



Regular City Council Meeting

Tuesday, July 8, 2025 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

1. Roll Call, Prayer, Pledge
2. Minutes
3. Bills
4. Charges and Credits
5. Business License
6. Planning And Zoning
7. Title 3 Business and License Regulations Ordinance Review
8. 15-Minute Open Session

The City of Duchesne welcomes you and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Council. Your comments will be limited to three (3) minutes. The Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of City Staff for follow-up. Thank you.

9. Book Of Complaints, Concerns And Comments
10. Mayor And Council Review Of Old Business
11. Work Session
12. Executive Session
13. Adjournment

Attest:

Myra Young, Recorder: Myra Young

Contact: Myra Young (myoung@duchesnecity.com 435-738-2464) | Agenda published on 07/07/2025 at 5:06 PM



Regular City Council Meeting

Minutes

Tuesday, June 24, 2025 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

1. Roll Call, Prayer, Pledge

Minutes:

Mayor Rowley conducted the meeting. City Treasurer, Stephanie Skewes took minutes. City Council members present were, Bryce Hamilton, Matt Skewes, Jenny Adams, Cody Ivie, and Jason Baker. Council Member Matt Skewes led the prayer. Mayor Rowley led the Pledge of Allegiance.

Duchesne City Employee Attendees: Lane Genereaux, Cana Ivie

Public Attendees: Corby Patrick, Dea Skewes, Kimberley Silvester, John Micher, Jana Park, Dawnette Browning, Shelley Brennan, Deborah Herron, Marnie Somerville, Marty Herrera, Tracy Herrera, Danny Peatross, Taylee Wilson

2. Minutes

Minutes:

Motion by Council Member Adams seconded by Council Member Hamilton to approve the minutes dated 6/10/2025.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

3. Bills

Minutes:

Motion by Council Member Hamilton seconded by Council Member Ivie to approve the Bills.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

4. Business License

Minutes:

Mayor Rowley motioned for Jana Park to present her Business License during the 15-minute Open Session, since she was not on the agenda.

5. Planning And Zoning

Minutes:

Deborah Herron reported on the Planning and Zoning Commission Meeting held on Monday, June 23rd. Deborah presented a short-term rentals draft ordinance and checklist that Valerie McLean has been working on. Council Member Ivie questioned the wording in the ordinance. Deborah stated that Valerie had done research and found documents from other cities and used them. Council member Ivie asked why the police would be involved with the log of short-term rentals. Deborah stated that it was so the police could look at the log for three years in case there were any problems, and it kept coming up in Valeries searches, so they thought it was important to include.

Mayor Rowley asked if Robert Bushman attended the Planning and Zoning Meeting on Monday night. Deborah stated that he did not, but that Melissa Bushman and Paul Reinhardt showed up with a site plan. They talked about it and told her that she needed a variance. Deborah talked her through the next steps. They discussed that she is on a corner lot and in our ADU ordinance they must comply with the zoning for a residential building; it needs to be twenty feet from both property lines and the entire lot must be considered. The reason for the 20-foot on the side and front is safety reasons. It will be at the back of the property and will be 4 feet closer, and that is why they need a variance. It is a 36-foot-long structure that gives them 4 feet to move back; they will be sixteen feet from the property line. Council Member Ivie asked if they would change the location of the building as it sits now. It will be east to west; the back of the building faces east. Paul Reinhardt has already tied it into the sewer, so it cannot be moved. They are hoping to get their variance as soon as possible. It will still have to go through Cody Fisher for a building permit. Council Member Hamilton asked about the variance for Alan Poulson's lots on the bench. He questioned whether the use of the property is for homes or for his Harley Davidson Carburetor Business. Deborah verified that it is for both business and homes.

6. Duchesne Airport-Construction for the Expand Taxilane, Reconst. Apron Project-Kim Silvester

Minutes:

Kim Silvester presented the FAA project they opened for bids last month. They only had one bidder; they awarded it to TSJ Construction out of Clinton Utah and Burdick Paving to do asphalt. Since they had one bidder, they were able to negotiate the price of \$61,000.00. Kim is needing the City Councils approval for the \$670,000, which is all funded through FAA grants and state grants. The cities' portion is 2.5%, UDOT is 2.5%, and FAA is 95%. Council Member Ivie asked why the bid was higher than it originally was. Kim stated that they are not a local company so they will need to pay housing costs and the cost of housing went up.

Motion by Council Member Ivie seconded by Council Member Adams to approve the airport construction.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

Kim Silvester presented the IFE Engineering costs and explained that the FAA needs to make sure that the fees are lower than 10%. They want to ensure we are not getting gouged. Mayor Rowley confirmed he has contracted with a firm who evaluated the fees and recommended negotiation. J-U-B fees are \$152,000 and the other is \$150,000. That is a 1% difference. It was recommended to send the City Council's approval to the FAA on city letterhead.

Motion by Council Member Ivie seconded by Council Member Adams to approve and pay the IFE Engineering fees.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

Kim Silvester presented the last item, General Service wants to renew the contract for Fiscal Year 2026, the amount is \$10,000.

Motion by Council Member Ivie seconded by Council Member Adams to pay the \$10,000 to renew the contract.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

7. Arts Council Update - Danita Hinton

Minutes:

Deborah Herron, with the Arts Council, stood in for Danita Hinton and provided the following report. She thanked the city for its \$500.00 donation every month and the support shown. She presented the council with a report for the 503-c listing through the state as a non-profit. She provided the council with an accounting from January to December of 2024, showing the items, they are tracking. They have in-kind goods; they track volunteer hours they show with the volunteer hours it would be equivalent to \$30,000 for applying for grants. She stated this is figured at a federal rate and they summarize how many hours they work. It is a significant report. Council Member Hamilton asked about the deficit in the report. Deborah answered that one of the grants came in late and that it only shows a snapshot of the budget, if it showed five years it would not show that deficit.

8. Beautification Committee Update - Dawnette Browning

Minutes:

Dawnette Browning with the Beautification Committee stated she was at a disadvantage because she did not know what her budget was and if it would be renewed every year.

She presented the following. The committee planted flowers for Main Street, had Dora the Dumpster placed around the city and hauled off. The City Council wondered how much the cost was for this, as they were under the impression that Basinwide Dumpsters donated the dumpster. Dawnette questioned if this comes out of the Beautification Committees budget. The committee also organized crews for the citywide cleanup, such as the churches, with many coming out to help.

They partnered with the Arts Council and visited four gardens in town and toured them. Dawnette has used Signs n Lines to make "Yard of the Month" and "Most Improved Yard" signs, which are then awarded a gift certificate.

She discussed the Christmas decorations that were recently ordered, and they found the second shipment of these. She explained this purchase came out of the Rap Tax Account.

She also gets mulch for the cemetery, and prunes trees on Main Street. She found there is one dead tree in front of Deloy Bradys property and would be more than happy to spend an afternoon helping one of the guys replace it. There is a total of five trees that need to be replaced.

Council Member Ivie asked who was on her committee and she stated Marsha Peatross and Heidi Brady. Council Member Ivie asked if they ran under Duchesne City and she stated that she told the city she would not take it over unless it is run under the city. If the city wants her to oversee the Beautification Committee she needs a budget. Council Member Ivie asked how we track the Beautification Committee, and if we need to meet with Dawnette and figure out where her money comes from and where it goes. Council member Ivie stated that the only way to track it would be to itemize it.

Dawnette requested a retaining wall in the cemetery and having it slope down. Mayor Rowley stated that there is a bid for the retaining wall.

Dawnette had purchased two leaf blowers last year; one was given to the swimming pool to help keep the area around the pool clean. She found out you had to be over eighteen to use it and questioned, the lifeguards can save a life but not run a leaf blower.

She wants to sit down with the ladies in the office and wants to spend a day with one of the guys to help with the sucker trees. She realized the crew was short on public works for a time but now they are fully staffed.

9. Compensation Disclosure Resolution 2025-04

Minutes:

Motion by Council Member Hamilton seconded by Council Member Ivie to approve the Compensation Disclosure Resolution 2025-04.

- Council Member Hamilton - Aye
- Council Member Skewes – Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

10. Open and Close Budget FY 2025

Minutes:

Mayor Rowley opened the 2025 FY Budget at 6:50 pm and noted the following, changes had been made for the boat, water fill station, and fire station. Council Member Adams questioned the Animal Control Funds still being listed. Mayor Rowley commented they will remain with a zero balance. Mayor Rowley asked if there were any other questions. Danny Peatross asked if now is the time to consider adding a line item for the Beautification Committee. Mayor Rowley indicated it was not; it would be in the FY 2026 Budget. Mayor Rowley closed the 2025 FY Budget at 6:52 pm. Motion by Council Member Hamilton seconded by Council Member Ivie to approve the necessary changes to the 2025 FY Budget.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

11. ADOPT BUDGET FY 2026**Minutes:**

Mayor Rowley stated that the Public Hearing was held last month and no changes have been made since then.

Motion by Council Member Ivie seconded by Council Member Adams to adopt the Budget for Fiscal Year 2026.

- Council Member Hamilton -Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

12. Impact Fee Update - Stephanie Skewes**Minutes:**

Stephanie Skewes presented on impact fees, fees charged to offset the impact on the system. In 2008 Duchesne Cities Impact Fees were \$1400.00. In 2009 they increased to \$5500.00 and that is the current amount today. They are typically a one-time fee. Water is \$830.00 and it has stayed the same. The fees are to help pay for capital improvements for new developments, roads and building new schools. With the railroad coming in we are going to see an increase in our sewer and water system and should be preparing for that. The first step would be to reach out to Chuck Richins/Horrocks Engineering to perform an Impact Fee Analysis. It is recommended not to do this ourselves but to contract it out. Impact fees are not charged to schools, jails, prisons, or places of incarceration, and fire suppression vehicles over \$500,000.00. Fees cannot be used to pay for new public works buildings but can be used for water rights, treatment facilities, municipal facilities, roadway facilities, parks and recreation facilities, sewer and water bonds. We have six years to use these fees, or they must be paid back. Stephanie has created the sewer impact fee workbook and connection fees. Along with a water impact and water connection fees. She has been able to go back to 2005 in Pelorus and see the payment type. She is also making attempts

to track the sewer book, but it is inconsistent and jumps all over the place. Stephanie questions why we don't charge more to the motels or the Event Center, they have a larger impact on the system. This would be tracked by water usage. She also suggested charging the schools more, not in impact fees but an increased monthly sewer fee.

13. Independence Day Committee Bank Account/Process/Decision

Minutes:

The topic was discussed and it was decided not to change anything this year because they have not had time to discuss the needed changes. Council Member Hamilton stated that it is getting too close to Independence Day. Stephanie Skewes stated that she deposited a \$1000.00 check into the Independence Day Committee and that they charged some things on her company credit card and that we should be able to pay for it out of the Independence Day Committee funds. Stephanie also received a \$1000.00 check from Scout Energy which she gave to them at the meeting. Items that are a topic of discussion are the following, insurance, liability, personnel and legal requirements. Council Member Baker asked to hold off and discuss at a later date. Cana Ivie requested to be in on the conversation and stated they had not been notified of this meeting and would like to be informed in the future. Cana indicated they have not had time to discuss the situation and have mixed feelings; they don't want to gather W9's and concerned they are not able to employ anyone under age. She emphasized the difficulty in finding kids that will help and are concerned they might not have enough help. The committee is willing to have this discussion; they are just not ready to discuss it for this year. IDC spoke to Roosevelt City, and they use Play at your own Risk signs and liability waivers. Council Member Hamilton said this is not the time to make the change and requested a meeting in a month or so. Mayor Rowley agreed that it could be decided later which direction to go. Cana thanked the city for the increase in their budget this year. Council Member Ivie cautioned that we need to resolve these issues, as we have a lot of people attending this event. Cana commented, this year is the first year they have not had to beg people, Sherriff tucker has approved the new parade route and invited the Council Members to have a float in the parade.

14. 15-Minute Open Session

Minutes:

- Jana Park approached the council for approval of a business license. A few years ago, she was interested in owning her own marina/RV and boat storage and purchased eleven acres by the lake. She appeared before the Duchesne County Commissioners to obtain a conditional use permit, has spent thousands of dollars on kayaks for rental purposes, firewood, shaved ice equipment and supplies. Jana recently found out the permit was only issued for boat storage, and the county revoked her permit and it would take her until August to apply and get a new permit. Jana came into the city office in the afternoon of Monday the 23rd to get paperwork that would need to be filled out and requested to be placed on the agenda. There was not enough time to get her on the agenda and was told she would have to wait for the next City Council Meeting held on July 8th. She stated that is why she is here pleading for her case. She also shared that her sister, who lives in Tremonton, has been trying to get a business license, and it has been a burden for her to drive three hours to attend a City Council Meeting to appear before the council. Jana expressed her urgency to have her business open and is asking the City Council to make

an exception to this rule and approve her for a business license tonight. Council Member Ivie stated this procedure needs to be changed, we only ask one to two questions and to be clear the only thing she is late on is getting on the agenda. It was discussed that this is how the council has always handled business license approvals. Jana stated if she must wait until July 8th, it is lost revenue for her. Council Member Ivie says there is no reason we cannot give her a business license. Council Member Ivie stated that in Roosevelt City they have their checks and balances, if there is a zoning issue planning and zoning looks at it. He also mentioned the hotel was put off for a month. The Council discussed the matter at hand and decided that if she would finish with getting the health inspection, fire inspection and letter of permission she could have her business license this week.

Motion by Council Member Ivie seconded by Council Member Hamilton to approve the Business License for Pierless Point Offshore Marina, located at 177 E Main Street, kayak rentals, boat/RV storage, firewood and food sales.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

- Dawnette Browning addressed The Council and stated she had an individual approach her interested in contracting with Duchesne City to maintain the Strawberry Cemetery. If the city is interested, she would provide them with the name. Dawnette Browning asked for a hitting board at the tennis court. There are fifteen girls at a time, and they can only work with four or five at a time. She asked if the Rap Tax Fund could be used to pay for this. She stated that the girls weed eat at the tennis court and they are getting a shed made by the high school.
- Janice Shipman addressed The Council with a complaint. She stated that coming into town nobody yields at the sign. Mayor Rowley explained this was a UDOT issue. He told her that he could provide a phone number for Matt Betts who is over this areas UDOT road shed.

15. Book Of Complaints, Concerns And Comments

Minutes:

There were no complaints, concerns, & comments recorded in the book.

16. Mayor And Council Review Of Old Business

Minutes:

- Council Member Hamilton asked if Donnie Grants' problem had been resolved. Mayor Rowley stated that it had and that we had hauled it off and told him we will not do it again.
- Council Member Hamilton asked about the trucks in the empty lot, Mayor Rowley stated that he has talked to them repeatedly and if they are parking there overnight, we can tow them. He also explained the semi-trucks are causing damage to the roads and sidewalks. Council Member Adams stated we cannot send a bill unless we are sure they caused the damage.
- Council Member Hamilton asked about the culvert on Sunny Streets property and wondered how thick the metal was. Mayor Rowley stated 2 ½ inches thick.

- Mayor Rowley stated that the contractor has had some problems with the project on the bench and should be there for another two weeks.
- Lane gave an update on the Water Station being fixed tomorrow and will be shut down for a time while performing the repairs. Council Member Adams suggested putting up a sign letting people know.
- Council Member Hamilton will draw up a blueprint for the Mickelson Building. Council Member Ivie requested a dumpster outside the Mickelson Building.

17. Work Session

Minutes:

There was no Work Session held.

18. Executive Session

Minutes:

There was no Executive Session held.

19. Adjournment

Minutes:

Motion by Council Member Hamilton seconded by Council Member Ivie to adjourn the regular city council meeting at 7:05 p.m.

- Council Member Hamilton - Aye
- Council Member Skewes - Aye
- Council Member Adams - Aye
- Council Member Ivie - Aye
- Council Member Baker - Aye

Motion carried by unanimous vote.

Attest:

Myra Young, Recorder: _____

Contact: Myra Young (myoung@duchesnecity.com 435-738-2464)

**Duchesne City
Open Invoice Listing**

7/7/2025

<u>Vendor Id</u>	<u>Vendor Name</u>	<u>Invoice No.</u>	<u>PO#</u>	<u>Invoice Date</u>	<u>Due Date</u>	<u>Amount</u>
4515539	Airgas USA, LLC	9162179373		6/18/2025	6/18/2025	\$109.25
4516095	Allred's Amazing Maids	91867		6/12/2025	6/12/2025	\$106.00
4516095	Allred's Amazing Maids	92121		6/26/2025	6/26/2025	\$106.00
	Vendor Total:					\$212.00
4515910	Apparatus Equipment & Service, Inc.	25-IV-1430		6/12/2025	6/12/2025	\$1,153.50
4516148	Basin Code Consultants, LLC	2508		5/6/2025	5/6/2025	\$371.25
4516148	Basin Code Consultants, LLC	2509		6/23/2025	6/23/2025	\$498.71
	Vendor Total:					\$869.96
4514824	Basinwide Dumpsters Inc.	1008		6/27/2025	6/27/2025	\$13,622.00
4517574	BlueLine Services LLC	79835		6/30/2025	6/30/2025	\$91.50
4515604	BSN Sports	310607855A		6/19/2025	6/19/2025	\$4,575.25
4517591	Conca, Conner	07012025		6/30/2025	6/30/2025	\$40.00
4517491	Crus Oil	0198861		6/30/2025	6/30/2025	\$813.00
4517592	Davies, Gatlin	07012025		6/30/2025	6/30/2025	\$40.00
4516714	Dorsett Technologies	2506-90745		6/30/2025	6/30/2025	\$270.00
4517116	Duchense American Legion Post 22	247		6/28/2025	6/28/2025	\$363.86
4517116	Duchense American Legion Post 22	248		6/28/2025	6/28/2025	\$437.89
	Vendor Total:					\$801.75
4198198	Duchesne City	07022025		7/2/2025	7/2/2025	\$1,160.62
4198198	Duchesne City	PR063025-6387		7/1/2025	7/1/2025	\$90.14
	Vendor Total:					\$1,250.76
568	Enbridge	07022025		6/19/2025	6/19/2025	\$3,795.78
4515202	ETJ Law, Inc.	3123		6/26/2025	6/26/2025	\$16,610.85
4516685	Fuel Network	F2512E00839		7/1/2025	7/1/2025	\$1,286.21
4516698	J-U-B Engineers, Inc	0185797		5/31/2025	5/31/2025	\$22,227.25
4515141	Kimball Midwest	103435736		6/4/2025	6/4/2025	\$264.86
410	Kohls	07072025		6/30/2025	6/30/2025	\$1,274.34
4517593	Lefler, Kayzlee	07012025		6/30/2025	6/30/2025	\$80.00
4517007	Les Olson Company	EA1559528		6/18/2025	6/18/2025	\$181.88
B025	Moon Lake Electric	07072025		6/26/2025	6/26/2025	\$5,026.12
462	Mountainland Supply, LLC	S106962004.001		6/26/2025	6/26/2025	\$746.57
462	Mountainland Supply, LLC	S106976158.003		6/30/2025	6/30/2025	\$2,403.31
462	Mountainland Supply, LLC	S107042681.001		6/9/2025	6/9/2025	\$3,529.27
462	Mountainland Supply, LLC	S107043612.001		6/3/2025	6/3/2025	\$218.92
462	Mountainland Supply, LLC	S107043612.002		6/25/2025	6/25/2025	\$906.16
462	Mountainland Supply, LLC	S107084726.001		6/18/2025	6/18/2025	\$217.91
462	Mountainland Supply, LLC	S107085531.001		6/18/2025	6/18/2025	\$294.22
	Vendor Total:					\$8,316.36
B058	Strata Networks	07072025		6/30/2025	6/30/2025	\$1,269.95
4517611	Thatcher Company Inc.	2025100109129		6/17/2025	6/17/2025	\$3,523.00
	Utah Dept of Workforce Services	PR032825-7525		4/1/2025	4/1/2025	\$0.95
	Utah Dept of Workforce Services	PR033125-7525		4/1/2025	4/1/2025	\$13.52
	Utah Dept of Workforce Services	PR041125-7525		4/15/2025	4/15/2025	\$38.98
	Utah Dept of Workforce Services	PR042525-7525		4/28/2025	4/28/2025	\$44.77
	Utah Dept of Workforce Services	PR042525-7525		5/1/2025	5/1/2025	\$0.67
	Utah Dept of Workforce Services	PR043025-7525		5/1/2025	5/1/2025	\$14.41
	Utah Dept of Workforce Services	PR050925-7525		5/12/2025	5/12/2025	\$40.84
	Utah Dept of Workforce Services	PR052325-7525		5/27/2025	5/27/2025	\$42.23
	Utah Dept of Workforce Services	PR053125-7525		6/2/2025	6/2/2025	\$13.64
	Utah Dept of Workforce Services	PR060625-7525		6/9/2025	6/9/2025	\$62.76
	Utah Dept of Workforce Services	PR062025-7525		6/23/2025	6/23/2025	\$75.67
	Utah Dept of Workforce Services	PR063025-7525		7/1/2025	7/1/2025	\$14.50
	Vendor Total:					\$362.94
	Utah State Tax Commission	PR032825-7524		4/1/2025	4/1/2025	\$6.39
	Utah State Tax Commission	PR033125-7524		4/1/2025	4/1/2025	\$25.00
	Utah State Tax Commission	PR041125-7524		4/15/2025	4/15/2025	\$788.84
	Utah State Tax Commission	PR042525-7524		4/28/2025	4/28/2025	\$866.67
	Utah State Tax Commission	PR043025-7524		5/1/2025	5/1/2025	\$25.00
	Utah State Tax Commission	PR050925-7524		5/12/2025	5/12/2025	\$717.11
	Utah State Tax Commission	PR052325-7524		5/27/2025	5/27/2025	\$750.62
	Utah State Tax Commission	PR053125-7524		6/2/2025	6/2/2025	\$25.00
	Utah State Tax Commission	PR060625-7524		6/9/2025	6/9/2025	\$1,094.41
	Utah State Tax Commission	PR062025-7524		6/23/2025	6/23/2025	\$1,248.16

**Duchesne City
Open Invoice Listing**

7/7/2025

<u>Vendor Id</u>	<u>Vendor Name</u>	<u>Invoice No.</u>	<u>PO#</u>	<u>Invoice Date</u>	<u>Due Date</u>	<u>Amount</u>
	Utah State Tax Commission	PR063025-7524		7/1/2025	7/1/2025	\$25.00
	Vendor Total:					\$5,572.20
171	Washington National Ins Co	PR052325-7452		5/27/2025	5/27/2025	\$624.63
171	Washington National Ins Co	PR053125-7452		6/2/2025	6/2/2025	\$245.74
171	Washington National Ins Co	PR060625-7452		6/9/2025	6/9/2025	\$624.63
171	Washington National Ins Co	PR062025-7452		6/23/2025	6/23/2025	\$684.02
171	Washington National Ins Co	PR063025-7452		7/1/2025	7/1/2025	\$245.74
	Vendor Total:					\$2,424.76
	Report Total:					\$96,065.47

Duchesne City
Transaction Register - 06/07/2025 to 07/06/2025

Account No.	Customer Name	Transaction Type	Billing Code	Description	Reference	Date	Amount
2153002	Jensen, Dennis	Charges & Credits	WA - 513713 Water service sales	had a water break fixed it Rodney ok'd \$200	306467	06/19/2025	-200.00
3460001	Potter, Trent & Eileen	Charges & Credits	WA - 513713 Water service sales	credit to 3460001 from 331000 put in wrong	307440	07/02/2025	-24.34
4514586	Christensen, Todd	Charges & Credits	WA - 513713 Water service sales	nsta payments didnt come out on the 20th	306459	06/17/2025	-22.14
4515364	Sweat, Robert	Charges & Credits	WA - 513713 Water service sales	Water break got it fixed Rodney ok'd to take	306458	06/12/2025	-215.00
4516537	Webb's Select-A-Service Inc	Charges & Credits	WM - 513716 Sewer connects, recon	Charged the wrong amount taking off late fe	307428	07/01/2025	-81.84
4516537	Webb's Select-A-Service Inc	Charges & Credits	WM - 513716 Sewer connects, recon	wrong amount billed	307429	07/01/2025	-30.36
4516551	Bertola, Britney & Zack	Charges & Credits	GB - 513732 Sanitation collection re	Zack got a dumpster has been paying for his	306461	06/17/2025	-85.00
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/07/2025 F25-0478 191 EMS Assist/Canc	307434	07/01/2025	101.25
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/15/2025 F25-0502	307434	07/01/2025	63.45
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/15/2025 F25-0503 Koch Road Recovery	307434	07/01/2025	181.35
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/16/2025 F25-0504 Hwy 40 MM 82 Flare	307434	07/01/2025	49.14
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/20/2025 F25-0517 Bry MM279 US191	307434	07/01/2025	211.38
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/20/2025 F25-0518 Southeast FA	307434	07/01/2025	93.60
4516788	Duchesne County Emergency Mana	Charges & Credits	FPF - 103422 Fire protection fees	06/27/2025 F25-0543 Hanna Fire	307434	07/01/2025	630.00
4516873	Renteria, Yaneth	Charges & Credits	WA - 513713 Water service sales	the payment was made on the 21 before i pu	307419	06/30/2025	-22.34
4516873	Renteria, Yaneth	Charges & Credits	WA - 513713 Water service sales	took off late fee penalty billed wrong for late	307438	07/02/2025	-20.31
4517462	Spencer, Braxton	Charges & Credits	WA - 513713 Water service sales	paid on the 20th got brought over the 21 on i	305485	06/09/2025	-8.89
4517601	Lesourd, Bruce	Charges & Credits	WA - 513713 Water service sales	accidentaly put in city account needed to be	307063	06/24/2025	-7.34
							\$612.61

TITLE 3 - BUSINESS AND LICENSE REGULATIONS

CHAPTER 1 - BUSINESS LICENSE PROVISIONS

3-1-1: DEFINITIONS:

As used in this title, the following words and terms shall have the meanings ascribed to them in this section:

BUSINESS: Includes all activities engaged in within the city carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term "business", unless otherwise specifically provided.

EACH SEPARATE PLACE OF BUSINESS: Each separate establishment or place of operation, whether or not operating under the same name, within the city, including a home or other place of lodging if the same is held out by advertisements, listings or otherwise as the establishment or place of operation of a person engaging in the business of selling tangible, personal property at either retail or wholesale, or both, in the city.

EMPLOYEE: The operator or manager of a place of business and any persons employed in the operation of said place of business in any capacity and also any salesperson, agent or independent contractor engaged in the operation of the place of business in any capacity.

ENGAGING IN BUSINESS: Includes, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to his employer under any contract of personal employment.

HOME OCCUPATION (1) : Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade. The "home occupation" shall not include the sale of commodities, except those which are produced on the premises, and shall not involve the use of any accessory buildings outside of the building normally associated with residential use. "Home occupation" shall include the daycare of not more than six (6) children other than members of the family residing in the dwelling. "Home occupation" shall include the use of the home by a physician, surgeon, dentist, lawyer, clergyman, engineer, or other professional person for consultation or emergency treatment, but not for the general practice of said profession.

PLACE OF BUSINESS: Each separate location maintained or operated by the licensee within the city from which business activity is conducted or transacted.

WHOLESALE: A sale of tangible personal property by wholesalers to retail merchants, jobbers, dealers or other wholesalers for resale, and does not include a sale by wholesalers or retailers to users or consumers not for resale, except as otherwise specified.

WHOLESALE: A person doing a regularly organized wholesale or jobbing business and selling to retail merchants, jobbers, dealers or other wholesalers, for the purpose of resale. (1978 Code § 9-111; amd. Ord. 89-1, 1-1-1990, eff. 1-1-1990; 2004 Code)

Notes

1. See also section [10-2-1](#) of this code, definition of "home occupation".

3-1-2: LICENSE ASSESSOR AND COLLECTOR:

The city recorder is designated and appointed as ex officio assessor of license fees for the city. Upon receipt of any application for a license, the city treasurer shall assess the amount due thereon and shall collect all license fees based upon the rate established by resolution. He shall enforce all provisions of this title, and shall cause to be filed complaints against all persons violating any of the provisions of this title. (1978 Code § 9-113; amd. 2004 Code)

3-1-3: BUSINESS LICENSE REQUIRED; PENALTY:

It shall be a violation, punishable as provided in section [1-4-1](#) of this code, for any person to transact, engage in or carry on any business, trade, profession or calling, or to operate a vending, pinball or coin operated machine, without first receiving the class or type of license required by the city. (1978 Code § 9-112; amd. 2004 Code; Ord. 05-4, 3-22-2005; Ord. 10-4, 10-9-2010)

3-1-4: FEE FOR LICENSE:

A. Schedule: The business, location, trade, calling or profession of every person engaged in a business in the city, unless duly exempt, shall pay an annual license fee in such amount as established by resolution of the city council. (Ord. 89-1, 1-1-1990, eff. 1-1-1990; amd. 2004 Code)

B. Interstate Commerce: None of the license fees provided for by this section shall be applied as to occasion an undue burden on interstate commerce. In any case, where a license fee is believed by a licensee or applicant for license to place an undue burden upon such interstate commerce, the licensee or applicant may apply to the mayor for an adjustment of the fee so that it shall not be discriminatory, unreasonable or unfair as to such interstate commerce. Such application may be made before, at or within six (6) months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony, show his method of business and the gross volume or estimated gross volume of business and such other information as the mayor may deem necessary in order to determine the extent, if any, of such undue burden on such interstate commerce. The mayor shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of fact from which he shall determine whether the fee fixed by this section is discriminatory, unreasonable or unfair as to applicant's business and shall recommend to the city council a license fee for the applicant in an amount that is nondiscriminatory, reasonable and fair, and if the city council is satisfied that such license fee is the amount that the applicant should pay, it shall fix the license fee in such amount. If the regular license fee has already been paid, the city council shall order a refund of the amount over and above the fee fixed by the city council. In fixing the fee to be charged, the mayor shall have the power to base the fee upon a percentage of gross sales, or employees, or may use any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature. (1978 Code § 9-125; amd. 2004 Code)

3-1-5: PAYMENT DATES:

All license fees shall be due and payable as follows, except as may be otherwise provided: (1978 Code § 9-114; amd. 2004 Code)

A. Payable: Annual fees shall be payable before the beginning of each fiscal year, in advance. The annual license shall date from July 1 of each year and shall expire on June 30 of the following year.

B. Due: Annual fees shall be due on the first day of each fiscal year and shall become delinquent if not paid by August 1 of each year.

C. Issued After January 1: One-half ($\frac{1}{2}$) of the annual fee shall be payable for all licenses issued by the city pursuant to applications made after January 1 of each year, and licenses issued after January 1 shall expire on July 1. Payment shall be due upon the date of application approval. (1978 Code § 9-114)

D. Penalty For Late Payment: If any license fee is not paid within thirty (30) days of the due date, a penalty of ten percent (10%) of the amount of such license fee shall be added to the original amount thereof. No license shall be issued until all penalties legally assessed have been paid in full. (1978 Code § 9-115)

3-1-6: CERTIFICATE OF LICENSE:

A. Contents: All certificates of license shall be signed by the mayor, attested by the city recorder, and shall contain the following information:

1. Name: The name of the person to whom such certificate has been issued.
2. Amount: The amount paid.
3. Type: The type of license and the class of such license, if licenses are divided into classes.
4. Term: The term of the license with the commencing date and the date of its expiration.
5. Location: The place where such business, calling, trade or profession is to be conducted. (1978 Code § 9-117)

B. Display:

1. Required: Every certificate of license issued under this chapter shall be posted by the licensee in a conspicuous place upon the wall of the building, room or office of the place of business so that the same may be easily seen. When such certificate of license has expired, it shall be removed by the licensee from such place in which it has been posted, and no certificate of license which is not in force and effect shall be permitted to remain posted upon the wall or any part of any room within the place of business. If the licensee's business is such that a license cannot be displayed due to the transient or mobile nature of the business, then the licensee shall carry the license on his person, ready to be shown upon request by an authorized officer during all such time or times while the licensee is engaged in or pursuing the business for which a license is granted.
2. Coin Operated Machine: In the event the license is for a coin operated machine or device, the certificate shall be attached or displayed in the immediate vicinity of the machine for which it has been issued. (1978 Code § 9-118)

3-1-7: TRANSFER OF LICENSE PROHIBITED:

No license granted or issued under any ordinance of the city shall be assigned or transferred to any other person. It shall not be deemed to authorize any person other than therein named to do business or to authorize any other business, calling, trade or profession than is therein named, unless by permission of the city council. (1978 Code § 9-119)

3-1-8: EACH BUSINESS SEPARATE; BRANCH ESTABLISHMENTS:

A separate license must be obtained for each separate place of business in the city, and each license shall authorize the licensee to engage only in the business licensed thereby at the location or in the manner designated in such license; provided, that warehouses and distributing places used in connection with or incident to a business licensed under this chapter shall not be deemed to be separate places of business or branch establishments. (1978 Code § 9-121)

3-1-9: JOINT BUSINESS LICENSES:

Whenever any person is engaged in two (2) or more businesses at the same location within the city, such person shall not be required to obtain separate licenses for conducting each of such businesses, but shall be issued one license which shall specify on its face all such businesses. The license fee to be paid shall be computed at the highest license fee applicable to any of the businesses being conducted at such location. The sale of beer or any other product or service requiring an additional license shall be subject to such additional licensing requirement. Where two (2) or more persons conduct separate businesses at the same location, each such person shall obtain a license for such business and pay the required license fee for such business. (1978 Code § 9-122; amd. 2004 Code)

3-1-10: RECIPROCAL RECOGNITION; DELIVERY OF GOODS:

- A. Exceptions: No license shall be required for operation of any vehicle or equipment in the city when:
1. Such vehicle is merely passing through the city.
 2. Such vehicle is used exclusively in intercity or interstate commerce.
- B. Delivery Of Property: No license shall be required by this chapter of any person whose only business activity in the city is the mere delivery in the city of property sold by him at a regular place of business maintained by him outside the city where:
1. Such person's business is at the time of such delivery licensed by the Utah municipality or county in which such place of business is situated; and
 2. The authority licensing such business grants to licensees of the city making deliveries within its jurisdiction the same privileges, upon substantially the same terms, as are granted by this section; and
 3. Neither the property delivered nor any of the facilities by which it was manufactured, produced or processed are subject to inspection by authority of the city for compliance with health or sanitary standards prescribed by the city; and
 4. The truck or other conveyance by which such delivery is made prominently displays at all times a license plate or symbol issued by the said licensing authority to evidence such business license. Such plate or symbol shall identify the licensing authority by which it is issued, shall indicate that it evidences a license issued thereby, and shall specify the year or term for which it is effective.
- C. Certification Of Section: The city recorder shall, at the request of any person, certify a copy of this section to any municipality or county of the state to which a copy has not previously been certified. (1978 Code § 9-123)

3-1-11: EXEMPTIONS TO LICENSE:

- A. Tax Exempt Businesses: No license fee shall be imposed under section [3-1-4](#) of this chapter on any person engaged in business for solely religious, charitable, eleemosynary or other types of strictly nonprofit purpose which is tax exempt in such activities under the laws of the United States and the state, nor shall any license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the state; nor shall any license fee be imposed upon any person not maintaining a place of business within the city who has paid a like or similar license tax or fee to some other taxing unit within the state and which taxing unit exempts from its license tax or fee, by reciprocal agreement or otherwise, businesses domiciled in the city and doing business in such other taxing unit.
- B. Reciprocal Agreements With Other Agencies: The license assessor and collector may, with approval of the city council, enter into reciprocal agreements with the proper officials of other taxing units, as may be deemed equitable and proper in effecting the exemption provided for in subsection A of this section. (1978 Code § 9-124)

3-1-12: REVOCATION OR DENIAL OF LICENSE:

- A. Failure To Comply; Unlawful Activities: Unless otherwise provided, any license issued pursuant to the provisions of this chapter or of any ordinance of the city may be revoked and any application denied by the city council because of: (1978 Code § 9-120; amd. 2004 Code)
1. The failure of the licensee or applicant to comply with the conditions and requirements of this chapter or any ordinance of the city.
 2. Unlawful activities conducted or permitted on the premises where the business is conducted.
- B. Notice To Licensee; Applicability:
1. Prior to the revocation of a license or denial of an application to renew business license, the licensee or applicant shall be given a notice which shall state in substance that the city council intends to revoke the business license or deny the application to renew, together with the reason or reasons therefor, at a regular or special meeting of the city council (which shall be at least 10 days and not more than 30 days from the date notice is sent), and that the licensee or applicant has a right to appear, to be represented by counsel, to hear the evidence against him, to cross examine witnesses and to present evidence as to why the license should not be revoked or the application denied.
 2. This subsection shall not apply to applications for licenses for businesses which have not previously been licensed by the city, and such applicants need only be informed that their application has been denied. (1978 Code § 9-120)

CHAPTER 2 - ALCOHOLIC BEVERAGES

3-2-1: DEFINITIONS:

The words and phrases used in this chapter shall have the meanings specified in the Utah alcoholic beverage control act, unless a different meaning is clearly evident. (1978 Code § 9-412; amd. 2004 Code)

3-2-2: LICENSE REQUIRED:

- A. It shall be unlawful for any person to engage in the business of selling beer at retail, in bottles or draft, without first having procured a license therefore from the city and paid the license fee required by this chapter.
- B. It shall be unlawful for any person to sell beer after the revocation of the license issued pursuant to this chapter. (1978 Code § 9-411; amd. 2004 Code)
- C. A separate license shall be required for each place of sale and the license shall at all times be conspicuously displayed in the place to which it shall refer or for which it shall be issued. All licensees shall comply with the Utah alcoholic beverage control act and the regulations of the alcoholic beverage control commission. (1978 Code § 9-411)

3-2-3: CLASSIFICATIONS OF LICENSES:

Retail licenses issued hereunder shall be of the following three (3) kinds and shall carry the following privileges and be known as class A, class B and seasonal licenses:

- A. Class A: Class A licenses issued hereunder shall entitle the licensee to sell beer on the premises licensed in original containers for consumption off the premises in accordance with the Utah alcoholic beverage control act and the ordinances of this municipality.
- B. Class B: Class B retail licenses shall entitle the licensee to sell beer in the original containers on the premises for consumption on or off the premises in accordance with the Utah alcoholic beverage control act and the ordinances of this municipality.
- C. Seasonal: Seasonal licenses of any class may be issued for a period of time not to exceed one year, which period shall be determined by the city council. (1978 Code § 9-413; amd. 2004 Code)

3-2-4: APPLICATION FOR LICENSE:

- A. Information Required: Applicants for permits and licenses under this chapter shall file a sworn application in writing signed by the applicant, if an individual, by all partners, if a partnership, and by the president if a corporation, or by an agent, including a state or regional agent, with the city recorder, which shall give the following information:
1. The name and address of the applicant, and if the applicant is an employee or agent of a corporation, the name, address of the corporation, and the state of incorporation.
 2. The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the city; the local address of such individual and the permanent address of such individual.
 3. A statement that the applicant understands and has read and complied with the requirements and possesses the qualifications specified in the alcoholic beverage control act and this chapter.

4. If the applicant is employed by or an agent of another person, the name and permanent address of such other person or persons.
5. The length of time for which the applicant desires to engage in business within the municipality.
6. The place or places within the municipality where the applicant proposes to carry on his or her business.
7. A list of the other municipalities in which the applicant has engaged in business within the three (3) year period immediately preceding the date of the application.
8. A photograph of the applicant taken within six (6) months immediately prior to the date of filing the application, which photograph shall be two inches by two inches (2" x 2") showing the head and shoulders of the applicant in a clear and distinguishing manner.
9. A statement as to whether or not the applicant, or any of his employers, employees, officers, agents or partners have been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefore.
10. If the applicant is employed by another person, firm or corporation, documents showing that the person, firm or corporation for which the applicant proposes to do business is authorized to do business within the state.
11. Attach to their application the following: four (4) letters of recommendation from any person residing or doing business in the city, certifying the applicant's good moral character and business responsibility, or, in lieu of such letters, other evidence which may be used by the city recorder to satisfy the city recorder's duties under this title; credentials from the person, if any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.
12. Upon receipt of the application, the city recorder shall cause a set of applicant's fingerprints to be taken and attached to the application; the recorder shall also cause a picture of the applicant to be taken and to be attached to the application. (Ord. 82-1, 2-2-1982)

B. Fee To Accompany Application: Applications provided for in this chapter shall be accompanied by the fees provided in this chapter. The fee shall be returned to the applicant if the application is denied. (1978 Code § 9-415)

C. Referral To Sheriff's Department: All applications filed in accordance with the provisions of this chapter shall be referred to the sheriff's department for inspection and report. The sheriff's department shall, when possible, within thirty (30) days after receiving such application, make report to the city council of the general reputation and character of the persons who habitually frequent such place, the nature and kind of business conducted at such place by the applicant or by any other persons or by the applicant at any other place; whether the place is or has been conducted in a lawful, quiet and orderly manner; the nature and kind of entertainment, if any, at such place; whether gambling is or has been permitted on the premises or by the applicant at any other place; and the proximity of such premises to any school or church. The sheriff's department shall also add to such report its recommendation as to whether or not the application should be granted. (1978 Code § 9-418; amd. 2004 Code)

3-2-5: QUALIFICATIONS OF LICENSEE:

No license shall be granted to any retailer to sell beer or to any brewer or wholesaler, unless he shall be of good moral character, over the age of twenty one (21) years, and a citizen of the United States, or to anyone who has been convicted of a felony or of any violation of any law of the state or provision of the ordinances of the city relating to intoxicating liquors, or of keeping a gambling or disorderly house, or who has pleaded guilty to or has forfeited his bail on a charge of having committed a felony or of having violated any such law or ordinance, or to any partnership, any member of which lacks any of the qualifications set forth in this chapter or to any corporation any member of which lacks any of such qualifications. (1978 Code § 9-420; amd. 2004 Code)

3-2-6: FEE FOR LICENSE:

In addition to any other business license fee which any person or place of business may be required to pay, there is hereby imposed on the business location every person engaged in the sale or dispensing of beer the following annual license fees:

Class A beer license \$ 80.00

Class B beer license 165.00

Seasonal beer license 25.00 For each 30 day period or fraction thereof

(1978 Code § 9-414; amd. 2004 Code)

3-2-7: BOND REQUIRED:

No license required by this chapter shall be granted by the city council until the applicant shall have filed with the city recorder a bond in a sum and as required by Utah Code Annotated section 32A-10-205. The bond shall be made in favor of the city. (1978 Code § 9-421; amd. 2004 Code)

3-2-8: DEPARTMENT OF HEALTH PERMIT:

No license under this chapter shall be issued until the applicant therefore shall have first procured from the department of health a permit which shall show that the premises to be licensed is in a sanitary condition and that the equipment used in

the storage, distribution or sale of beer complies with all the health regulations of the city and of the state. (1978 Code § 9-422; amd. 2004 Code)

3-2-9: TRANSFER OF LICENSE:

Licenses issued pursuant to this chapter shall not be transferable, and if revoked by the city council, the fee paid by the licensee to the city for the license shall be forfeited to the city. (1978 Code § 9-423)

3-2-10: INSPECTION OF PREMISES:

A. Authority: All licensed premises shall be subject to inspection by any officer, agent or peace officer of the city or the alcoholic beverage control commission, or the state board of health, and every licensee shall, at the request of the state board of health, furnish to it samples of beer which he shall have for sale.

B. Revocation: Any license granted pursuant to this chapter may be revoked on a finding by the city council that the licensee has had ten (10) days' or more notice from the state board of health that the licensee is violating one or more health ordinances, rules or regulations of the city or of the Utah division of health and has failed to comply with such health ordinance, rule or regulation. (1978 Code § 9-426)

C. Close Of Business: The city council may direct the sheriff's department to close down any business licensed under this chapter where the state board of health has determined that continued operation of the business presents an imminent danger to the health of the community or persons who may eat or drink at the business. (1978 Code § 9-426; amd. 2004 Code)

3-2-11: RESTRICTIONS:

A. Public Dances, Theaters; Sales To Specific Persons: It is unlawful for any person to sell beer at any public dance or to any person intoxicated, or under the influence of any intoxicating beverage. It is unlawful for any person to sell beer in any dance hall or theater. (Ord. 79-2, 1-16-1979)

B. Distance Requirements: No class B beer licenses shall be granted to sell beer within two hundred (200) yards of any church, or within two hundred (200) yards of any school. (Ord. 80-2, 1-22-1980; amd. 2004 Code)

C. Minors; Consumption: It shall be unlawful to sell beer to any person under the age of twenty one (21), or to sell beer for consumption on the premises unless so licensed, or to permit the drinking of liquor on such premises. (1978 Code § 9-424)

D. Hours Regulated: It shall be unlawful to sell or otherwise furnish or dispose of beer, or allow it to be drunk or consumed on the premises or to allow beer out of original containers to remain on the licensed premises, whether or not open to the public, after the closing hour of one o'clock (1:00) A.M. and before six o'clock (6:00) A.M. of any day; except, that the closing hour on the day following December 31 of any year shall be two o'clock (2:00) A.M. (Ord. 79-3, 2-20-1979)

E. Removal Of Nonemployees After Closing: Any person having a class B beer license, or his agents or employees, shall remove or cause to be removed from the licensed premises all patrons, customers or individuals not employed on the premises by the time stated in subsection D of this section.

F. Employees Remaining After Closing: It shall be unlawful for any person having a class B beer license or for his agents or employees to permit any patron, customer or individual not employed on the premises to remain on such premises after the closing time above provided; provided, however, no licensed premises may employ more than two (2) persons on the premises after the closing hour without the permission of the sheriff's department or the mayor.

G. Illumination; Advertising: Licensed premises shall be kept brightly illuminated at all times while it is occupied or open for business, and no booth or kind of stall shall be maintained unless all tables, chairs and occupants are kept open to full view from the main floor and the entrance of such licensed premises. It shall be unlawful to advertise the sale of beer except under such regulations as are made by the alcoholic beverage control commission; provided that a simple designation of the fact that beer is sold under city license may be placed in or upon the window or front of the licensed premises.

H. Manner Of Sales: It shall be unlawful for any person to sell beer except in the manner for which he has been so licensed pursuant to the provisions of this chapter.

I. Nuisance Prohibited: It shall be unlawful to keep or maintain a "nuisance", as defined in this code. (1978 Code § 9-424; amd. 2004 Code)

J. Lawful Purchase: It is unlawful for any licensee to purchase or acquire or to have or possess for the purpose of sale or distribution, any beer except that which he shall have lawfully purchased from a brewer or wholesaler licensed under the provisions of the Utah alcoholic beverage control act. (1978 Code § 9-416; amd. 2004 Code)

3-2-12: RENEWAL OF LICENSE:

All applications for renewal licenses filed by the holders of existing licenses shall be filed with the city recorder at least thirty (30) days prior to the expiration date of the then issued license. Any person who fails to file such application within the time limit shall close his licensed premises on the expiration date of the then issued license and shall keep the

premises closed for any and all business for the sale of beer until the date his new license is issued by the city council. (1978 Code § 9-419)

3-2-13: SUSPENSION OR REVOCATION OF LICENSE:

A. Authority: The city council may, after a hearing, revoke or suspend any beer license on a finding by it that the licensee or his officers, agents or employees have violated any provision of this chapter or any ordinance of the city, whether now or hereafter enacted, which in any way relates to the operation of the business or the safety of the public.

B. Hearing: A hearing may be requested by any person:

1. That is denied or refused a beer license by any officer, agent or employee of the city.
2. Whose beer license is revoked, restricted, qualified or limited from that for which it was first issued.

C. Request For Hearing: The request for hearing must be made in writing to the mayor or city recorder and made within thirty (30) days following the date notice denying, refusing, removing, qualifying, restricting or revoking the beer license is mailed by the city to the applicant or license holder at his address as it appears on the application or license.

D. Time And Place; Witnesses; Decision: Following receipt of a request for hearing, the city council shall inform the person requesting a hearing of the time and place the hearing is to be held. At the hearing, the aggrieved party shall have the right to hear and examine any witnesses the city may produce to support its decision and to present his own evidence in support of his contention. The city council shall, within ten (10) days following the conclusion of the hearing, in writing, inform the person who requested the hearing of the decision of the city council.

E. Limitations Of Hearing: This section shall not be construed so as to afford any aggrieved party more than one hearing before the city council, nor shall the hearing provided in this section apply to any criminal complaint or proceeding. (1978 Code § 9-427)

3-2-14: PENALTY:

Violation of any provision of this chapter is subject to penalty as provided in section [1-4-1](#) of this code. (2004 Code; amd. Ord. 05-4, 3-22-2005; Ord. 10-4, 10-9-2010)

Effective 5/1/2024

10-1-203 License fees and taxes -- Application information to be transmitted to the county assessor.

(1) As used in this section:

- (a) "Business" means any enterprise carried on for the purpose of gain or economic profit, except that the acts of employees rendering services to employers are not included in this definition.
- (b) "Telecommunications provider" means the same as that term is defined in Section 10-1-402.
- (c) "Telecommunications tax or fee" means the same as that term is defined in Section 10-1-402.

(2) Except as provided in Subsections (3) through (5) and Subsection (7), the legislative body of a municipality may license for the purpose of regulation any business within the limits of the municipality, may regulate that business by ordinance, and may impose fees on businesses to recover the municipality's costs of regulation.

(3)

(a) The legislative body of a municipality may raise revenue by levying and collecting a municipal energy sales or use tax as provided in Part 3, Municipal Energy Sales and Use Tax Act, except a municipality may not levy or collect a franchise tax or fee on an energy supplier other than the municipal energy sales and use tax provided in Part 3, Municipal Energy Sales and Use Tax Act.

(b)

- (i) Subsection (3)(a) does not affect the validity of a franchise agreement as defined in Subsection 10-1-303(7), that is in effect on July 1, 1997, or a future franchise.
- (ii) A franchise agreement as defined in Subsection 10-1-303(7) in effect on January 1, 1997, or a future franchise shall remain in full force and effect.
- (c) A municipality that collects a contractual franchise fee pursuant to a franchise agreement as defined in Subsection 10-1-303(7) with an energy supplier that is in effect on July 1, 1997, may continue to collect that fee as provided in Subsection 10-1-310(2).

(d)

- (i) Subject to the requirements of Subsection (3)(d)(ii), a franchise agreement as defined in Subsection 10-1-303(7) between a municipality and an energy supplier may contain a provision that:
 - (A) requires the energy supplier by agreement to pay a contractual franchise fee that is otherwise prohibited under Part 3, Municipal Energy Sales and Use Tax Act; and
 - (B) imposes the contractual franchise fee on or after the day on which Part 3, Municipal Energy Sales and Use Tax Act is:
 - (I) repealed, invalidated, or the maximum allowable rate provided in Section 10-1-305 is reduced; and
 - (II) not superseded by a law imposing a substantially equivalent tax.
- (ii) A municipality may not charge a contractual franchise fee under the provisions permitted by Subsection (3)(b)(i) unless the municipality charges an equal contractual franchise fee or a tax on all energy suppliers.

(4)

- (a) Subject to Subsection (4)(b), beginning July 1, 2004, the legislative body of a municipality may raise revenue by levying and providing for the collection of a municipal telecommunications license tax as provided in Part 4, Municipal Telecommunications License Tax Act.
- (b) A municipality may not levy or collect a telecommunications tax or fee on a telecommunications provider except as provided in Part 4, Municipal Telecommunications License Tax Act.

- (5)
 - (a)
 - (i) The legislative body of a municipality may by ordinance raise revenue by levying and collecting a license fee or tax on:
 - (A) a parking service business in an amount that is less than or equal to:
 - (I) \$1 per vehicle that parks at the parking service business; or
 - (II) 2% of the gross receipts of the parking service business;
 - (B) a public assembly or other related facility in an amount that is less than or equal to \$5 per ticket purchased from the public assembly or other related facility; and
 - (C) subject to the limitations of Subsections (5)(c) and (d):
 - (I) a business that causes disproportionate costs of municipal services; or
 - (II) a purchaser from a business for which the municipality provides an enhanced level of municipal services.
 - (ii) Nothing in this Subsection (5)(a) may be construed to authorize a municipality to levy or collect a license fee or tax on a public assembly or other related facility owned and operated by another political subdivision other than a community reinvestment agency without the written consent of the other political subdivision.
 - (b) As used in this Subsection (5):
 - (i) "Municipal services" includes:
 - (A) public utilities; and
 - (B) services for:
 - (I) police;
 - (II) fire;
 - (III) storm water runoff;
 - (IV) traffic control;
 - (V) parking;
 - (VI) transportation;
 - (VII) beautification; or
 - (VIII) snow removal.
 - (ii) "Parking service business" means a business:
 - (A) that primarily provides off-street parking services for a public facility that is wholly or partially funded by public money;
 - (B) that provides parking for one or more vehicles; and
 - (C) that charges a fee for parking.
 - (iii) "Public assembly or other related facility" means an assembly facility that:
 - (A) is wholly or partially funded by public money;
 - (B) is operated by a business; and
 - (C) requires a person attending an event at the assembly facility to purchase a ticket.
 - (c)
 - (i) Before the legislative body of a municipality imposes a license fee on a business that causes disproportionate costs of municipal services under Subsection (5)(a)(i)(C)(I), the legislative body of the municipality shall adopt an ordinance defining for purposes of the tax under Subsection (5)(a)(i)(C)(I):
 - (A) the costs that constitute disproportionate costs; and
 - (B) the amounts that are reasonably related to the costs of the municipal services provided by the municipality.
 - (ii) The amount of a fee under Subsection (5)(a)(i)(C)(I) shall be reasonably related to the costs of the municipal services provided by the municipality.

- (d)
 - (i) Before the legislative body of a municipality imposes a license fee on a purchaser from a business for which it provides an enhanced level of municipal services under Subsection (5)(a)(i)(C)(II), the legislative body of the municipality shall adopt an ordinance defining for purposes of the fee under Subsection (5)(a)(i)(C)(II):
 - (A) the level of municipal services that constitutes the basic level of municipal services in the municipality; and
 - (B) the amounts that are reasonably related to the costs of providing an enhanced level of municipal services in the municipality.
 - (ii) The amount of a fee under Subsection (5)(a)(i)(C)(II) shall be reasonably related to the costs of providing an enhanced level of the municipal services.
- (6) All license fees and taxes shall be uniform in respect to the class upon which they are imposed.
- (7)
 - (a) As used in this Subsection (7):
 - (i)
 - (A) "Event requirement" means a requirement a municipality imposes on individuals who participate in a municipal event.
 - (B) "Event requirement" does not include a requirement that is inconsistent with Subsection (7)(b).
 - (ii) "Exempt individual" means an individual who, under Subsection (7)(b), may not be required to have a business license or permit.
 - (iii) "Municipal event" means an event hosted or sponsored by a municipality.
 - (b) A municipality may not require a license or permit for a business that is operated:
 - (i) only occasionally; and
 - (ii) by an individual who is under 19 years old.
 - (c) Subsection (7)(b) does not prevent a municipality from imposing an event requirement on an exempt individual who participates in a municipal event.
- (8) A municipality may not:
 - (a) charge any fee for a resident of the municipality to operate a home-based business, unless the combined offsite impact of the home-based business and the primary residential use materially exceeds the offsite impact of the primary residential use alone;
 - (b) require, as a condition of obtaining or maintaining a license or permit for a business:
 - (i) that an employee or agent of a business complete education, continuing education, or training that is in addition to requirements under state law or state licensing requirements; or
 - (ii) that a business disclose financial information, inventory amounts, or proprietary business information, except as specifically authorized under state or federal law.
- (9)
 - (a) Notwithstanding Subsection (8)(a), a municipality may charge an administrative fee for a license to a home-based business owner who is otherwise exempt under Subsection (8)(a) but who requests a license from the municipality.
 - (b) A municipality shall notify the owner of each home-based business of the exemption described in Subsection (8)(a) in any communication with the owner.
- (10) The municipality shall transmit the information from each approved business license application to the county assessor within 60 days following the approval of the application.
- (11) If challenged in court, an ordinance enacted by a municipality before January 1, 1994, imposing a business license fee on rental dwellings under this section shall be upheld unless the business license fee is found to impose an unreasonable burden on the fee payer.

Amended by Chapter 419, 2024 General Session
Amended by Chapter 423, 2024 General Session