

TROPIC, UTAH
ORDINANCE NO. 2025-1

AN ORDINANCE AMENDING TROPIC, UTAH ORDINANCE NO. 2022-11 WITHIN TROPIC, UTAH, STATE OF UTAH.

WHEREAS, the Tropic Town Council, as the governing body of Tropic, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the Town of Tropic, to amend Business License Ordinance Number 2022-11.

NOW THEREFORE BE IT ORDAINED by the Tropic, Utah Town Council:

The Business License Ordinance shall be amended to read:

Section 1 DEFINITIONS

1. **BUSINESS.** All activities engaged in within this Town carried on for the purpose of gain or economic profit, except farming and ranching operations. Wholesale operations are also excluded if no place of business is maintained in the Town.
2. **PLACE OF BUSINESS.** Each separate location maintained or operated within Tropic, Utah from which business activity is conducted or transacted.

Section 2 APPLICATION

1. Applications for a business license shall include the following information:
 - a. general applicant information;
 - b. general business information, including applicable sales and use tax, transient room tax, and/or restaurant tax numbers issued from the Utah State Tax Commission; and
 - c. payment of the business license application fee as outlined in the Tropic, Utah Fee Resolution.
2. Upon staff approval, the Town Clerk shall add the business license application to the agenda for the next regularly scheduled Town Council meeting.
3. The Town Council shall consider each application individually. If the Town Council rejects any application, it must state its reason for doing so with particularity in a letter to the applicant. If the Town Council accepts any application, the Town Clerk may issue a business license to the applicant upon receipt of the business license fee.
4. The approval of a business license application by the Town Council shall be the final authorization for said entity to conduct business. No business license shall be approved by the Town Council until all other applicable Town department and external approvals (local or State health departments, State or Federal agencies, other permits or licenses, etc.) have been granted.

Section 3 RENEWALS

Renewals for a business license shall include the following information:

1. The licensee shall provide proof to the Clerk's Office that the associated business is current on all applicable Utah State tax **filing and payment confirmations**; and
2. The licensee shall pay the nonrefundable processing fee upon submittal of the business license renewal application to the Town Clerk's Office as outlined in the Tropic, Utah Fee Resolution.
3. The Town Clerk's Office shall ensure applicable Utah State tax filing and payment confirmations are completely current, and the business license renewal application fee is paid prior to issuance of the new business license.

Section 4 BUSINESS LICENSE

1. Every business license issued shall contain the following information:
 - a. type of business activity;
 - b. location of business;
 - c. County assigned business license number;
 - d. license expiration date.
2. Every business license shall be displayed in a conspicuous place of the building, room or office of the place where the business is carried on.
3. No license granted or issued under any of the provisions of any ordinance of the Town shall be in any manner assignable or transferable or authorize any person other than the person therein mentioned or named to do business.
4. A business license may be revoked or denied by the Town Council for:
 - a. The failure of the licensee or applicant to comply with the requirements of this or any other Town Ordinance, or with the requirements of any State law;
 - b. Unlawful activities conducted or permitted on the premises where the business is conducted;
 - c. Failure to provide proof to the Clerk's Office that the associated business is current on all applicable Utah State tax filing and payment confirmations;
 - d. any other violation of this Ordinance, other applicable Town Ordinance or State or Federal law.
5. A separate license must be obtained for each separate place of business in the Town.

6. Wherever any person is engaged in two or more businesses within the same location in the Town, such person shall not be required to obtain a separate license for conducting each of such businesses, but shall be issued one license which shall specify on its face all of such businesses.
7. Where two or more persons conduct separate businesses at the same location, each shall obtain a license for their respective business.
8. Business licenses shall be valid only for the year they are issued in, and shall expire on December 31st of each year. Business licenses shall be renewed annually in accordance with this Ordinance.
9. The Town may issue temporary business licenses may be issued by the Town Clerk upon staff approval and payment of the temporary business license application fee as outlined in the Tropic, Utah Fee Resolution.
 - a. Town Council approval shall not be required for temporary business license applications.
 - b. Persons operating temporary businesses must have a temporary license at the location of their business.

Section 5 PENALTY

PROHIBITED ACT. Any person found guilty of violating any part of this Ordinance, either by failing to do those acts required herein or by doing a prohibited act, shall be guilty of a Class B Misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate violation. Nothing in this Section is intended nor shall be construed as limiting the methods of enforcement available to the Town under Tropic, Utah Code or State law.

LATE PENALTY. Any license fee due on March 1st that is paid later than March 30th, of any license year shall be considered late, and a late penalty of an additional \$100.00 shall be assessed for each renewal application.

ENFORCEMENT. The Town Council shall not issue a business license to any person or entity that fails to comply with the provisions of this Ordinance. Any business operating within the town of Tropic, Utah without an approved business license shall be officially served by the Sheriff's Department and ordered to cease and desist operations immediately. The Town Council may consider revocation of a business license at any time

Section 6 APPEALS

Appeals from land use decisions made under this Ordinance shall be governed by the Tropic, Utah Code and State law.

Section 7 ADOPTION

Passed and adopted by the Town Council of Tropic, Utah, Utah, this
28th day of April, 2025.

Tropic Town Council, Chair

ATTEST:

Tropic Town Clerk