

TOQUERVILLE CITY

ORDINANCE # 2022-01

AN ORDINANCE AMENDING SECTIONS 3-1-2 AND 3-1-3 OF THE TOQUERVILLE CITY CODE (BUSINESS LICENSES) TO ALLOW PERSONS HOLDING MULTIPLE STATUTORY POSITIONS ACT AS THE CITY'S LICENSE OFFICER.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the City is authorized pursuant to Utah Code Annotated, Title 10, Chapter 1 to license for the purpose of regulating any business within the limits of the City by ordinance and imposing fees on businesses to recover the City's costs of regulation;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Toquerville City Council ("City Council") is designated as the governing body of the City;

WHEREAS, in July of 2020 the City adopted a new and comprehensive business licensing ordinance and scheme now found in Title 3, Chapter 1 of the Toquerville City Code replacing a series of antiquated ordinances relating to business licenses having their origins in the late 1970s ("New City Business Licensing Ordinances").

WHEREAS, since adopting and implementing the New City Business Licensing Ordinances, the City has determined that certain aspects of the business licensing process would be more efficiently served if persons holding multiple statutory positions such as City Clerk, City Recorder and City Treasurer could assist in, and act as a City Licensing Officer.

ORDINANCE

NOW THEREFORE BE IT HEREBY ORDAINED by Toquerville City, Washington County, State of Utah, acting by and through the City Council as follows:

1. Amendment of Sections 3-1-2 and 3-1-3 of the Toquerville City Code. Title 3, Chapter 1, Sections 2 and 3 of the Toquerville City Code is hereby amended as follows:

3-1-2 Definitions:

City Clerk: Either the Toquerville City Clerk (or Deputy Clerks), the Toquerville City Treasurer (or Deputy Treasurer), or the Toquerville City Recorder (or Deputy Recorder) or a combination if the statutory positions are held by the same person.

License Officer: Either the City Clerk, the City Treasurer, or the City Recorder or a combination if the statutory positions are held by the same person, including all Deputy Clerks, the Deputy Treasurer, and/or Deputy Recorders.

3-1-3 License Officer; Powers and Duties:



The City Clerk is hereby designated and appointed as ex officio City License Officer and shall issue licenses in the name of the City to all persons qualified under the provisions of this Title and shall remit to the Treasurer's Office all license fees collected hereunder. In addition to all other powers granted hereunder, the License Officer or designees shall have the following powers:

2. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

3. Conflicts/Repealer. This Ordinance repeals the provisions of any prior ordinance in conflict herewith.

4. Effective Date. This Ordinance shall become effective immediately upon the signing of the Toquerville City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this 19th day of January, 2022 based upon the following vote:


Council Member:

John 'Chuck' Williams
Rachel Peart
Justin Sip
Gary Chaves
Ty Bringhurst

Aye	_____	Nay	_____	Absent	✓
Aye	✓	Nay	_____	Absent	_____
Aye	✓	Nay	_____	Absent	_____
Aye	✓	Nay	_____	Absent	_____
Aye	_____	Nay	_____	Absent	✓

TOQUERVILLE CITY
a Utah municipal corporation

ATTEST:



Keen Ellsworth, Mayor



Dana McKim, City Recorder

