ORDINANCE NO. 2017-13

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING BUSINESS LICENSE REQUIREMENTS FOR HOME BASED BUSINESSES

WHEREAS Title 5, Chapters 2 and 3 of the Ivins City Code need to be amended and/or repealed to conform to new state law concerning licensure of home based businesses;

NOW, THEREFORE, BE IT ORDAINED by the Ivins City Council that Title 5, Chapters 2 and 3 of the Ivins City Code be amended and/or repealed as follows:

Section 1. Sections5.02.102, 5.02.104 & 5.02.105 of Tile 5, Chapter 2 shall be amended as follows:

CHAPTER 2

BUSINESS LICENSES ~~GENERALLY~~

* * *

5.02.102: EXEMPTIONS TO LICENSE:

* * *

(2) No license shall be required for home ~~occupation~~ based businesses that do not involve children in any way~~, or adult care activities, or activities requiring a fire operational permit under the international fire code as adopted by the city~~. (Ord. 2017-13, 2017)

* * *

5.02.104: APPLICATIONS FOR LICENSE:

(1) All applications for license shall include:

(a) The name and home address of the person applying for the license;

(b) The registered name of the business, if applicable;

(c) The federal tax identification number of the business;

(d) The type of business to be engaged in;

(e) The location of the place of business;

(f) A state tax number, if applicable

(g) A state contractor's number, if applicable;

(h) Proof that the business is state licensed or registered, if applicable; ~~and~~

(i) For businesses involving children in any way, a current criminal background check from Utah BCI and, if required to be licensed by the state, proof of state licensure.

(~~i~~ j) A space for the applicant or applicant's authorized agent to sign under penalty of law that all the information contained therein is true. (Ord. 2017-13, 2017)

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5.02.105: FEES:

Fees for business licenses will be charged in accordance with the city consolidated fee schedule. No business license fee will be charged for a home based business, unless the combined offsite

impact of the home based business and the primary residential use materially exceeds the offsite impact of the primary residential use along. (Ord. 2017-13, 2017)

Section 2. Chapter 3 of Title 5 of the Ivins City Code entitled "Home Occupation Businesses" shall be repealed in its entirety.

Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF MAY, 2017 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Dennis Mehr	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Jenny Johnson	_____	_____	_____	_____
Steven Roberts	_____	_____	_____	_____
Ron Densley	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder