculum.~~
4. Payment of license fee. Any applicant must include the fee with any application upon filing of an application. The fee shall be in an amount equal to the fee designated on the Schedule for the classification of the business as assigned by the licensing officer. No license shall issue until all fees are paid.
5. Prorated license fee. The applicant of a new business starting after January 1 that is issued a business license for the unexpired portion of the calendar year may request the license fees be calculated prorated based upon the remainder portion of the calendar year so long as this request is made contemporaneous with filing of the application.
6. License renewal. Annual business license renewal shall include payment of the appropriate licensing fee based upon the classification of the business.
7. Late fees. The following late fees apply to any person who engages in business prior to submitting a completed application and payment of all fees or fails to renew a license after such expires:
 1. Within 30 days of the fee due date, the late fee shall be the license fee, plus 25% of the total specified fee for said license.
 2. After 30 days of the fee due date, the license or renewal fee shall be the license fee plus 50% of the total specified fee for said license.
8. Fees generally. The license fee and any late fees shall continue to accrue each year that the business operates without a license, except where such accrual is waived by the licensing authority for good cause. Any license fee, and all late fees and penalties thereon, shall constitute a debt to the city and may be collected by court proceedings in the same manner as any other debt or may be turned over to a collection agency, which remedy shall be in

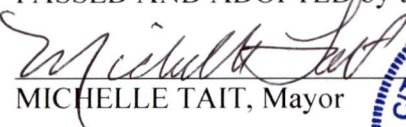
addition to all other existing remedies. The payment of late fees does not relieve any person from fully complying with all other requirements of law, nor from any other prescribed penalties provided by the municipal code.

9. Refund policy. Unless otherwise provided herein, no business license fee is refundable for any reason whatsoever, once the license has been issued. If a license is denied or the application is withdrawn by applicant before approval, the applicant shall be entitled to a refund, less the base license fee amount, which shall be retained to offset application processing costs.

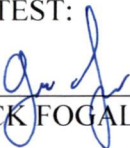
Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance will take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this 14 day of May, 2024.


MICHELLE TAIT, Mayor

ATTEST:


JACK FOGAL, City Recorder



Roll Call Vote Tally:

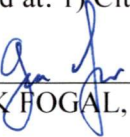
Council Member Wilhelmsen	☒ Yes	☐ No
Council Member Weiss	☒ Yes	☐ No
Council Member Christensen	☒ Yes	☐ No
Council Member Jackson	☒ Yes	☐ No
Council Member Fawcett	☒ Yes	☐ No

RECORDED this 15 day of May, 2024.

PUBLISHED OR POSTED this 15 day of May, 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Harrisville City, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall, 2) Harrisville Cabin, and 3) 2150 North, on the above referenced dates.


JACK FOGAL, City Recorder

DATE: 5/15/24