

ORDINANCE #2021- O -6

ORDINANCE ADOPTING BUSINESS FEE STUDY, AUTHORIZING ADDING DISPROPORTIONATE FEES AND ENHANCED FEES TO THE FEE SCHEDULE AND AMENDING TITLE 3 CHAPTER 1 OF THE ALTA TOWN CODE

WHEREAS, the Town of Alta retained Zions Bank Public Finance to conduct a municipal service study (“Study”) to, among other things, analyze the costs necessary to reasonably regulate business activities, including the cost of disproportionate or enhanced level of municipal services required by business classes as required by Utah Code Ann. § 10-1- 203; and

WHEREAS, on July 14, 2021 the results of the Study in draft form were discussed with the Council at its regularly scheduled meeting, and subsequently shared with them; and

WHEREAS, on August 11, 2020, the Study in final form was presented to the Council; and

WHEREAS, the Study is adopted by the Town of Alta and is attached hereto as Exhibit A; and

WHEREAS, Utah Code 10-1-203 (5) (c) allows the governing body to impose a license fee on a business that causes disproportionate costs for municipal services or enhanced services where the Town Council adopts an ordinance and conducts a study showing that the costs that constitute disproportionate costs, enhanced services and the amounts that are reasonably related to the costs of the municipal services provided by the municipality;

WHEREAS, the Business License Study also calculates the maximum business license fees allowable in the Town of Alta under current State law; and

WHEREAS, the Business License Study identified several businesses that had significant disproportionate costs in the Town of Alta for providing police services to those businesses and for providing enhanced services for providing police services for those businesses; and

WHEREAS, after careful consideration and based upon the Study, the Council has determined that it is necessary to amend Title 3, Chapter 1, of the Town Code, and

WHEREAS, the Council may choose a lower business license fee, and factors that the Council may want to consider as it establishes new business license fees include, but is not limited to, the recognition of other revenues generated by some business types (such as sales tax, real property tax, personal property tax, etc.) and in-kind services; and

WHEREAS, notwithstanding the significant disproportionate costs of the Town of Alta providing police services to lodges greater than 20 rooms and ski lifts, the Town recognizes the convenience, comfort, health, and economic benefit that these businesses provide to the

citizens and visitors of the Town of Alta, and therefore elects not to adopt the maximum business license fees allowable under current State law and as identified in Exhibit "A" Business License Study; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the residents of the Town of Alta to adopt the Study, amend the Code and update the fee schedule.

NOW THEREFORE BE IT ORDAINED, BY THE TOWN OF ALTA TOWN COUNCIL THAT that the purpose of imposing fees on businesses is to recover the Town of Alta's costs to regulate businesses, any disproportionate cost for regulating businesses, any enhanced services and disproportionate costs on municipal services provided by the Town of Alta.

FURTHER BE IT ORDAINED, that the Town of Alta Business License Fee Study, prepared by Zions Public Finance, Inc. which is contained in Exhibit "A" is adopted by ordinance consistent with the requirements of Utah Code 10-1-203 (5) (c), which requires Town of Alta to define the costs that constitute disproportionate costs and enhanced fess and the amounts that are reasonably related to the costs of the municipal services provided by the municipality.

FURTHER BE IT ORDAINED, BY THE TOWN OF ALTA TOWN COUNCIL THAT Title 3, Chapter 1 is amended as redlined in Exhibit B.

Effective date. This ordinance shall be effective upon publication.

PASSED AND APPROVED by the Town of Alta Town Council, Utah, this 11th day of August in the year 2021.

TOWN OF ALTA

Harris Sondak, Mayor

ATTEST:

Piper Lever, Town Clerk

Exhibit A: Business License Fee Study
Exhibit B: Amendments to Title 3, Chapter 1