

Ordinance No. 2018-16

AN ORDINANCE AMENDING TITLE 4, LICENSING, CHAPTER 2, BUSINESS LICENSING IN GENERAL, SECTION 15 VIBRANT COMMERCIAL STOREFRONT IN HCB AND HRC, OF THE MUNICIPAL CODE OF PARK CITY, UTAH

WHEREAS, City Council of Park City seeks to preserve and protect the vitality, attractiveness, activity and success of the historic Main Street area, ensure compatible development, and preserve historic resources and the community's unique character, and;

WHEREAS, the City Council finds that because of the seasonality of Park City as a resort town, it is in the best interest of local business owners to remove the "Posted Hours" provision from the Municipal Code, and;

WHEREAS, public hearings were duly held before City Council on April 19, 2018 and May 3, 2017, and;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

Section I. Amendment. TITLE 4, LICENSING, CHAPTER 2, BUSINESS LICENSING IN GENERAL, SECTION 15 VIBRANT COMMERCIAL STOREFRONT IN HCB AND HRC is hereby amended as redlined as follows:

4-2-15 Vibrant Commercial Storefront In HCB And HRC Districts

- A. A vibrant commercial storefront is a Storefront Property, as defined in Section 15-15-1 of the Land Management Code in the HRC or HCB zoning Districts, which meets the following conditions:
 1. Is found to be Engaging in Business for at least sixty (60) days during each quarter; and
 2. Has an active Business License; ~~and~~
 3. ~~Posts its hours and days of operation in the storefront.~~
- B. If a property does not meet the standards of 4-2-15(A) the property may be considered vibrant for a maximum of one year if it meets one (1) of the following exceptions:
 1. There is an open building, planning, or construction permit for repair, rehabilitation, or construction of a building on the parcel and the owner receives a certificate of occupancy for the repair, rehabilitation, or construction within one year from the date the initial permit was issued; or
 2. The owner provides satisfactory evidence that the property is actively being offered for sale, lease, or rent from the date of vacancy/finding of closure by the City, or closure of previous Business License, whichever is first. Satisfactory evidence shall include, but is not limited to, evidence that the owner has hired a real estate agent or other rental agent who advertises and promotes the commercial storefront for rent, lease, or sale, or proof the commercial storefront is offered for sale on multiple listing services or any other comparable real estate listing services.
- C. Failure to maintain a vibrant commercial storefront in the HCB or HRC zone shall result in the Business at the Storefront Property will not be eligible to apply for a Single Event Alcoholic Beverage Licenses; and,

- D. The City reserves the right to utilize the area in front of the storefront property to display Art or other educational materials in the pedestrian area in front of the property as approved by the City Council while under an exception shown in 4-2-15(B) or until such a space is occupied by a vibrant commercial storefront.
- E. The burden is on the Business to show that it is Engaging in Business for the requisite period of time and if one of the exceptions applies.
- F. Any ~~property~~ designation under this Section may be appealed to the Finance Manager- or designee; any license denial appeal and shall be conducted as set forth in 4-3-15 of this Title.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

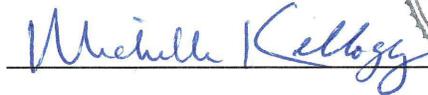
PASSED AND ADOPTED this 3rd DAY OF MAY, 2018.

PARK CITY MUNICIPAL CORPORATION



Mayor Andy Beerman

Attest:



Michelle Kellogg, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney