

Ordinance No.15-33

AN ORDINANCE AMENDING TITLE 4, LICENSING, SECTION 4-3-9 CONVENTION SALES, APPROVING THE CHANGE TO HOLD AN EMERGENCY SPECIAL MEETING FOR TYPE 2 CONVENTION SALES LICENSES THAT MAY BE HELD BY COUNCIL UP TO 2 DAYS PRIOR TO THE SUNDANCE FESTIVAL, OF THE MUNICIPAL CODE OF PARK CITY.

WHEREAS, costs will be mitigated for the Emergency Type 2 CSLs meeting and will enable to expedite the license process.

WHEREAS, Late Type 2 Convention Sales License application may hold a special meeting that may be held by Council 2 days prior to Sundance Festival.

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

Section I. Amendment Title 4 Convention Sale Section 4-3-9 of the Municipal Code of Park City is hereby amended as follows:

4- 3-9. CONVENTION SALES AND COMMERCIAL HOSPITALITY.

The Finance Department may issue licenses for a period not to exceed two (2) weeks for temporary use of convention, meeting, event and other assembly rooms within any licensed convention, meeting or assembly facility for the purpose of temporary exhibiting, marketing, displaying, Gifting or promoting of goods or services. If multiple vendors are sharing a space, an umbrella organizer may obtain a convention sales license for the entire space as long as each individual vendor provides an individual tax identification number. The umbrella organizer will be charged a license fee for the umbrella license as well as a fee for each vendor listed on the application. All vendors included in the umbrella license must be located under one physical address. The umbrella organizer is also responsible for having an appropriate business license. Any person or business that is conducting point of sales transactions will be required to have a separate business license whether in conjunction with a convention or not.

There are two types of Convention Sales and Hospitality Licenses.

TYPE 1 -Convention Sales License. This type of license will be available year round except for during the dates of Sundance Film Festival.

TYPE 2 -Sundance Film Festival Convention Sales and Hospitality License. This type of license will only be available during the dates of the Sundance Film Festival.

The licenses may be issued on the following terms:

(A) LICENSE FEE. The license fee shall be as set forth in the Park City License Fee Schedule. An additional administrative fee as set forth in the Park City License Fee Schedule is hereby authorized for all such temporary licenses effective during any portion of the Sundance Film Festival.

(B) STATE TAX NUMBER. The applicant must provide individual a Utah tax identification number if sales transactions are taking place, federal tax identification numbers if only promotion or gifting is taking place, as part of the license application to assist in verifying the collection and reporting of sales tax.

(C) REVIEW OF APPLICATIONS.

(1) Upon a reasonable belief that the applicant or Licensee has a fraud or felony conviction or prior criminal background or pending criminal proceeding, the Director may refer the application or Licensee for investigation to the Police Department.

(2) The Finance Manager or designee shall refer the application to the Building and Planning Departments for review. The Chief Building Official or designee to ensure compliance with the applicable building codes and fire codes including but not limited to determination of the maximum number of occupants the premises may safely accommodate at one time given the location and number of emergency exits; and the Planning Director or designee to ensure compliance with the Park City Land Management Code, Title 15.

(D) TYPES OF APPLICATIONS.

(1) For Type 1 licenses, the City may take up to ten (10) business days to complete the licensure process to permit adequate time for the Police, Building, Finance and Planning Departments for review and investigation. The Departments may request reasonable evidence of title to goods proposed to be offered for sale as part of the review.

(2) Retained Council Authority for Type 2 licenses:

(i) All Type 2 licenses shall require City Council approval at a publically noticed meeting. All Type 2 license applications must be complete and received at least seven (7) calendar days prior to a regular scheduled meeting and three (3) business days prior to a special meeting.

(ii) An Emergency Special Meeting may be held by Council to approve or deny any late Type 2 CSL applications. All applications are due no later than 3 business days prior to the Special Meeting and will be heard no later than 2 business days prior to the Festival start date. A higher fee, pursuant to the fee schedule, will be required due to the expedited nature of the emergency meeting.

(iii) All Type 2 license applications require the applicant to have a pre-inspection prior to application at the place of business conducted by the Building Department for compliance with the building and fire codes. A copy of said pre-inspection report

must accompany the license application submittal. The pre-inspection prior to application shall remain valid for 120 days.


- (iv) All Type 2 license applications shall require an accurate floor plan and a design occupancy load stamped by a design professional to be submitted at the time of application.
- (y) All Type 2 License applications require a final inspection by the Building Department post application after the space has been set up for the event. Business shall not be conducted until the final inspection has been passed and the applicant has been issued a Type 2 Convention Sales License.

(E) RESPONSIBILITY OF HOST BUSINESS TO ENSURE LICENSING AND COMPLIANCE WITH THE UNIFORM BUILDING AND FIRE CODES. Businesses which make all of or a portion or portions of their licensed business locations available to other persons for the purpose of engaging in business shall be responsible to ensure that such persons obtain business licenses and or convention sales licenses and possess federal tax numbers and Utah state sales tax numbers listed in Park City if sales transactions are taking place. In the event a licensed hotel, motel, inn or bed-and-breakfast business fails to require such a showing, that business shall be liable for payment of all license fees and penalties payable by the person engaging in business at their licensed location. If such business is not currently licensed for assembly use, the business shall obtain the necessary inspection and permit from the Building Department. Nothing herein shall relieve the sub-letting/guest business from their individual responsibility to obtain the necessary licenses.

Section II. Effective Date This ordinance shall become effective upon publication.

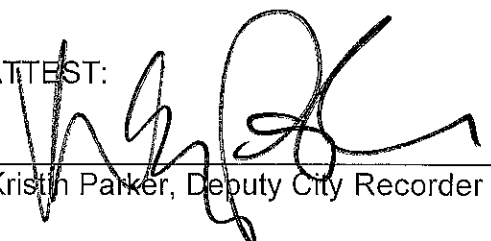
PASSED AND ADOPTED this 6th day of August, 2015

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Kristin Parker, Deputy City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney