

ORDINANCE O-2026-7
HUNTINGTON CITY

AN ORDINANCE ADOPTING CHAPTER 12, GENERAL APPEAL PROCEDURE, TO TITLE 1 OF THE HUNTINGTON CITY CODE; AMENDING SECTION 3-1-15, REVOCATION OR DENIAL OF BUSINESS LICENSE, TO PROVIDE APPEAL RIGHTS; ADDING SECTION 3-1-18, ADMINISTRATIVE REINSTATEMENT FEE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Huntington City has adopted a municipal code governing the operation of the City and exercising its legislative powers through ordinances as provided in Utah Code §§ 10-3-701 et seq.; and

WHEREAS, the City Council further finds that business license applicants and licensees shall be afforded an appeal process for redress for denial, modification, suspension, or revocation of a business license; and

WHEREAS, the City Council finds that it is in the best interest of the City to establish an administrative hearing officer as the appeal authority for such matters, pursuant to Utah Code § 10-3-1106; and

WHEREAS, the City Council finds that the City must provide an administrative appeal procedure in the City provided for all alleged grievances, unless specific appeal procedures are provided elsewhere in City code, and enacts the provisions in **Exhibit A**; and

WHEREAS, the City Council finds that an Administrative Reinstatement Fee should be established to recover administrative costs associated with reinstating business licenses; and

WHEREAS, the City Council of Huntington City, Utah, considered the proposed amendments on July 15, 2026, and finds that adoption of this ordinance is in the best interests of the health, safety, and welfare of the citizens of Huntington City;

NOW, THEREFORE, BE IT ORDAINED by the Huntington City Council as follows:

Section 1. Adoption of Chapter 1-12, General Appeal Procedure.

Title 1 of the Huntington City Code is hereby amended by enacting Chapter 1-12, Appeal Procedure, as set forth in **Exhibit A** attached hereto and incorporated herein by reference.

Section 2. Amendment to Chapter 3-1-15.

Chapter 3-1-15, Revocation or Denial of Business License, is hereby amended to read as follows:

**CHAPTER 3-1-15 BUSINESS LICENSE DENIAL, MODIFICATION,
SUSPENSION, OR REVOCATION:**

A. Business License Determinations: Any license issued pursuant to the provisions of this code or of any ordinance of the city may be denied, modified, suspended or revoked and any application denied by the city treasurer because of:

1. The failure of the licensee or applicant to comply with the conditions and requirements of any ordinance of the city or state law.

2. The conduct or permission of illegal activities on the premises where the business is conducted.

B. Notice of Business License Determination: Denial, Modification, Suspension, or Revocation. Upon making a determination to deny, modify, suspend, or revoke a business license, the City Recorder or designee shall provide notice to the applicant or licensee stating the action taken and the reason or reasons for the determination.

C. The licensee or applicant shall have the right to appeal the denial, modification, suspension, or revocation of a business license before the appeal authority which is an administrative hearing officer appointed by the Mayor and approved by the city council.

D. New Applications For Licenses: Subsection B of this chapter 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. A business which has been previously licensed, but whose license has lapsed and not been timely renewed, shall not be considered a new business hereunder.

E. Appeal Rights: Any person whose license application has been denied, modified, suspended, or revoked by the City Recorder has the right to appeal to the City administrative hearing officer. Any such appeal shall be requested in writing directed to the City Recorder within fifteen (15) calendar days after the denial. Any such appeal shall be filed and conducted in accordance with the provisions of Huntington City Code Chapter 1-12.

Section 3. Enactment of Chapter 3-1-18

Chapter 3-1-18, Administrative Reinstatement Fee, is hereby enacted to read as follows:

CHAPTER 3-1-18 ADMINISTRATIVE REINSTATEMENT FEE

A. Any business license that has been suspended or revoked pursuant to this chapter may be reinstated only after the licensee has corrected the conditions giving rise to the suspension or revocation and otherwise complied with all applicable requirements of this chapter.

B. Prior to reinstatement of a business license, the licensee shall pay an Administrative Reinstatement Fee of Two Hundred Dollars (\$200.00).

C. The Administrative Reinstatement Fee shall be in addition to any other applicable business license fees required by this chapter.

D. Payment of the Administrative Reinstatement Fee shall not relieve the licensee of compliance with any applicable federal, state, or local law and shall not guarantee reinstatement of a business license.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective Date.

This ordinance shall take effect immediately upon posting as required by law.

PASSED AND ADOPTED at a duly called meeting of the Huntington City Council on this 15th day of July 2026, at 6:30 p.m.

HUNTINGTON CITY

(SEAL)

Mayor, Leonard Norton

ATTEST:

Brandy Wagner, City Recorder

COUNCIL MEMBERS

Judd Beagley	AYE_____	NAY_____
Tom Kay	AYE_____	NAY_____
Lesa Miller	AYE_____	NAY_____
Devin Wilson	AYE_____	NAY_____
Gloria Wilson	AYE_____	NAY_____

**SUMMARY OF
HUNTINGTON CITY
ORDINANCE NO. O-2027-2**

On July 15, 2026, the Huntington City Council enacted Ordinance No. O-2027-2 amending Chapter 3-1-15, enacting Chapter 3-1-18, and enacting Chapter 1-12 of the Huntington Municipal Code regarding business licensure, reinstatement fees, and appeal rights.

PASSED AND ADOPTED at a duly called meeting of the Huntington City Council on this 15th day of July 2026.

HUNTINGTON CITY

By: Leonard Norton, Mayor

ATTEST:

Brandy Wagner, City Recorder

City Council Vote as Recorded:

Council Member Beagley	_____
Council Member Kay	_____
Council Member Miller	_____
Council Member D. Wilson	_____
Council Member G. Wilson	_____

A complete copy of Ordinance O-2027-2 is available in the office of the Huntington City Recorder, located at 20 South Main Street, Huntington, Utah 84528.

EXHIBIT A

Chapter 1-12-1. Purpose. The purpose of this chapter is to establish an administrative procedure pursuant to Utah Code § 10-3-1106 to apply to any city action that determines the legal rights, duties, privileges, immunities, or other legal interests of an appellant, including city action to grant, deny, revoke, suspend, modify, annul, withdraw, or amend an authority, right, or license and judicial review of the action.

Chapter 1-12-2. Appeal Authority. The Appeal Authority shall consist of an impartial administrative hearing officer appointed by the Mayor and City Council for the purpose of conducting a hearing and ruling on the appeal. The administrative hearing officer shall be a person with experience in law or a law-trained licensed attorney. The Mayor shall appoint the administrative hearing officer and the City Council may approve the appointment. The City shall be responsible for the costs and expenses of the hearing and any fees paid to the hearing officer.

Chapter 1-12-3. Procedure.

The general appeal procedure of the City are as follows:

- A. Right to Appeal. In all cases where an appeal is provided by the City ordinance or state law, an aggrieved party with standing (“the appellant”) shall have the right to appeal to the administrative hearing officer who is the appeal authority.
- B. Written Appeal and Deadline. All appeals shall be made in writing by a notice of the appeal which shall be filed with the City Recorder within fifteen (15) calendar days after the final decision or date the grievance occurred, unless another deadline is otherwise provided by law.
- C. Notice of Appeal. The written notice of appeal shall be filed with the city recorder within fifteen (15) calendar days of the decision and state the reason(s) for the appeal or decision being appealed, set forth the arguments and evidence in support of the appeal, state the relief sought, and include any required appeal fee.
- D. Referral. Upon the filing of the appeal, the city recorder shall immediately refer a copy of the written notice of appeal to the administrative hearing officer.
- E. Schedule Hearing. Upon receipt of the referral and assignment from the City, the administrative hearing officer shall schedule and hold a hearing only after timely notice to all parties, but no less than thirty (30) calendar days from the filing of the appeal.
- F. Hearing Rights. The appellant may appear in person at a public hearing and be represented by counsel, testify, present evidence, confront the witness whose testimony is to be considered, and examine the evidence to be considered.
- G. Action. Within a reasonable time after the close of the hearing, the administrative hearing officer makes the final written order that states the following: (i) the decision; (ii) the

reasons for the decision; (iii) a notice of any right of administrative or judicial review available to the parties; and (iv) the time limits for filing an appeal or requesting a review.

- H. The administrative hearing officer may uphold, modify, or overturn the actions of the City based upon a preponderance of the evidence.
- I. The appellant may appeal the administrative hearing officer's final written order to the appropriate district court, within thirty (30) days of the decision.