

ORDINANCE NO. 1 - 75

AN ORDINANCE IMPOSING A THREE-FOURTHS OF ONE PER CENT MUNICIPAL SALES AND USE TAX, PROVIDING FOR THE PERFORMANCE BY THE STATE TAX COMMISSION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION AND COLLECTION OF A SALES AND USE TAX HEREBY IMPOSED, PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING THE PREVIOUSLY ENACTED UNIFORM LOCAL SALES AND USE TAX ORDINANCE OF THE MUNICIPALITY.

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

Section 1. Title. This ordinance shall be known as the "Uniform Local Sales and Use Tax Ordinance of the City of PARK CITY, UTAH".

Section 2. Purpose. The 41st Session of the Utah Legislature of Utah has authorized the counties and municipalities of the State of Utah to enact sales and use tax ordinances imposing a three-fourths of one per cent tax thus enabling this municipality to increase its local option sales and use tax from one-half of one per cent to three-fourths of one per cent.

Additionally, said Session of the Legislature has enacted amendments to Chapters 15 and 16 of Title 59, Utah Code Annotated, 1953, sufficiently to require this municipality to modify its sales and use tax ordinance to bring about conformity to those changes.

It is the purpose of this ordinance to conform the Uniform Local Sales and Use Tax of the municipality to the requirements of the Uniform Local Sales and Use Tax law of Utah, Chapter 9 of Title 11, Utah Code Annotated, 1953, as currently amended by repealing the previously enacted Uniform Local Sales and Use Tax Ordinance of this municipality and re-enacting by this ordinance a new Uniform Local Sales and Use Tax ordinance.

Section 3. Effective Date - Continuance of Former Ordinance. This ordinance shall become effective as of 12:01 o'clock a.m., July 1, 1975. The provisions of the previously enacted Uniform Local Sales and Use Tax ordinance of the municipality which is repealed hereby and which are in conflict herewith shall continue effective until 12:00 o'clock midnight, June 30, 1975. The provisions of this ordinance which are not in conflict with said former ordinance shall be deemed to be a continuation thereof and any rights, duties and obligations arising thereunder shall not in any way be deemed abrogated or terminated.

Section 4. Sales Tax.

(a)(1) From and after the effective date of this ordinance, there is levied and there shall be collected and paid a tax upon every retail sale of tangible personal property, services and meals made within the municipality at the rate of three-fourths of one per cent (3/4%).

(2) For the purpose of this ordinance all retail sales shall be presumed to have been consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has no permanent place of business in the state, or has more than one place of business, the place or places at which the retail sales are consummated shall be as determined under the rules and regulations prescribed and adopted by the State Tax Commission. Public utilities as defined by Title 54, Utah Code Annotated, 1953, shall not be obligated to determine the place or places within any county or municipality where public utilities services are rendered, but the place of sale or the sales tax revenues arising from such service allocable to the city shall be as determined by the State Tax Commission pursuant to an appropriate formula and other rules and regulations to be prescribed and adopted by it.

(b)(1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of the Uniform Local Sales and Use Tax Law of Utah, all of the provisions of Chapter 15,

Title 59, Utah Code Annotated, 1953, as amended, and in force and effect on the effective date of this ordinance, insofar as they relate to sales taxes, excepting Sections 59-15-1 and 59-15-21 thereof, and excepting for the amount of the sales tax levied therein, are hereby adopted and made a part of this ordinance as though fully set forth herein.

(2) Wherever, and to the extent that in Chapter 15 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of this municipality shall be substituted therefor. Nothing in this subparagraph (b) shall be deemed to require substitution of the name of the municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the State of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the result of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) If an annual license has been issued to a retailer under Section 59-15-3 of the said Utah Code Annotated, 1953, an additional license shall not be required by reason of this section.

(4) There shall be excluded from the purchase price paid or charged by which the tax is measured:

(A) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(B) Receipts from the sale of tangible personal property upon which a sales or use tax has become due by reason of the same transaction to any other municipality and any county in the State of Utah, under a sales or use tax ordinance enacted by that county or municipality in accordance with the Uniform Local Sales and Use Tax Law of Utah.

Section 5. Use Tax.

(a) An excise tax is hereby imposed on the storage, use, or other consumption in this municipality of taxable personal property from any retailer on or after the operative date of this ordinance for storage, use or other consumption in the municipality at the rate of three-fourths of one per cent (3/4%) of the sales price of the property.

(b)(1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of said Uniform Local Sales and Use Tax Law of Utah, all of the provisions of Chapter 16, Title 59, Utah Code Annotated, 1953, as amended and in force and effect on the effective date of this ordinance, applicable to use taxes, excepting the provisions of Sections 59-16-1 and 59-16-25 thereof, and excepting for the amount of the tax levied therein, are hereby adopted and made a part of this section as though fully set forth herein.

(2) Wherever and to the extent that in said Chapter 16 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of this municipality shall be substituted therefor. Nothing in this subparagraph (b) shall be deemed to require the substitution of the name of this municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of the State of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the results of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) There shall be exempt from the tax due under this section:

(A) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(B) The storage, use or other consumption of tangible personal property, the gross receipts from the sales of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with the Uniform Local Sales and Use Tax Law of Utah by any other municipality and any county of the State.

Section 6. Contract with State Tax Commission. Heretofore, this municipality has entered into an agreement with the State Tax Commission to perform all functions incident to the administration or operation of the sales and use tax ordinance of the municipality. That contract is hereby confirmed and the mayor is hereby authorized to enter into such supplementary agreement with the State Tax Commission as may be necessary to the continued administration and operation of the local sales and use tax ordinance of the municipality as re-enacted by this ordinance.

Section 7. Penalties. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine in an amount less than \$300.00 or imprisonment for a period of not more than six months, or by both such fine and imprisonment.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, including but not limited to any exemption is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein.

Adopted by the City Council of the City of Park City, Utah, this 17th day of April, 1975.


MAYOR

ATTEST:


City Recorder

DATE OF FIRST PUBLICATION OR POSTING: _____

ORDINANCE NO. 2 - 75

AN ORDINANCE AMENDING SECTION 303 (a), OF THE UNIFORM BUILDING CODE, 1973 EDITION AND ORDINANCE NUMBER 2-74, REVISED ORDINANCES OF PARK CITY, UTAH, AND ENACTING SECTION 303 (a) (2), OF THE UNIFORM BUILDING CODE, 1973 EDITION; CREATING AN IMPACT FEE PRIOR TO ISSUANCE OF A BUILDING PERMIT.

The City Council of Park City, Summit County, State of Utah, ordains as follows:

Section 1. The City Council of Park City, Summit County, State of Utah, has determined that due to the increase of development within the corporate limits of Park City, Utah, and the need for increasing its municipal services, an emergency situation is created whereby an impact will be placed upon Park City, A Municipal Corporation, to provide a substantial increase in municipal services. In an attempt to offset the increase in costs for these services, the increase in population, and the impact caused upon Park City, A Municipal Corporation, it is deemed by the City Council of Park City, Utah, that it is necessary to establish an impact fee for future development within the corporate limits of Park City, Utah, as hereinafter set forth.

Section 2. Section 303 (a) of the Uniform Building Code, 1973 Edition and Ordinance Number 2-74, Revised Ordinances of Park City, Utah, are hereby amended as follows:

FEES

Sec. 303 (a) (1) BUILDING PERMIT FEES. A fee for each building permit shall be paid to the Building Official as set forth in Table No. 3-A.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official, subject to the approval of the City Manager of Park City, Utah. The valuation to be used in computing the permit and plan-check fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment.

Where work for which a permit is required by this Code is commenced

prior to obtaining said permit, the fees specified in Table No. 3-A shall be doubled, but the payment of such double fee shall not relieve and person, as defined in this Code, from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

TABLE NO. 3-A--BUILDING PERMIT FEES

<u>TOTAL VALUATION</u>	<u>FEE</u>
\$1.00 to \$50,000.00	One (1%) percent of the first \$50,000.00 of the total valuation of construction as hereinabove described;
\$50,001.00 to \$500,000.00	One (1%) percent of the first \$50,000.00 plus an additional Three-quarter (3/4%) percent of the next \$450,000.00 or fraction thereof of the total valuation of construction as hereinabove described;
\$500,001.00 and up	One (1%) percent of the first \$50,000.00 plus an addition Three-quarter (3/4%) percent of the next \$50,001.00 to \$500,000.00 plus an additional one-half (1/2%) percent of \$500,001.00 and up or fraction thereof of the total valuation of construction as hereinabove described.

Section 3. Section 303 (a) (2) is enacted as follows:

Sec. 303 (a) (2) IMPACT FEES. Prior to the issuance of a building permit, a fee shall be paid to the Building Official as set forth in Table No. 3-B. This fee shall be in addition to all other fees set forth in this Code.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official, subject to the approval of the City Manager of Park City, Utah. The valuation to be used in computing the impact fees shall be the total value of all ^{new} construction work for which a building permit is issued, ~~as well as~~ ^{including} all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment.

Where work for which a building permit is required by this Code is commenced prior to payment of the impact fee, the fees specified in Table

No. 3-B shall be doubled, but the payment of such double fee shall not relieve any person, as defined in this Code, from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

The fees as set forth in Table No. 3-B shall be in addition to the building permit fees as set forth in Table No. 3-A.

TABLE NO. 3-B--IMPACT FEES

<u>TOTAL VALUATION</u>	<u>FEE</u>
\$1.00 and up	Two (2%) percent of the total valuation of new construction as hereinabove described.

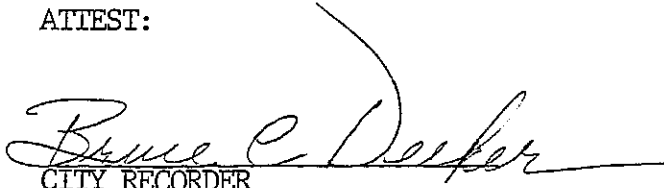
In the opinion of the City Council, Park City, Summit County, State of Utah, it is necessary to the peace, health and safety of the residents of Park City that this Ordinance shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the City Council has passed, approved and enacted this Ordinance this 1st day of May, 1975.

CITY COUNCIL OF PARK CITY

By 
MAYOR

ATTEST:


CITY RECORDER

ORDINANCE NO. 3A-75

AN ORDINANCE AMENDING ORDINANCE NO. 3-75, SECTIONS 1 AND 2, REVISED ORDINANCES OF PARK CITY, UTAH: ESTABLISHING THE PRIMARY ELECTION DATE AS THE FOURTH TUESDAY PRECEDING THE MUNICIPAL ELECTION AND REQUIRING ANY PERSON DESIRING TO FILE FOR AN ELECTIVE OFFICE TO FILE SUCH NOMINATION STATEMENT TWENTY-ONE DAYS PRIOR TO THE PRIMARY ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH:

Section 1. Section 1 of Ordinance No. 3-75 is amended to read as follows:

Section 1. Candidates to be voted for at all municipal elections shall be nominated by a primary election, and no names shall be placed upon the municipal ballot except those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the fourth Tuesday preceding the municipal election. The judges of the election appointed for the municipal election shall be the judges of the primary election. The primary election shall be held at the same place, so far as possible, as the municipal election, and the polls shall be opened and closed at the same hours.

Section 2. Section 2 of Ordinance No. 3-75 is amended to read as follows:

Section 2. Any person desiring to become a candidate for mayor or city councilman shall, and least twenty-one days prior to the primary election, file with the City Recorder a statement of his candidacy in substantially the following form:

NOMINATION STATEMENT

STATE OF UTAH, COUNTY OF SUMMIT

I, _____, being first duly sworn, say that I reside at _____ Street, City of Park City, County of Summit, State of Utah; that I am a qualified voter therein and have resided in Park City, Utah not less than one(1) year last past; that I am a candidate for nomination to the office of _____ (stating the office) to be voted upon at the primary election to be held on Tuesday, the _____ day of October, 19____, and I hereby request that my name be printed upon the

Subscribed and sworn to (or affirmed) before me by _____
_____ on this _____ day of _____, 19____.

(Signed) _____

(Official Character of officer taking oath)

Section 3. Any person desiring to become a candidate for mayor or city councilman shall at the same time the nomination statement is filed also file with the city recorder, a petition of at least fifty (50) qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to the qualifications and residence, with street number, of each of the persons signing such petition, which shall be substantially the following form:

PETITION ACCOMPANYING NOMINATION STATEMENT

The undersigned, duly qualified electors of the city of Park City and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for nomination for (name of office and term), at the primary election to be held in said city on Tuesday, the _____ day of October, 19____. We further state that we know him to be a qualified elector of said city and a man of good moral character, and who is qualified in our judgement for the duties of such office.

	Name of Qualified Electors	Number	Street
1.	_____	_____	_____
2.	_____	_____	_____

Section 4. Immediately upon the expiration of the time for filing the statements and petitions of candidates the city recorder shall cause to be published for three successive publications, in a newspaper circulated in the city, in proper form, the names of the persons as they appear on the primary ballot; and the recorder shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Upon the ballot the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the right of each name, and, immediately below, the words, "Vote for One." Following such names, likewise arranged in alphabetical order, shall

appear the names of the candidates for city councilmen for the four year term, with a square at the right of each name, and below the names of such candidates shall appear the words, "Vote for _____", (stating the numbers as the case may be.)

The ballots shall bear no party designation or mark whatever and shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT

Candidates for nomination for (state the offices to be filled) of Park City, at the primary election _____.

For Mayor:

(Names of candidates)

Vote for One.....

For City Councilman for the four-year term:

(Names of Candidates)

Vote for _____ (stating the number to be elected at the municipal election.)

Section 5. Having caused such ballots to be printed, the city recorder shall cause to be delivered at each polling place a number of ballots equal to twice the number of votes cast therein at the last municipal election for mayor. Persons who are qualified to vote at the municipal election, and who at the time of such primary election are registered, shall be qualified to vote at such primary election, and challenges can be made by not more than two persons to be appointed at the time of opening the polls by the judges of election. The law applicable to challenges made at a municipal election shall be applicable to challenges made at a primary election. Upon the closing of the polls, judges of election shall immediately count the ballots and ascertain the number of votes cast in the district for each of the candidates and make return thereof within twenty hours of the closing of the polls to the city recorder upon proper blanks to be furnished by him. On the day following the primary election the city recorder shall canvass the returns so received from all the polling districts and shall make and publish in a newspaper of general circulation in the city, at least once, the result thereof. The candidates receiving the highest number of votes for mayor

shall be placed upon the ballot for mayor at the next succeeding municipal election. The four or six candidates on alternate years receiving the highest number of votes for city councilman shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for city councilman at such municipal election.

Section 6. At primary elections the election precincts, voting places, and method of conduction elections, shall be the same as provided for by law for municipal elections.

Section 7. All qualified electors of the state who have resided in the county four months and in the city for sixty days next preceding any municipal election are entitled to vote at the primary election.

Section 8. Any and all ordinances, resolutions, or other actions by the City Council of Park City, Utah, a municipal corporation, contrary to the provisions of this ordinance are hereby repealed.

Section 9. If any subsection, sentence, clause, phrase or portion of this ordinance, including but not limited to any exemption, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of Park City hereby declares that it would have adopted this ordinance and each subsection, sentence, clause, phrase, or phrase, or portion thereof, irrespective of the fact that any one or more subsections, sentences, clauses, or portions thereof be declared invalid or unconstitutional.

~~Section 10. In the opinion of the City Council, it is necessary~~
to the peace, health and safety of the inhabitants of Park City, that this ordinance become effective upon its adoption and first posting.

PARK CITY COUNCIL

BY

MAYOR

ATTEST:

Bruce C. Decker
CITY RECORDER

DATE OF FIRST POSTING:

ORDINANCE NO. 4 - 75

AN ORDINANCE AMENDING SECTION 67-8-2 BOUNDARIES OF ZONES, REVISED ORDINANCES OF PARK CITY, UTAH, AND CREATING ZONES F-E AND C-R FOR PROPERTY HEREINAFTER DESCRIBED, LOCATED IN HOLIDAY RANCH AREA OF PARK CITY, UTAH.

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH:

Section 1. That Section 67-8-2 of the Revised Ordinances of Park City, Utah, Zoning Ordinances, be and the same hereby is amended to include the real property hereinafter described in Section 2 and Section 3 of this Ordinance.

Section 2. The following real property located in the Holiday Ranch Area of Park City, Utah, and more particularly described hereafter be and the same hereby is zoned F-E. Said property is more particularly described as follows:

Beginning at a point on the North line of Little Kate Road said point being North 1304.60 feet and East 1185.00 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North 285.00 feet; thence North 29°30' East 590.00 feet; thence North 44°29'36" West 683.07 feet; thence North 12°20'30" West 363.61 feet to a point on a curve on the Southerly line of a proposed 66.00 foot right-of-way the radius point of which bears South 23°00' East 417.00 feet; thence Northeasterly along said curve to the right 87.34 feet to a point of tangency; thence North 79°00' East 291.00 feet; thence South 25°00' East 315.00 feet; thence South 42°00' East 365.00 feet; thence South 28°32'50" East 329.88 feet; thence East 150.00 feet; thence North 10°00' East 246.94 feet; thence North 34°00' East 373.34 feet; thence North 5°00' East 599.14 feet; thence North 60°00' West 145.52 feet to a point on a curve on said right-of-way line the radius point of which bears North 64°00' West 513.00 feet; thence Northeasterly along said curve to the left 204.89 feet; thence East 50.00 feet; thence North 33°00' East 400.00 feet; thence North 18°00' East 290.00 feet; thence North 39°54'57" East 495.02 feet; thence North 60°00' East 406.66 feet; thence North 54.70 feet to the point of a curve on said right-of-way line the radius point of which bears South 432.56 feet; thence Southeasterly along said curve to the right 433.71 feet; thence South 40°50' West 603.18 feet; thence South 30°00' West 260.00 feet; thence South 52°00' West 700.00 feet; thence South 11°00' East 435.00 feet; thence South 53°00' East 655.00 feet; thence North

59°56'18" East 192.50 feet; thence North 4°00' West 685.00 feet; thence North 30°00' East 690.00 feet; thence North 60°00' East 220.00 feet to the point of a curve on said right-of-way line the radius point of which bears North 68°30' East 733.00 feet; thence Southeasterly along the arc of said curve to the right 244.35 feet; thence South 8°00' West 700.00 feet; thence South 20°21'37" East 192.65 feet; thence South 71°30' East 480.00 feet; thence South 49°00' East 425.00 feet; thence East 210.00 feet; thence South 42°30' East 248.00 feet; thence East 90.00 feet to a point on said 66.00 foot right-of-way; thence South 0°18'38" West 375.00 feet; thence West 215.00 feet; thence North 75°00' West 970.00 feet; thence South 38°24'08" West 41.36 feet; thence South 12°00' East 301.50 feet; thence South 17°00' West 1069.07 feet to a point on a curve on the North line of said Little Kate Road the radius point of which bears South 24°04' West 525.00 feet; thence Northwesterly along the arc of said curve to the left 220.52 feet to a point of tangency; thence West 84.14 feet; thence North 205.00 feet; thence North 4°39'50" West 765.33 feet; thence South 80°10'42" West 974.00 feet; thence South 110.00 feet; thence West 544.43 feet; thence South 57°00' West 438.345 feet; thence South 264.00 feet to a point on a curve on the North line of said Little Kate Road the radius point of which bears South 2°56'49" West 525.00 feet; thence Northwesterly along the arc of said curve to the left 27.00 feet to a point of tangency; thence West 381.00 feet to the point of beginning.

Also beginning at a point South 0°18'38" West along the section line 1137.54 feet and West 67.01 feet from the East quarter corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence South 0°18'38" West 1083.67 feet; thence South 89°59'38" West 957.425 feet to a point on a curve to the left, the radius point of which is North 59°51'49" West 733 feet; thence Northeasterly along the arc of said curve 385.54 feet; thence North 117.17 feet to a point of a 600 foot radius curve to the right; thence Northeasterly along the arc of said curve 945.73 feet; thence South 89°41'22" East 260.97 feet to the point of beginning.

Also beginning at a point North 0°17'30" East 16.50 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North 0°17'50" East 2661.16 feet to the West quarter corner of said section; thence North 0°09'43" East 1330.255 feet; thence South 89°41'43" East 1324.43 feet; thence North 0°10'12" East 996.51 feet; thence South 89°40'12" East 1324.59 feet; thence South 12°01'23" West 39.23 feet to a point of a 539.93 foot radius curve to the left, the radius point of which is South 539.93 feet; thence Southwesterly along the arc of said curve 169.62 feet to a point of a curve to the left, the radius point of which is South 18°00' East 693.00 feet; thence Southwesterly along the arc of said curve 1100.66 feet to a point of a reverse curve to the right, the radius point of which is South 71°00' West 447.00 feet; thence Southwesterly along the arc of said curve 764.56 feet to a point of tangency; thence

South 79°00' West 800.00 feet to a point of curve to the left the radius point of which is South 11°00' East 483.00 feet; thence Southwesterly along the arc of said curve 851.42 feet to a point of tangency; thence South 22°00' East 366.94 feet to a point of curve to the right, the radius point of which is South 68°00' West 1667.00 feet; thence Southeasterly along the arc of said curve 640.08 feet to a point of tangency; thence South 1200.00 feet to a point of a curve to the right, the radius point of which is West 467.00 feet; thence Southwesterly along the arc of said curve 733.56 feet to a point of tangency; thence West 366.92 feet to the point of beginning.

Also beginning at a point South 89°52'47" East along the section line 1840.00 feet from the North quarter corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence South 89°52'47" East 813.10 feet to the Northeast corner of said section; thence South 89°52'47" East 2653.10 feet to the South quarter corner of Section 3, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 0°41'11" West 2653.55 feet; thence South 89°55'56" West 2622.615 feet to the West quarter corner of said Section 3, thence North 85°46'51" West 1.03 feet to a 1733.00 foot radius curve to the left, the radius point of which is North 89°41'22" West 1733.00 feet; thence Northwesterly along the arc of said curve 212.05 feet to a point of tangency; thence North 6°42' West 300.27 feet to a point of curve to the left, the radius point of which is South 83°18' West 769.25 feet; thence Northwesterly along the arc of said curve 1071.39 feet to a point of a reverse curve to the right; the radius point of which is North 3°30' East 667.00 feet; thence Northwesterly along the arc of said curve 606.29 feet; thence North 55°38'57" East 989.975 feet; thence North 29°26'29" West 721.64 feet to the point of beginning.

Also beginning at a point North 1304.60 feet and East 1185.00 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence West 285.00 feet; thence North 378.90 feet to a point of a curve to the left, the radius point of which is West 1733.00 feet; thence Northwesterly along the arc of said curve 665.42 feet to a point of tangency; thence North 22°00' West 366.94 feet to a point of a curve to the right, the radius point of which is North 68°00' East 417.00 feet; thence North-easterly along the arc of said curve 647.74 feet; thence South 12°20' 30" East 636.61 feet; thence South 44°29'36" East 684.07 feet; thence South 29°30' West 590.00 feet; thence South 285.00 feet to the point of beginning.

Also beginning at a point North 3293.99 feet and East 1229.07 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North 79°00' East 509.00 feet to a point of a curve to the left, the radius point of which is North 11°00' West 513.00 feet; thence Northeasterly along the arc of said curve 474.54 feet; Thence South 60°00' East 145.52 feet; thence South 5°00' West 599.14 feet; thence South 34°00' West 373.34 feet; thence South 10°00' West 246.94 feet; thence West 150.00 feet; thence North 28°32'50" West 329.88 feet; thence North 42°00' West 365.00 feet; thence North 25°00' West 315.00 feet to the point of beginning.

Also beginning at a point North 89°49'35" East along the Section line 2654.06 feet and South 0°13'40" West along the center of Section line 1323.67 feet from the Northwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, to the one sixteenth corner, and South 0.48 feet and East 623.88 feet to the point of beginning and running thence North 16°15'53" West 1003.92 feet to a point on a curve to the left, the radius point of which is North 8°16'36" West 983.00 feet; thence Northeasterly along the arc of said curve 379.27 feet to a point of tangency, thence North 59°37' East 783.13 feet to a point of a 733.00 foot radius curve to the left thence Northeasterly along the arc of said curve 377.15 feet; thence North 89°59'38" East 957.425 feet; thence South 0°18'38" West 496.00 feet to a point on the Northerly right-of-way line of State Highway U-248 (US 40 Alt.), thence South 84°16' West along said right-of-way line 56.86 feet to a point of a 1482.40 foot radius curve to the left; thence Southwesterly along the arc of said curve and said right-of-way line 365.37 feet; thence South 89°49'35" West 265.87 feet, thence South 0°04'58" West 126.46 feet to a point on the Northerly right-of-way line of State Highway U 248 (US 40 Alt.), said point being on a curve to the left, the radius point of which is South 31°16'23" East 1482.40 feet; thence Southwesterly along the arc of said curve and said right-of-way line 293.92 feet; thence South 47°22' West along said right-of-way line 1274.26 feet; thence North 89°57'18" West 118.00 feet to the point of beginning.

Also beginning at a point North 504.31 feet and East 186.85 feet from the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the Easterly right-of-way line of Monitor Drive and running thence North 80°47' East 280.27 feet; thence North 16°15'53" West 431.31 feet to a point on the Southerly right-of-way line of Lucky John Drive, said point being on a curve to the right, the radius point of which bears North 8°16'36" West 983.00 feet; thence Southwesterly along the arc of said curve and said right-of-way line 142.00 feet to the point of tangency; thence West 130.77 feet to the point of a 15.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 23.56 feet to the point of tangency said

point being on the Easterly right-of-way of Monitor Drive; thence South along said right-of-way 58.00 feet to the point of a 317.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 165.98 feet to the point of tangency; thence South 30° East 51.89 feet to the point of a 533.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 184.34 feet to the point of beginning.

Section 3. The following real property located in the Holiday Ranch Area of Park City, Utah, and more particularly described hereafter be and the same hereby is zoned C-R. Said property is more particularly described as follows:

Beginning at a point on a curve on the North line of Little Kate Road said point being North 1303.91 feet and East 1592.99 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian the radius point of which bears South 2°56'49" West 525.00 feet and running thence Southeasterly along the arc of said curve and said North line 247.89 feet to a point of tangency; thence South 60°00' East 111.25 feet to a point of a 475.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 248.71 feet to a point of tangency; thence East 1364.655 feet; thence leaving said North line North 205.00 feet; thence North 4°39'50" West 765.33 feet; thence South 80°10'42" West 974.00 feet; thence South 110.00 feet; thence West 544.43 feet; thence South 57°00' West 438.345 feet; thence South 264.00 feet to the point of beginning.

Also beginning at a point on a curve on the East line of a proposed 66.00 foot wide right-of-way, said point being North 3866.80 feet and East 2143.07 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian the radius point of which bears North 86°53' West 513.00 feet; and running thence East 50.00 feet; thence North 33°00' East 400.00 feet; thence North 81°00' East 290.00 feet; thence North 39°54'57" East 495.02 feet; thence North 60°00' East 406.66 feet; thence North 54.70 feet to the South line of said 66.00 foot right-of-way; thence along said line West 705.76 feet to the point of curvature of a 473.93 foot radius curve to the left; thence Southwesterly along said curve 159.26 feet to the point of compound curve of a 627.00 foot radius curve to the left the radius point of which bears South 18°00' East; thence Southwesterly along said curve 995.83 feet to a point of reverse curvature; thence Southeasterly along the arc of a curve to the left, the radius point of which bears South 71°00' West 513.00 feet; a distance of 198.02 feet to the point of beginning.

Also beginning at a point on the West line of a proposed 66.00 foot wide right-of-way said point being North 4239.14 feet and East 3916.23 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence along said West line North $21^{\circ}30'$ West 400.00 feet to the point of curvature of a 432.56 foot radius curve; thence Northwesterly along the arc of said curve to the left 83.44 feet; thence South $40^{\circ}50'$ West 603.18 feet; thence South $30^{\circ}00'$ West 260.00 feet; thence South $52^{\circ}00'$ West 700.00 feet; thence South $11^{\circ}00'$ East 435.00 feet; thence South $53^{\circ}00'$ East 655.00 feet; thence North $59^{\circ}56'18''$ East 192.50 feet; thence North $4^{\circ}00'$ West 685.00 feet; thence North $30^{\circ}00'$ East 690.00 feet; thence North $60^{\circ}00'$ East 220.00 feet to the point of beginning.

Also beginning at a point on the West line of a proposed 66.00 foot wide right-of-way said point being North 2542.99 feet and East 5254.78 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence along said West line North $0^{\circ}18'38''$ East 111.54 feet to a point of a 1667.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 203.97 feet to a point of tangency; thence North $6^{\circ}42'$ West 300.27 feet to a point of a 703.25 foot radius curve to the left; thence Northwesterly along the arc of said curve 979.47 feet to a point of reverse curvature; thence Northwesterly along the arc of a curve to the right, the radius point of which bears North $3^{\circ}30'$ East 733.00 feet, a distance of 587.21 feet; thence South $8^{\circ}00'$ West 700.00 feet; thence South $20^{\circ}21'37''$ East 192.65 feet; thence South $71^{\circ}30'$ East 480.00 feet; thence South $49^{\circ}00'$ East 425.00 feet; thence East 210.00 feet; thence South $42^{\circ}30'$ East 248.00 feet; thence East 90.00 feet to the point of beginning.

Also beginning at a point on a curve on the North line of Little Kate Road, said point being North 1069.37 feet and East 3825.23 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, the radius point of which bears South $24^{\circ}04'00''$ West 525.00 feet and running thence Southeasterly along the arc of said curve and said North line 79.41 feet to a point of tangency; thence South $57^{\circ}16'$ East 89.14 feet to a point of a 475.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 271.37 feet to a point of tangency; thence East 92.16 feet; thence North 10.00 feet to a point of a 666.00 foot radius curve to the right; thence Northeasterly along the arc of said curve 1049.76 feet to a point of tangency; thence South $89^{\circ}41'22''$ East 260.97 feet; thence North $0^{\circ}18'38''$ East 585.44 feet; thence West 215.00 feet; thence North $75^{\circ}00'$ West 970.00 feet; thence South $38^{\circ}24'08''$ West 41.36 feet; thence South $12^{\circ}00'$ East 301.50 feet; thence South $17^{\circ}00'$ West 1069.07 feet to the point of beginning.

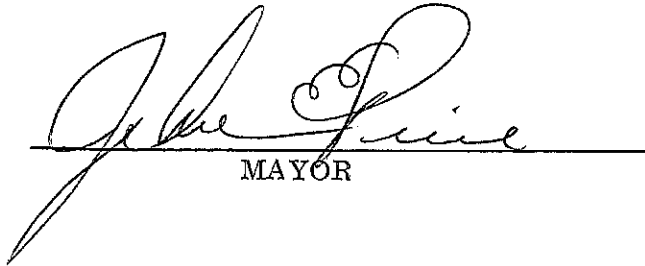
Also beginning at a point on the South line of the Holiday Ranch Loop Road and the East line of State Road U-224 (U. S. - 40 Alt.) said point being South 99.50 feet and West 1186.06 feet from the Northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence along said East line of State Road U-224 South $21^{\circ}16'$ East 1473.55 feet; thence North $68^{\circ}44'$ East 692.96 feet to the East line of said Section 8; thence along said East section line South $0^{\circ}16'20''$ West 92.34 feet; thence South $89^{\circ}57'31''$ East 782.68 feet to the West line of the Holiday Ranchettes Subdivision; thence along said West line North 564.28 feet; thence West 780.00 feet to said East line of Section 8 and the Eastern boundary of the Sewage Treatment plant site; thence South $0^{\circ}16'20''$ West along said boundary 99.51 feet; thence continuing along said boundary West 355.98 feet; thence North $14^{\circ}12'40''$ West 651.56 feet to a point of a 1407.50 foot radius curve to the left, the radius point of which bears South $75^{\circ}47'20''$ West; thence Northwesterly along said curve 176.97 feet to the South line of said Holiday Ranch Loop Road at the point of a curve to the left, the radius point of which bears South 900.00 feet; thence Southwesterly along said curve 212.06 feet to a point of reverse curvature; thence Southwesterly along the arc of a 909.60 foot radius curve to the right, the radius point of which bears North $13^{\circ}30'$ West, a distance of 214.32 feet to a point of tangency; thence West 189.54 feet to the point of beginning.

Also beginning at a point South 0.16 feet and East 206.73 feet from the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on a point on a 491.02 foot radius curve to the left on the Easterly right-of-way line of Monitor Drive and running thence Northeasterly along the arc of said curve and said right-of-way line 247.89 feet to a point of tangency; thence North $9^{\circ}13'$ West 254.65 feet to a point of a 533.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 9.00 feet; thence North $80^{\circ}47'00''$ East 280.27 feet; thence South $16^{\circ}15'53''$ East 572.61 feet; thence North $89^{\circ}57'18''$ West 417.15 feet to the point of beginning.

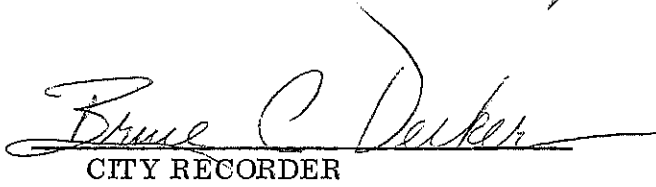
Section 4. In the opinion of the City Council of Park City, Utah, it is necessary to the peace, health and welfare of the inhabitants of Park City that this ordinance become effective immediately.

Section 5. This Ordinance shall take effect upon its first publication.

PASSED by the City Council of Park City, Summit County, State
of Utah, this 16th day of October, 1975.


MAYOR

ATTEST:


CITY RECORDER

ORDINANCE NO. 5 - 75

AN ORDINANCE ZONING AN 11.052 ACRE PARCEL TO F-E LOCATED ON STATE HIGHWAY U-248 AND LYING ACROSS SAID STREET FROM PROPERTY DESIGNATED AS THE NEW PARK CITY HIGH SCHOOL

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH, that

Section 1. The below described real property located in Park City, Summit County, State of Utah, is hereby designated as F-E ZONE:


Beginning at a point South 0 degrees 04 min. 58 sec. East 133.78 feet and North 89 degrees 57 min. 18 sec. West 745.03 feet from the Northeast corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 89 degrees 57 min. 18 sec. West 1022.95 feet to the Southeasterly line of State Highway U-248; thence North 47 degrees 22 min. East along said Southeasterly line 1165.80 feet to a point of a 1382.40 foot radius curve to the right; thence Northeasterly along the arc of said curve 212.30 feet; thence South 0 degrees 04 min. 58 sec. West 921.66 feet to the point of beginning. Consisting of approximately 11.052 acres.

Section 2. In the opinion of the Park City Council, it is necessary to the peace, health and safety of the residents of Park City that this Ordinance shall take effect immediately upon its first publication.


IN WITNESS WHEREOF, the City Council has passed, approved and enacted this Ordinance this ___ day of October, 1975.

CITY COUNCIL OF PARK CITY

By


MAYOR

ATTEST:


CITY RECORDER

Date of First Posting _____

ORDINANCE NO. 6-75

AN ORDINANCE ESTABLISHING A BUSINESS TRANSPORTATION REVENUE
LICENSE

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH, THAT:

Section 1. Definitions. For the purpose of this ordinance, the following terms shall have the meanings herein prescribed:

(A) Business. "Business" means and includes all activities engaged in within the corporate limits of Park City carried on for the business of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term business unless otherwise specifically prescribed.

(B) Engaging in Business. "Engaging in business" includes but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to his employer under any contract of personal employment.

(C) Place of Business. "Place of Business" means each separate location maintained or operated by the licensee within Park City from which business activity is conducted or transacted.

(D) Employee. "Employee" means the operator, owner or manager of said place of business and any persons employed by such person in the operation of said place of business in any capacity and also any salesman, agent or independent contractor engaged in the operation of said place of business in any capacity.

(E) Number of Employees. "Number of employees" shall mean the average number of employees engaged in business at the place of business each regular working day during the preceding calendar year. In computing said number, each regular full-time employee shall be counted as one employee, and each part-time employee shall be counted as that fraction which is formed by using the total number of hours worked by such employee as the numerator and the total number of hours worked regularly by a full-time employee as the denominator.

(F) Person. "Person" shall mean any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, corporation, association, society or other group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise.

(G) Gross Sales. "Gross sales" shall not include:

(a) The amount of any Federal tax, except excise taxes imposed upon or with respect to retail or wholesale sales, whether imposed upon the retailer, wholesaler, jobber or upon the consumer and regardless of whether or not the amount of Federal tax is stated to customers as a separate charge; and,

(b) The amount of net Utah State Sales Tax. The term "gross sales" includes the amount of any manufacturer's or importer's excise tax included in the price of the property sold, even though the manufacturer or importer is also the wholesaler or retailer thereof, and whether or not the amount of such tax is stated as a separate charge.

(c) The term "gross sales" or "gross proceeds" shall mean the total amount received in money, credits, property, or otherwise by any person, while engaged in business as defined in this ordinance.

Section 2. License fee levied.

(A) There is hereby levied upon the business of every person engaged in business in Park City at a place of business within the City, a fee of .5 percent of the gross sales or the gross proceeds, per place of business.

(B) There is hereby levied upon every person engaged in business in Park City, Utah, not having a place of business in said City and not exempt as provided by Section 11 of this ordinance, a fee based upon the percentage of gross sales and/or services made or performed within the City.

Section 3. Unlawful to operate without a license. It shall be unlawful for any person to engage in business within Park City without first procuring the license required by this chapter.

Section 4. License additional to all regulatory licenses. The license fee imposed by this ordinance shall be in addition to any and all other taxes or licenses imposed by other provisions of the ordinances of Park City.

Section 5. Delinquent date and penalty. Half of the license fees imposed by this ordinance shall be due and payable on or before January 1 of any calendar year and the balance shall be due February 1 of the same calendar year, and in the event a false return is filed, a penalty of one (1) percent of the gross proceeds or gross sales shall be assessed, which penalty shall become part of the license fee imposed by this ordinance, and in the event any fee is not paid on or before such dates, a penalty of ten (10) percent of the fees due shall be assessed, which penalty shall become part of the license fee imposed by this ordinance. Said fee shall be computed based upon the state sales tax paid for the year July 1, 1974 to June 30, 1975, and thereafter said fee shall be computed from July 1, to June 30, of each succeeding year. New businesses which have no record of state sales taxes for the twelve month period prior to June 30 of any year must estimate the amount of gross sales for the current twelve month period, the fees to be based on such estimate. Discrepancies between estimated and actual sales shall be reconciled when sales tax data becomes available and in the event that (a) licensee had paid in excess of the amount due as shown by state sales taxes paid, City shall be liable for refund of the amount of overpayment, or (b) licensee has paid fees insufficient to cover the amount due as shown by state sales taxes paid, the licensee shall be liable for the amount of underpayment.

Section 6. Records to be maintained. It shall be the duty of every person liable for the payment of any license fee imposed by this ordinance to keep and preserve for a period of three years such books and records as will accurately reflect the amount of his gross annual sales of goods and services for any year for which an exemption is claimed, and the number of employees and from which can be determined the amount of any license fee for which he may be liable under the provisions of this ordinance.

Section 7. Returns not to be public. Returns made to the City Manager of Park City, as required by this ordinance, shall not be made public nor shall they be subject to the inspection of any persons except the City Manager or his authorized agent, or to those persons first authorized to do so by order

of the City Council. It shall be unlawful for any person to make public or to inform any other person as to the contents of any information contained in, or permit the inspection of any return, except as in this section authorized.

Section 8. Unlawful to file false return. It shall be unlawful for any person to make a return that is false knowing the same to be so.

Section 9. Revocation of license. Any person to whom a license is issued may have the same revoked by order of the City Council upon his violating any provision, or his failing to comply fully with all the provisions of this ordinance.

Section 10. License fees declared to be a debt. Any license fee due and unpaid under this ordinance and all penalties thereon shall constitute a debt to Park City and shall be collected by court proceedings in the same manner as any other debt in like manner, which remedy shall be in addition to all other existing remedies.

Section 11. Exemptions to license.

(A) No license fee shall be imposed under this ordinance upon any person engaged in business for solely religious, charitable, eleemosynary or other types of strictly non-profit purpose who is tax exempt in such activities under the laws of the United States and the State of Utah, or shall any license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the State of Utah; nor shall any license fee be imposed upon any person not maintaining a place of business within Park City who has paid a like or similar license tax or fee to some other taxing unit within the State of Utah, and which taxing unit exempts from its license tax or fee, by reciprocal agreement or otherwise, businesses domiciled in Park City and doing business in such taxing unit.

(B) Reciprocal agreement. The City Manager may, with the approval of the City Council, enter into reciprocal agreements with the proper officials of other taxing units, as may be deemed equitable and proper in effecting the exemption provided for in paragraph (A) of this section.

(C) It shall be the right of any person subject to the provisions of this ordinance to appeal the fee as set forth in this ordinance for either an exemption or adjustment to the City Council of Park City, Utah, which hereby establishes the Transportation Committee, Park City, Utah as a Board of Adjustment to make such determination. The City Council and said Board of Adjustments shall be governed by equitable principles and the particular circumstances surrounding the individual appealing said fees.

Section 12. Fee not to constitute undue burden on interstate commerce. None of the license fees provided for by this ordinance shall be applied as to occasion an undue burden on interstate commerce. In any case where a license fee is believed by a licensee or applicant for license to place an undue burden upon such commerce, he may apply to the City Manager for an adjustment of the fee so that it shall not be discriminatory unreasonable or unfair as to such commerce. Such application may be made before, at or within six months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony show his method of business and the gross volume or estimated gross volume of business and such other information as the City Manager may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The City Manager shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of facts from which he shall determine whether the fee fixed by this ordinance is discriminatory, unreasonable or unfair as to applicant's business and shall recommend to the City Council a license fee for the applicant in an amount that is non-discriminatory, reasonable and fair, and if the City Council is satisfied that such license fee is the amount that the applicant should pay, it shall fix the license fee in such amount.

shall fix the license fee in such amount. If the regular license fee has already been paid, the City Council shall order a refund of the amount over and above the fee fixed by the Council. In fixing the fee to be charged, the City Manager shall have the power to base the fee upon a percentage of gross sales, or employees, or may use any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature; provided, however, that the amount assessed shall not exceed the fee prescribed in Section 2.

Section 13. Branch establishments. A separate license must be obtained for each branch establishment or location of business engaged in, within the City, as if such branch establishment or location were a separate business and each license shall authorize the licensee to engage only in the business licensed thereby at the location or in the manner designated in such license, provided, that warehouses and distributing places used in connection with or incident to a business licensed under this ordinance shall not be deemed to be separate places of business or branch establishments.

Section 14. Joint license. Whenever any person is engaged in two or more businesses at the same location within the City, such person shall not be required to obtain separate licenses for conducting each of such businesses, but shall be issued one license which shall specify on its face all such businesses. The license tax to be paid shall be computed as if all of said businesses were one business being conducted at such location. Where two or more persons conduct separate businesses at the same location, each such person shall obtain a license for such business and pay the required license tax for such business.

Section 15. Revenue measure. This ordinance is enacted solely to raise revenue for a mass transit system and is not intended for regulation and is not a substitute for other regulatory ordinances.

Section 16. Separability clause. If any subsection, sentence, clause phrase or portion of this ordinance, including but not limited to any exemption, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of Park City hereby declares that it would have adopted this ordinance and each subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

In the opinion of the City Council, it is necessary for the preservation of the peace, health and safety of this City that this ordinance shall be effective immediately.

This ordinance shall take effect upon date of
first publication.

PASSED, ADOPTED AND ORDERED POSTED by the City Council of Park City, Utah, this _____ day of _____, 1975.

Leon Duarte
MAYOR

ATTEST:

Frank C. Parker
CITY RECORDER

Date of first posting: _____

ORDINANCE NO. 8A-75

AN ORDINANCE AMENDING SECTION 1 (C) AND SECTION 1 (D) (10) CHAPTER LV, REVISED ORDINANCES OF PARK CITY, UTAH, ORDINANCE 8-74; PROVIDING A PROVISION AUTHORIZING THE PARK CITY ZONING ADMINISTRATOR TO GRANT SIGN PERMITS SUBJECT TO AN APPEAL WITH THE PARK CITY PLANNING COMMISSION AND FURTHER; PROVIDING AN ADDITIONAL FEE FOR A SIGN PERMIT WHENEVER WORK IS COMMENCED WITHOUT A SIGN PERMIT.

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH, that

SECTION 1. Section 1 (C); Chapter LV, Revised Ordinances of Park City, Utah, Ordinance No. 8-74, is amended as follows:

(C) It shall be unlawful to erect, construct, reconstruct, alter, paint or repaint or change the use of any structure, wall, marquee, or any piece of work comprised of parts joined together in some definite manner which is to be used as a "Sign" or picture to convey or direct a message to the general public without first obtaining a signed permit approved by the Park City Zoning Administrator, provided, that any person dissatisfied with the decision of the Park City Zoning Administrator shall have the right within ten (10) days after said decision is rendered by the Zoning Administrator to appeal said decision to the Park City Planning Commission. Further, a signed permit shall not be required to repaint exactly as it previously was, any of the aforesaid, which at the time of the proposed repainting conform in all respects with the provisions of this ordinance.

SECTION 2. Section 1 (D) (10), Chapter LV, Revised Ordinances of Park City, Utah, Ordinance No. 8-74, is amended as follows:

(10) A fee of \$1.00 per square foot of "Sign" area is payable to Park City Municipal Corporation. Where work for which a permit is required by this Ordinance is started or proceeded without obtaining said permit, a fee of \$100.00 shall be imposed in addition to the fee imposed of \$1.00 per square foot but the payment of such increased fee shall not relieve any persons from fully complying with the requirements of this Ordinance in the execution of the work nor from any other penalties prescribed herein.

SECTION 3. In the opinion of the City Council, Park City, Utah, it is necessary for the preservation of the peace, health and safety of this City that this ordinance shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED by the City Council of Park City, Utah, this 11th day of December, 1975.

MAYOR

ATTEST:

CITY RECORDER

Date of first posting: _____

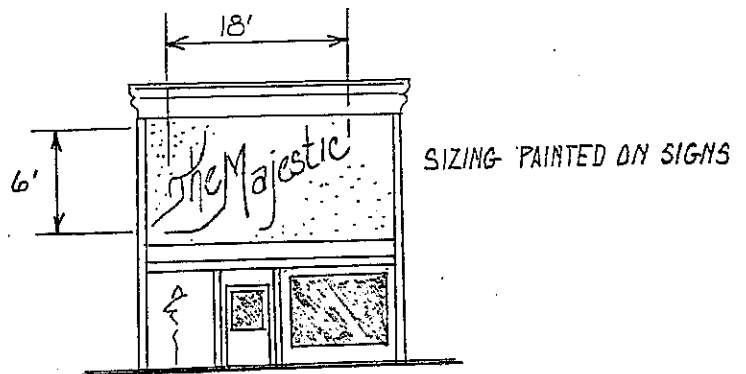
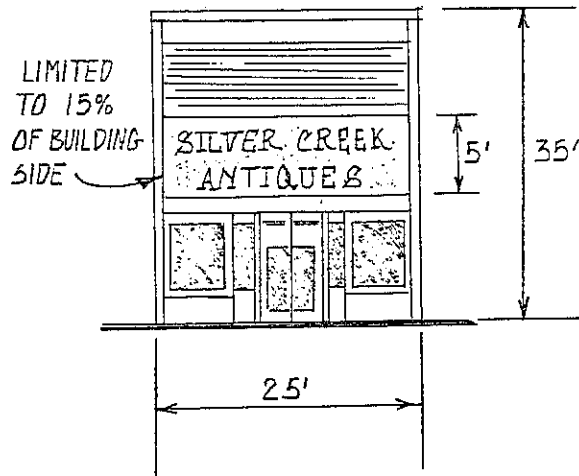
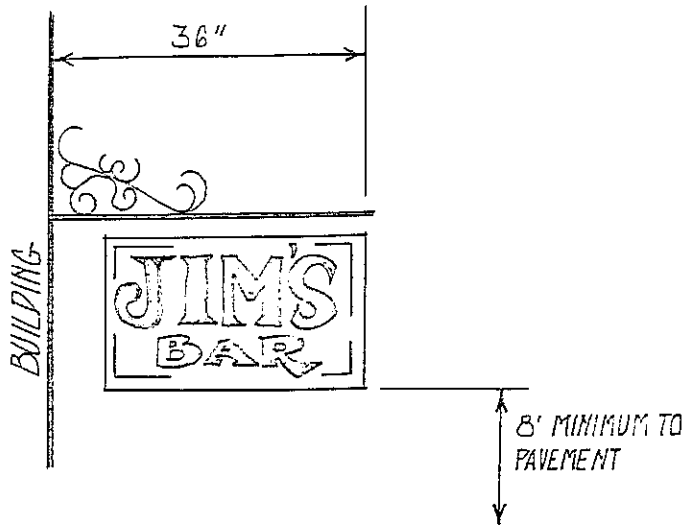
The term "Sign" encompasses all lettering, printed matter, pictures, drawings, models, replicas, insignias, trademarks, logos, and mastheads displayed to the public for the purpose of advertising or providing directional instructions.

The purpose of these criteria is to allow for the preservation and maintenance of the desired visual character of Park City. It is required, therefore, that "Signs" within the city conform to the following standards:

It shall be unlawful to erect, construct, reconstruct, alter, paint, repaint, or change the use of any structure, wall, marquee, or any piece of work comprised of parts joined together in some definite manner which is to be used as a "Sign" or picture to convey or direct a message to the general public, without first obtaining a signed permit approved by the Park City Zoning Administrator, provided, that any person dissatisfied with the decision of the Park City Zoning Administrator shall have the right within ten (10) days after said decision is rendered by the Zoning Administrator to appeal said decision to the Park City Planning Commission. Further, a signed permit shall not be required to repaint exactly as it previously was, any of the aforesaid, which at the time of the proposed repainting conforms in all respects with the provisions of this ordinance.

"Signs" shall be painted on, attached to, or erected only on the building that houses the business, or upon the property occupied by the business, which the "Sign" or "Signs" advertise. "Signs" may be painted on or displayed in the windows of a building, be attached flush to a building, project from it, or free-standing upon the property. If the "Sign" is of the projecting variety, it should not project more than thirty-six (36) inches from the face of the building. It must have at least eight (8) feet ground clearance and cannot be taller than the building to which it is attached. However, a "Sign" may project to a maximum of three (3) feet above the roof if it is flush with the face of the side on which it appears, but not to exceed the maximum building height allowed in the zone in which said "Sign" is to be located.

All "Signs" attached to a building shall also meet the approval of the City Building Inspector in that the method of attachment is such that sufficient strength is incorporated in the design of the attachment so as not to afford a hazard to passers-by.



"Signs" may be painted, gilded, smalted, routed, burned or etched in relief or intaglio and should convey a handcrafted appearance. "Signs" shall be kept in good repair and be properly maintained.

The total area of the "Sign" or "Signs" on any one building should constitute not more than 15% of the area of the side of said building on which the "Sign" appears regardless of the number of businesses occupying said building.

The area of a "Sign" should be construed as the area of the overall background and will include the sum of all faces of the "Sign". "Signs" without a background shall have an area of that of rectangle which will encompass all lettering of said "Sign".

No "Sign" should be placed on a structure in a manner that will disfigure or conceal architectural features or details.

Outdoor free-standing "Signs" are defined to be any card, paper, metal, wooden, glass, plaster, stone, or painting on any surface what-so-ever and of any kind, placed for outdoor advertising, identification, or directional purposes on the ground or attached to any tree, wall, bush, fence, post, building, structure, and are to be located only on the property occupied by the business which the "Signs" or "Sign" advertise. Outdoor free-standing "Signs" not on the property occupied by the business which the "Sign" or "Signs" advertise, or provide directions to such property, are not authorized. The total area of an outdoor or free-standing "Sign" shall not exceed one (1) square foot of "Sign" area for each four (4) linear feet of street frontage occupied by the principal business or enterprise. Set back requirements from property lines will be determined by the Planning Commission on a case-by-case basis.

Materials such as wood, wrought iron, steel, metal grill-work, etc., which were used during the period of the late 19th Century are generally acceptable. Simplicity and restraint in material selection is important. Materials should be consistent with the acceptable architectural materials.

"Signs" may be lighted by flood lights or projected light adjacent to the "Sign". Neon or plastic "Signs" are not allowed. "Signs" that flash, blink, revolve, or are otherwise in motion, will not be allowed.

The erection, construction, or maintenance of any "Sign", contrary to any provision of this Chapter is declared to be a violation of this ordinance and unlawful. The city shall immediately, upon any such violation having been called to its attention, institute injunction, abatement or any other appropriate action to prevent, enjoin, abate, or remove such violation. Such action may also be instituted by any property owner who may be especially damaged by any violation of this ordinance. The remedies provided by law. Any violation of this ordinance which is not remedied within thirty (30) days after notice shall constitute an offense punishable by a fine not in excess of \$100.00 or imprisonment in the city jail for a term of not in excess of thirty (30) days or both such fine and imprisonment.

Each day of violation after notice shall constitute a separate offense.

All "Signs" which are legally in existence on the effective date of this ordinance as amended, which do not conform to the requirements hereof shall be non-conforming "Signs". The use of such non-conforming "Signs" may be continued, but except for normal maintenance or repair, said "Signs" shall not be enlarged or altered in any manner, unless such enlargement or alteration conforms to the provisions of this ordinance.

A fee of \$1.00 per square foot of "Sign" area is payable to Park City Municipal Corporation. Where work for which a permit is required by this Ordinance is started or proceeded without obtaining said permit, a fee of \$100.00 shall be imposed in addition to the fee imposed of \$1.00 per square foot but the payment of such increased fee shall not relieve any persons from fully complying with the requirements of this Ordinance in the execution of the work nor from any other penalties prescribed herein.

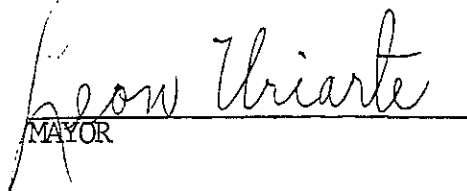
"Sign " Permit Applications are available at the City Recorder's Office.

A colored rendering giving "Sign" dimensions, method of hanging (either projecting or flush mounted, or erecting) identifying materials to be used and showing "Sign" area in relation to store frontage must accompany the application. The Planning Commission will not consider an application without the colored rendering.

The Park City Planning Commission retains the authority to deviate from these regulations in extenuating cases not specifically covered by these regulations.

November 7, 1974

amended: December 11, 1975


MAYOR


RECORDER

ORDINANCE NO. 10A-75

AN ORDINANCE AMENDING ORDINANCE NO. 10-74 SECTION 2(A), REVISED ORDINANCES OF PARK CITY, UTAH, RELATING TO BUSINESS REVENUE LICENSES; PROVIDING THAT THE DEFINITION OF AN EMPLOYEE FOR PURPOSES OF THE ADDITIONAL \$15.00 LICENSE FEE ASSESSED IN ORDINANCE 10-74 SECTION 2(A) NOT INCLUDE ONE (1) OWNER, OPERATOR, OR MANAGER OF A BUSINESS.

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH, THAT:

SECTION 1. Section 2(A), Ordinance No. 10-74, Revised Ordinances of Park City, Utah is amended to read as follows:

(A) There is hereby levied upon the business of every person engaged in business in Park City at a place of business within the City, an annual license fee of \$75.00 per business, plus an additional fee of \$15.00 for each and every employee engaged in the operation of said business, based upon the number of employees defined in Section 1 of this ordinance. The definition of an employee for purposes of the additional \$15.00 license fee assessed herein shall not include one (1) owner, operator, or manager of a business.

SECTION 2. In the opinion of the City Council, it is necessary for the preservation of the peace, health, and safety of this City that this Ordinance shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED by the City Council of Park City, Utah, this 6th day of March, 1975.


MAYOR

ATTEST:


CITY RECORDER

Date of first posting: March 19, 1975

ORDINANCE NO. 10B-75

AN ORDINANCE AMENDING ORDINANCE NO. 10-74, SECTION 5, REVISED ORDINANCES OF PARK CITY, UTAH, RELATING TO BUSINESS REVENUE, LICENSES, PROVIDING THAT ANY BUSINESS NOT DULY LICENSED PRIOR TO APRIL 10, 1975, OR PRIOR TO JANUARY 31 OF EACH YEAR THEREAFTER COMMENCING 1976, SHALL BE SUBJECT TO CLOSURE.

BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, STATE OF UTAH, THAT:

SECTION 1. Section 5, Ordinance No. 10-74, Revised Ordinances of Park City, Utah, is amended to read as follows:

Section 5. Delinquent date and penalty. All license fees imposed by this ordinance shall be due and payable on or before January 1 of each year and in the event any fee is not paid within fifteen (15) days thereafter, or false return is filed, a penalty of ten percent (10%) of the license fee shall be assessed. Additionally, any business not duly licensed by April 10, 1975, or by January 31 of each year from and after January 1, 1976, shall be subject to immediate closure and shall remain closed until such time as all unpaid license fees and ten percent (10%) penalty thereon are paid in full.

SECTION 2. In the opinion of the City Council, it is necessary for the preservation of the peace, health and safety of this City that this ordinance shall be effective immediately.

PASSED, ADOPTED AND ORDERED POSTED by the City Council of Park City, Utah, this 20th day of March, 1975.


MAYOR

ATTEST:


CITY RECORDER

Date of first posting: March 27, 1975