

## **WAYNE COUNTY BUSINESS ORDINANCE NO. 1998-3**

An Ordinance prohibiting the engaging or carrying on of a business within Wayne County, outside the incorporated cities and towns, without having first procured a license required for such business and providing penalties for the violation thereof.

Be it ordained by the Board of County Commissioners of Wayne County, Ordinance No. 1998-3 is hereby enacted and adopted as follows:

**SECTION 1:** It shall be unlawful for any person to engage in or carry on any business, trade, profession, or calling within Wayne County, State of Utah, outside the limits of incorporated cities or towns, for which said business a license is required for such business, trade, profession, or calling.

**SECTION 2:** All applicants for license shall be made in writing to the County Clerk and the amount as hereinafter provided shall be paid in advance to the County Clerk.

**SECTION 3:** Every license shall specify by name, the person, firm, or corporation to whom it shall be issued, and shall designate the particular place at which the business shall be carried on; provided that when a license is issued to a firm or partnership name, it shall specify by name the members of such firm or partnership. No license granted or issued under the provisions of this chapter, or otherwise, shall be transferable.

**SECTION 4: Motels, hotels, and other lodging establishments:** Fees for motels, hotels, and other lodging establishments shall be \$5.00 per rentable unit per year.

**SECTION 5: Beauty operators:** Each beauty operator shall pay a fee of \$20.00 per year.

**SECTION 6: Merchants, wholesale and retail:** Any person, firm, or corporation directly or indirectly dealing in any manner in motor vehicles, coal, lumber, machinery, equipment, appliances of every kind and nature, hardware, confections, lunches, ice, milk, food, bakery products, groceries, meats, dry goods, clothing, sporting goods, notions, drugs, flowers, jewelry, antiques, soft drinks, furniture, or any other wares or merchandise of any kind or description not otherwise specified shall pay a fee annually of \$40.00.

**SECTION 7: Restaurants:** Fees for restaurants, cafes, or eating establishments, etc., shall be \$50.00.

**SECTION 8: Service stations and garages:** Fees for service stations and garages for the period of one year shall be \$40.00.

**SECTION 9: Mobile home parks, trailer courts, and RV parks:** A fee of \$80.00 per year will be charged for all mobile home parks, trailer courts, or RV parks.

**SECTION 10: Pool and Billiard Halls:** Pool and billiard halls shall pay an annual fee of \$40.00

**SECTION 11: Slaughter houses and meat packing plants:** A license for the business of meat packing or slaughter houses shall be \$40.00 per year.

**SECTION 12: Lumber yards:** Each person engaged in the business of operating a lumber yard shall pay a fee of \$30.00 per year.

**SECTION 13: Private Schools, Wilderness Programs and Troubled Youth Programs:** Each private school, wilderness program, troubled youth program or similar business shall pay an annual fee of \$200.00 per student or per participant, based upon the greater of the number of students or participants enrolled on February 1 of each year or the average number of students or participants that were enrolled in the previous calendar year.

**SECTION 14: Miscellaneous:** Every person, firm, or corporation, before engaging or pursuing any business, must check with the County Clerk and obtain a license and make payment as follows: Miscellaneous business shall pay a fee of \$25.00.

**SECTION 15: Peddlers and solicitors:** It shall be unlawful for any peddler or solicitor to pursue their business adjacent to any school buildings during regular school hours. A fee of \$100.00 shall be charged for all peddlers and solicitors per year or any part thereof.

**SECTION 16: Revocation of License:** Any license under this ordinance may, after notice of 30 days by the Wayne County Board of Commissioners, be revoked. A hearing may be called herein by the business which said license is revoked. This hearing shall require the violation and reason for said revocation to be presented and etc. It at any time a license under this provision of this title is denied or revoked, it shall be thereafter unlawful for any person to engage in or carry on, or operate or use permit with respect to which a license has been revoked, until license is granted by Commissioners.

**SECTION 17: Waiting period after revocation.** No person who has been denied a license, or whose license has been revoked under the provisions of this title, and no person associated or connected with such person in the conduct of such business, shall be granted a license for the same purpose under provisions of this title for a period of six months after such denial or revocations has occurred. The commissioners may, at their discretion, waive the prohibition against any person associated or connected with an individual who has been denied a license.

**SECTION 18:** Any business who has a substantial impact outside of the incorporated areas of Wayne County must have a business license from Wayne County, notwithstanding any other business license it may have from any other city, town or county.

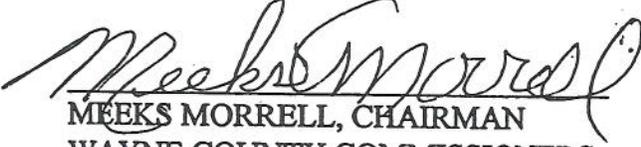
**SECTION 19:** All business license fees will be due and payable on February 1, of each calendar year beginning April 1, 1998. Any business that received its most recent

business license between October 1, 1997 and April 1, 1998, need not renew its business license until February 1, 1999.

**SECTION 20:** Every person who violates this ordinance shall be guilty of a misdemeanor.

This ordinance passed by the Board of County Commissioners of Wayne County, State of Utah, in their regular commission meeting held on the 16th day of March, 1998.

The effective date shall be April 1, 1998.

  
MEEKS MORRELL, CHAIRMAN  
WAYNE COUNTY COMMISSIONERS

  
ATTEST: COUNTY CLERK