

GARFIELD COUNTY ORDINANCE NO. 2018-4

**AN ORDINANCE AMENDING GARFIELD COUNTY ORDINANCE NO. 1979-03
AND PROVIDING REPEALER WITHIN GARFIELD COUNTY, STATE OF
UTAH.**

WHEREAS, the Garfield County Commissioners, as the governing body of Garfield County, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the County of Garfield, to amend Business License Ordinance Number 1979-03.

BE IT ORDAINED by the Garfield County Commissioners, State of Utah, as follows:

Section 1: AMENDMENTS:

A. Garfield County Ordinance 1979-03 shall be amended and a provision added to read as follows:

2. Applications for a business license shall include the following information: (4) Applicable sales tax license numbers acquired from the Utah State Sales Tax Commission: Sales Tax, Restaurant Tax, and/or Transient Room Tax. (5) Prior twelve (12) month Utah Sales Tax Filing Confirmations for applicable sales tax license numbers: TC-62S, TC-62F, and/or Tc-62R.
5. The cost of a business license shall be \$40.00.
9. A business license may be revoked or denied by the County Commission because of: (3) Unwillingness to remit applicable sales taxes: TC62S, TC62F, and/or TC-62R.
12. Whenever any person is engaged in two or more business' within the same location in the County, 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. (1) If individual businesses require separate sales tax license numbers and filings, the required information in Section 2 of this Ordinance will be required for all businesses on this application.
18. Any business operating with an expired business license shall be considered as operating with no license at all. (1) Every person who commences or carries on any business, trade, profession, or calling, for the transaction or carrying on of which a license is required by the County, without taking out the license required by law or this Ordinance is guilty of a class B misdemeanor, which is punishable as applicable at the time of the offense pursuant to Utah Code.
20. All businesses currently operating in the unincorporated areas of Garfield County

must be licensed according to the terms of this act by May 1, 2018. (1) If operating a temporary business license that requires sales tax, said business will be required to provide all applicable information contained in Section 2 of this Ordinance.

Section 2: SEVERABILITY:

If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative.

Section 3: PARAGRAPH HEADINGS:

The paragraph headings used herein are for convenience only and shall not be considered in the interpretation of this Ordinance.

Section 4: REPEALER:

Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

Section 5: EFFECTIVE DATE:

The County Commission of Garfield County, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

PASSED, APPROVED, ADOPTED and ORDAINED this ____ day of _____, 2018.

GARFIELD COUNTY:

By: _____
LELAND POLLOCK, Chair

ATTEST:

CAMILLE MOORE, Clerk