

**ESCALANTE CITY
ORDINANCE 2026-01**

**A ORDINANCE AMENDING ESCALANTE CITY BUSINESS LICENSE CODE
3.04.030 B, C AND D, APPLICATION FOR LICENSE**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “3.04.030 Application For License” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.04.030 Application For License

A.

A. Applications for a business license shall include the following information:

1. general applicant information;
2. general business information, including applicable sales and use tax, transient room tax, and/or restaurant tax numbers issued from the Utah State Tax Commission; and
3. payment of the business license application fee as outlined in the Escalante, Utah Fee Resolution.

B. Upon staff approval, the City Clerk shall add the business license application to the agenda for the next regularly scheduled City Council meeting.

C. The City Council shall consider each application individually. If the City Council rejects any application, it must state its reason for doing so with particularity in a letter to the applicant. If the City Council accepts any application, the City Clerk may issue a business license to the applicant upon receipt of the business license fee.

D. The approval of a business license application by the City Council shall be the final authorization for said entity to conduct business. No business license shall be approved by the City Council until all other applicable City department and external approvals (local or State health departments, State or Federal agencies, other permits or licenses, etc.) have been granted.

AFTER AMENDMENT

3.04.030 Application For License

- A.
- A. Applications for a business license shall include the following information:
1. general applicant information;
 2. general business information, including applicable sales and use tax, transient room tax, and/or restaurant tax numbers issued from the Utah State Tax Commission; and
 3. payment of the business license application fee as outlined in the Escalante, Utah Fee Resolution.
- B. ~~Upon staff approval, the City Clerk shall add the business license application to the agenda for the next regularly scheduled City Council meeting.~~
- C. The City Council or Business License Official shall consider each application individually. If the City Council or Business License Official rejects any application, it must state its reason for doing so with particularity in a letter to the applicant. If the City Council or Business License Official accepts any application, the City ~~Recorder Clerk~~ Recorder may issue a business license to the applicant upon receipt of the business license fee.
- D. The approval of a business license application by the City Council or Business License Official shall be the final authorization for said entity to conduct business. No business license shall be approved by the City Council or Business License Official until all other applicable City department and external approvals (local or State health departments, State or Federal agencies, other permits or licenses, etc.) have been granted.

SECTION 2: AMENDMENT “Business License” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

Business License

- A. All license certificates shall be issued under the seal of the city and shall contain the following information:
1. The name of the person to whom such certificate has been issued;
 2. The name of the business, if applicable;
 3. The type of business activity;
 4. location of business

5. City assigned business license number;
 6. The term of the license with commencement and expiration dates.
- B. Every business license shall be displayed in a conspicuous place of the building, room or office of the place where the business is carried on.
- C. No license granted or issued under any of the provisions of any ordinance of the City shall be in any manner assignable or transferable or authorize any person other than the person therein mentioned or named to do business.
- D. A business license may be revoked or denied by the City Council for:
1. The failure of the licensee or applicant to comply with the requirements of this or any other City Ordinance, or with the requirements of any State law;
 2. Unlawful activities conducted or permitted on the premises where the business is conducted;
 3. Failure to provide proof to the Clerk's Office that the associated business is current on all applicable Utah State tax filing and payment confirmations;
 4. any other violation of this Ordinance, other applicable City Ordinance or State or Federal law.
- E. A separate license must be obtained for each separate place of business in the City.
- F. Wherever any person is engaged in two or more businesses within the same location in the City, such person shall not be required to obtain a separate license for conducting each of such businesses, but shall be issued one license which shall specify on its face all of such businesses.
- G. Where two or more persons conduct separate businesses at the same location, each shall obtain a license for their respective business.
- H. Business licenses shall be valid only for the year they are issued in and shall expire on December 31st of each year. Business licenses shall be renewed annually in accordance with this Ordinance.
- I. The City may issue temporary business licenses may be issued by the City Clerk upon staff approval and payment of the temporary business license application fee as outlined in the Escalante, Utah Fee Resolution.
1. City Council approval shall not be required for temporary business license applications.
 2. Persons operating temporary businesses must have a temporary license at the location of their business.

AFTER AMENDMENT

Business License

- A. All license certificates shall be issued under the seal of the city and shall contain the following information:
1. The name of the person to whom such certificate has been issued;
 2. The name of the business, if applicable;
 3. The type of business activity;

4. location of business
 5. City assigned business license number;
 6. The term of the license with commencement and expiration dates.
- B. Every business license shall be displayed in a conspicuous place of the building, room or office of the place where the business is carried on.
- C. No license granted or issued under any of the provisions of any ordinance of the City shall be in any manner assignable or transferable or authorize any person other than the person therein mentioned or named to do business.
- D. A business license may be revoked or denied by the City Council for:
1. The failure of the licensee or applicant to comply with the requirements of this or any other City Ordinance, or with the requirements of any State law;
 2. Unlawful activities conducted or permitted on the premises where the business is conducted;
 3. Failure to provide proof to the City Records ~~Clerk's~~ Office that the associated business is current on all applicable Utah State tax filing and payment confirmations;
 4. any other violation of this Ordinance, other applicable City Ordinance or State or Federal law.
- E. A separate license must be obtained for each separate place of business in the City.
- F. Wherever any person is engaged in two or more businesses within the same location in the City, such person shall not be required to obtain a separate license for conducting each of such businesses, but shall be issued one license which shall specify on its face all of such businesses.
- G. Where two or more persons conduct separate businesses at the same location, each shall obtain a license for their respective business.
- H. Business licenses shall be valid only for the year they are issued in and shall expire on December 31st of each year. Business licenses shall be renewed annually in accordance with this Ordinance.
- I. The City may issue temporary business licenses may be issued by the City ~~Clerk~~ Recorder upon staff approval and payment of the temporary business license application fee as outlined in the Escalante, Utah Fee Resolution.
1. City Council approval shall not be required for temporary business license applications.
 2. Persons operating temporary businesses must have a temporary license at the location of their business.

SECTION 3: AMENDMENT “3.04.120 Renewal Of License Certificate” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.04.120 Renewal Of License Certificate

- A. Renewals for a business license shall include the following information:
1. The licensee shall provide proof to the Clerk's Office that the associated business is current on all applicable Utah State tax filing and payment confirmations; and
 2. The licensee shall pay the nonrefundable processing fee upon submittal of the business license renewal application to the City Clerk's Office as outlined in the Escalante, Utah Fee Resolution.
 3. The City Clerk's Office shall ensure applicable Utah State tax filing and payment confirmations are completely current, and the business license renewal application fee is paid prior to issuance of the new business license.

AFTER AMENDMENT

3.04.120 Renewal Of License Certificate

- A. Renewals for a business license shall include the following information:
1. The licensee shall provide proof to the ~~Clerk's~~ City Records Office that the associated business is current on all applicable Utah State tax filing and payment confirmations; and
 2. The licensee shall pay the nonrefundable processing fee upon submittal of the business license renewal application to the City ~~Clerk's~~ Records Office as outlined in the Escalante, Utah Fee Resolution.
 3. The City Records ~~Clerk's~~ Office shall ensure applicable Utah State tax filing and payment confirmations are completely current, and the business license renewal application fee is paid prior to issuance of the new business license.

SECTION 4: REPEALER CLAUSE Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 5: SEVERABILITY CLAUSE If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative.

SECTION 6: EFFECTIVE DATE The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Wilson	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante
City

Stephanie Steed, MMC, UCC, City
Recorder, Escalante City