

**Ordinance No. 13-08**

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 3 OF THE MUNICIPAL CODE  
OF PARK CITY, UTAH TO INCLUDE THE PROHIBITION  
OF RESELLING SKI LIFT TICKETS**

WHEREAS, there exists a problem at Park City Mountain Resort and Deer Valley Resort with individuals reselling ski lift tickets; and

WHEREAS, the ski areas have asked the Park City Attorney's Office to assist with the enforcement of reselling ski lift tickets; and

WHEREAS, the Municipal Code of Park City does not have an ordinance regulating individuals reselling their ski lift tickets and therefore the City Prosecutor is unable to prosecute this offense; and

WHEREAS, this section is intended to make the reselling of a ski lift ticket within the city limits a Class B Misdemeanor;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

**Section I.** Amendment. Title 8 Criminal Code of the Municipal Code of Park City is hereby amended to include Section 8-3-5, as follows:

**8-3-5. RESELLING OF A SKI LIFT TICKET**

1. **Definitions:**

a. Ski Area Operator. Those persons, and their agents, officers, employees, or representatives, who operate a ski area.

b. Skier. Any person present in a ski area for the purpose of engaging in the sport of skiing, Nordic, freestyle, or other types of ski jumping using skis, sled, tube, snowboard or any other device.

c. Ski Lift. A device, excluding an elevator, used to transport passengers along a level, inclined path by means of a haul rope or other flexible element that is driven by a power unit that remains essentially at a single location. Passenger ropeways include an aerial tramway; an aerial lift, including a detachable grip lift and chair lift; a conveyor; a funicular; a surface lift, including a J-bar, T-bar, or platter pull; and a rope tow.

d. Ski Lift Ticket. Any annual pass, day pass, promotional pass, punch card, badge, pin, coupon, or other device which then entitles the bearer to the use, benefit, or enjoyment of any ski lift.

e. Snowboarder. Any person present in a ski area for the purpose of engaging in the sport of snowboarding.

2. Reselling of a Ski Lift Ticket Prohibited. Any person not authorized by the ski area operator, who, with the intent to profit therefrom, resells or offers to resell any ski lift ticket, which then entitles the bearer to the use, benefit, or enjoyment of any ski lift is in violation of this section.
3. Penalty. Any person violating the provisions of this ordinance shall be guilty of a class B misdemeanor.
4. Enforcement. The Park City Police Department, upon notification from a ski area operator or its designee shall have authority to investigate violations of this section and issue citations.
5. Violations. Violations of this section that occur within ski area boundaries which extend into neighboring jurisdictions shall be referred to the appropriate authority for investigation and prosecution.

**Section II.** Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision 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 III.** Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of Park City Municipal Corporation conflict with the provisions of this ordinance, this ordinance shall prevail.

**Section IV.** Effective Date. This Ordinance shall become effective upon publication.

**PASSED AND ADOPTED BY THE PARK CITY COUNCIL this 7<sup>th</sup> day of March, 2013.**

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Dana Williams

Attest:

  
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Janet M. Scott, City Recorder

Approved as to form

  
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Tricia S. Lake, Assistant City Attorney

