



City Council Staff Report

Subject: Licensing-Title 4 Proposed Code Amendments-Part 2
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Department: Finance
Date: April 18, 2019
Type of Item: Legislative

Recommendation

Staff recommends Council review and adopt the proposed changes to Park City Municipal Code Title 4. These recommended changes will update the code to make it more current to align with State, County and other regulatory bodies as well as Park City Council's goals and objectives. This is part 2 of a 2-step process.

- Refining Title 4 of the Municipal Code is a large project and has been broken down into two parts:
 - Part 1: Fall 2017- formatting changes, removal of duplicate material and remnants of old code.
 - Council voted to repeal and replace the entire code with a much leaner document
 - Part 2: Spring 2019- policy review and revision of processes, amendments as directed by Council.
 - Staff returns with recommended amendments to the code, specifically dealing with policy changes, updates and additional refinements.
- Finance staff has worked with the legal department for several years reviewing and discussing recommended updates to the Code, researching the legalities of proposed changes, and reaching out to stakeholders for input as necessary.
- Staff is presenting Council with these proposed recommendations as well as possible alternatives.

Background

Title 4 has been written, rewritten, amended and modified over several years by many different hands which has yielded portions of the code inconsistent and outdated. Below is a list of what staff recommends Council amend to update and sharpen the document:

- Clarify definitions to more accurately reflect what type of activity they are aiming to define.
- Add language regarding "Tobacco Specialty Store" (vape shops, smoke shops) to clarify process for obtaining a business license.
- Add clarification to 4-8-5(B)- For Hire Background checks and disqualifying offenses
- Move definitions of For-Hire licensing into Chapter 8
- Remove "Drug-Free Workplace Requirement" as this already addressed in 4-8-7

- Issue separate liquor licenses for each different type of activity (manufacturing, package agency, restaurant liquor, etc.) to align with state code and to regulate each activity separately
- Increase grace period for renewal payments from 15 days to 31 days.
- Recommend that each Type 2 Convention Sales License applicant be required to pay \$100 trash impact fee (not just umbrella holder)
- Amending Section 4B-4, Telecommunications Tax, to reflect the 2007 changes to Utah Code that lowered the tax from 4% to 3.5%.

Alternatives for City Council to Consider

1. Recommended Alternative: Amend proposed sections of Title 4.

Pros

- a. The document will be updated and clearer and increase transparency.
- b. It will better align with State codes and other local mandates.
- c. Critical language is clarified.
- d. It will align with City Council goals and objectives.

Cons

- a. There are no perceived negative impacts to these amendments

Funding

None

Attachments

Exhibit A: Title 4 Ordinance

Exhibit B: Title 4 Red Lined Code

Exhibit C: Title 4B Ordinance

Exhibit D: Title 4B Red Lined Code