

**ORDINANCE 2011-07**

**AN ORDINANCE AMENDING SECTIONS 9-1-4 AND 9-1-12 OF TITLE 9, BUSINESS LICENSE AND REGULATIONS, OF THE TOOELE COUNTY CODE, CORRECTING CROSS REFERENCES**

**SECTION I - PURPOSE.** This ordinance is enacted to correct cross references within Chapter 1, General Licensing, of Title 9, Business License and Regulations, of the Tooele County Code.

**SECTION II - SECTION AMENDED.** Section 9-1-4, Failure to obtain a license - Penalties, of Title 9, Business License and Regulations, of the Tooele County Code is hereby amended to read as follows:

**9-1-4. Failure to obtain a license - Penalties.**

Any person doing business without a license when a license is required, including circumstances where a license has expired, been suspended or revoked, shall, in addition to applicable criminal penalties, be required to pay all applicable fees as though a license had been issued during the period of unlicensed activity, plus penalties described in Subsection 9-1-12(7).

**SECTION III - SECTION AMENDED.** Section 9-1-12, License fees, of Title 9, Business License and Regulations, of the Tooele County Code is hereby amended to read as follows:

**9-1-12. License fees.**

(1) Except as provided for in Section 9-1-15, every person intending to engage in business shall, before commencing business, obtain a license and pay to the county \$25.00 per year, or any portion thereof, for each place of business, or if no place of business is established, for each business activity that takes place within the county.

(2) An employee who is not a partner or owner shall not be required to pay for an individual license.

(3) License fees shall be paid in advance for the term of the license. They shall not be prorated when a new application is made during the license term. License fees shall not be refunded because the business or activity for which the same was obtained has been discontinued for any reason.

(4) No rebate shall be allowed upon any license.

(5) Other than when a business is renewing their license if there is a change in the name of the business, address, or owners different than what is shown on the county clerk's records, an administrative fee of \$10.00 shall be charged to update the license and records.

(6) Any person or firm who fails to renew the license before it expires shall be assessed an administrative penalty of \$25.00 in addition to the fee specified in Subsection 9-1-12(1).

(7) Any person or entity operating a business in violation Tooele County Code, Section 9-1-3, shall be assessed an administrative penalty of \$150.00 in addition to the fee specified in Subsection 9-1-12(1).

(8) License fees and penalties shall be collected by the county clerk pursuant to procedures established by the county clerk, auditor and treasurer. Payment thereon shall be enforced as authorized by law.

(9) There is no right to continue a licensed activity without the payment of required fees and penalties. In addition to any criminal action, the county may bring civil action to collect any delinquent or unpaid fee. In the event legal action is filed to collect delinquent or unpaid fees, the debtor shall pay a reasonable attorney's fee and costs.

**SECTION IV - REPEALER.** Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

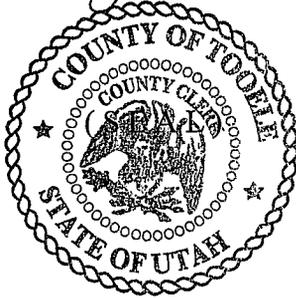
**SECTION V - EFFECTIVE DATE.** This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

**IN WITNESS WHEREOF** the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 15<sup>th</sup> day of February 2011.

Ord. 2011-07

ATTEST:

  
Marilyn K. Gillette, Clerk



TOOELE COUNTY COMMISSION:

  
Colleen S. Johnson, Chairman

Commissioner Johnson voted aye  
Commissioner Clegg voted aye  
Commissioner Hurst voted aye

APPROVED AS TO FORM:

  
DOUG HOGAN  
Tooele County Attorney