

**Ordinance No. 2019-55**

**AN ORDINANCE AMENDING TWO TITLES OF THE MUNICIPAL CODE OF PARK CITY: TITLE 4, CHAPTER 1 DEFINITIONS AND CHAPTER 8 FOR-HIRE VEHICLES, TO FACILITATE LICENSING AMENDMENTS; ALSO AMENDING TITLE 9, CHAPTER 5 RESIDENT PERMIT PARKING, TO FACILITATE THE CREATION OF DROP, LOAD, AND STAGING PERMITS.**

WHEREAS, the City Council seeks to protect the safety and well-being of Park City's citizens and guests;

WHEREAS, the City Council supports simplifying the licensing process for local for-hire ground transportation businesses;

WHEREAS, the City Council supports creating a drop, load, and staging permit that may be issued at the discretion of the City Manager in short-term zones designated for such purposes;

WHEREAS, Park City is authorized by state law to regulate the movement of traffic, including stopping, standing, or parking; and,

WHEREAS, Park City is authorized by state law to regulate the traffic on heavily traveled streets when it is incompatible with the safe movement of traffic and pedestrians;

WHEREAS, creating drop, load, and staging zones at the City Manager's discretion is in the best interest of the public; and,

WHEREAS, the City Council seeks to increase the safety and efficiency of transportation in the best interest of the public,

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

**Section I. FINDINGS.** The above-recitals are hereby incorporated herein as findings.

**Section II. AMENDMENT.** Title 4, Chapter 1 and Chapter 8 of the Municipal Code is amended to read as outlined in Exhibit A; Title 9, Chapter 5 of the Municipal Code is amended to read as outline in Exhibit B.

**Section III. EFFECTIVE DATE.** This Ordinance shall become effective upon publication.

**PASSED AND ADOPTED this 21<sup>st</sup> day of November, 2019.**

PARK CITY MUNICIPAL CORPORATION



Mayor Andy Beerman

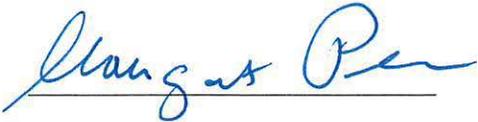
Attest:



Michelle Kellogg, City Recorder



Approved as to form:



Margaret Plane, Special Counsel

## Exhibit A: Title 4 For Hire Business License Amendments

### **4-1-1 Definitions**

**COMMERCIAL VEHICLES AND TRAILERS & CONSULTANT LICENSE.** Motor vehicles used for a Business' normal activities, but not used to transport people to, from, and within Park City ~~for a Fare~~. Such vehicles include but are not limited to vehicles used for deliveries, cleaning or consulting, commercial hauling, and snow removal services, as well as cargo rental vehicles, concrete trucks, and dump trucks.

**GROUND TRANSPORTATION VEHICLE.** A vehicle used to provide transportation service for a passenger to, from, and within Park City, whether or not a fare is charged.

~~**SHUTTLE.** A vehicle that travels between fixed locations for a set or predetermined Fare.~~

### **4-8 For Hire Vehicles**

#### ~~**4-8-1 Definitions**~~

#### ~~**4-8-2 For Hire Vehicle Operation Requirements**~~

#### ~~**4-8-3 License Requirements For Operators**~~

#### ~~**4-8-4 Compliance Responsibility**~~

#### ~~**4-8-5 Background Check Requirement**~~

#### ~~**4-8-6 State Motor Vehicle Endorsement Or Commercial Driver License Required And Background Check Certificate Required For Application**~~

#### ~~**4-8-7 Compliance With City, State, And Federal Laws**~~

#### ~~**4-8-8 Identifying Design**~~

#### ~~**4-8-8.5 Repealed By Ord 2017-51**~~

#### ~~**4-8-9 Display Of Charges**~~

#### ~~**4-8-10 Receipts For Payment Of Fare**~~

#### ~~**4-8-11 Hiring Vehicle With Intent To Defraud**~~

#### ~~**4-8-12 Refusing To Pay Legal Fare**~~

#### ~~**4-8-13 Direct Route Required**~~

#### ~~**4-8-14 Prohibited Solicitation Procedures**~~

#### ~~**4-8-15 Solicitation Of Hotel Business Prohibited**~~

#### ~~**4-8-16 Engaging In Liquor Or Prostitution Traffic Prohibited**~~

### **4-8-1 Definitions**

### **4-8 For Hire Ground Transportation**

#### **4-8-1 Definitions**

#### **4-8-2 For Hire Ground Transportation Vehicle Operation Requirements**

#### **4-8-3 Requirements For Drivers**

#### **4-8-4 Compliance Responsibility**

#### **4-8-5 Background Check Requirement**

#### **4-8-6 State Motor Vehicle Endorsement Or Commercial Driver License Required And Background Check**

Exhibit A: Title 4 For Hire Business License Amendments

Certificate Required For Application Repealed by Ord 2019-55

4-8-7 Compliance With City, State, And Federal Laws

4-8-8 Identifying Design

4-8-8.5 Repealed By Ord 2017-51

4-8-9 Display Of Charges

4-8-10 Receipts For Payment Of Fare

4-8-11 Hiring Vehicle With Intent To Defraud

4-8-12 Refusing To Pay Legal Fare

4-8-13 Direct Route Required

4-8-14 Prohibited Solicitation Procedures

4-8-15 Solicitation Of Hotel Business Prohibited

4-8-16 Engaging In Liquor Or Prostitution Traffic Prohibited

**4-8-1 Definitions**

**FARE.** The consideration or charge of a For-Hire Ground Transportation Vehicle to provide transportation ~~services~~services for a passenger within Park City. Consideration may include non-cash value such as participating in a commercial promotional activity such as viewing real estate or timeshare information, merchandise or Art display, or movies, videos, or DVDs within or on a vehicle in exchange for the passenger delivery.

**FOR-HIRE GROUND TRANSPORTATION VEHICLE.** A vehicle used to transport passengers for a Fare. For-Hire Ground Transportation Vehicles include ~~Airport Shuttles, Taxicabs~~airport shuttles, taxicabs, limousines, or similar vehicles used for the purposes outlined in this Title. This does not include hotel courtesy shuttles or any vehicle ~~licensed through a~~operating under the Transportation Network Company ~~that only receives fares through a mobile application.~~Registration Act.

**FOR-HIRE VEHICLEGROUND TRANSPORTATION BUSINESS LICENSE.** A Park City Business ~~license~~License issued by Park City authorizing the licensee thereof to conduct a For-Hire ~~Vehicle~~Ground Transportation Business.

~~**FOR-HIRE VEHICLE STICKER.** A sticker issued by the City indicating that the owner of the vehicle has met all requirements to obtain a Business license from the City to conduct a For-Hire Vehicle Business and each driver has passed all Background Check Certificate requirements and has shown proof of a valid Utah driver's license.~~

~~**TAXICAB.** A vehicle used to transport passengers for a Fare.~~

**TRANSPORTATION NETWORK COMPANY (TNC).** The Transportation Network Company Registration Act defines a TNC as an entity that:

1. Uses a software application to connect a passenger to a transportation network driver providing transportation network services;

Exhibit A: Title 4 For Hire Business License Amendments

2. Is not a For-Hire Ground Transportation Vehicle; and does not own, control, operate, or manage the vehicle used to provide the transportation network services.

TNC drivers must register under the TNC Act.

HISTORY

Adopted by Ord. 2019-17 on 4/18/2019

4-8-2 For Hire Vehicle Operation Requirements

4-8-2 For Hire Ground Transportation Business License Requirements

- A. No Person shall operate or ~~permit~~engage in the business of operating a For-Hire ~~Vehicle owned or controlled by such Person to be operated as a vehicle for hire~~Ground Transportation Vehicle upon the streets of Park City without first having obtained a valid For-Hire ~~Vehicle~~Ground Transportation Business License from the City ~~in accordance with, subject to the procedures~~exceptions in this Title, ~~except as provided below in Section I. Chapter.~~
- B. ~~No Person shall operate or permit~~A For-Hire Ground Transportation Business with a permanent, primary location within Park City limits and which operates For-Hire Ground Transportation services is required to obtain the For-Hire Ground Transportation Business License.
  1. ~~Prior to the issuance of~~ a For-Hire ~~Vehicle owned or controlled by such Person to be operated as~~Ground Transportation Business License, the applicant shall submit a vehicle for hire upon the streets of Park City without first having obtainedpolicy of commercial transportation insurance ~~coverage~~that includes:
    - B.i. Coverage for at least one million dollars (\$1,000,000) per vehicle ~~if the vehicle provides Taxicab and per occurrence, for each vehicle providing For-Hire Ground Transportation service, has with~~ a seating capacity of fifteen (15) passengers or fewer, including the driver, and is not operated on a regular route. ~~If the vehicle seats sixteen (16) or more passengers, including the driver, the owner is to provide proof of commercial transportation insurance coverage for at least five million dollars (\$5,000,000) per vehicle. Proof of this commercial insurance shall be required prior to the issuance of the For Hire Vehicle permit.~~
    - ii. ~~No Person shall operate or permit a For-Hire Vehicle owned or controlled by such Person to be operated as a vehicle~~Coverage for at least five million dollars (\$5,000,000) per vehicle and per occurrence, for each vehicle providing For-Hire Ground Transportation service with a seating capacity of sixteen (16) or more passengers, including the driver; and,
    - iii. Any other motorist coverage to the extent required under state law.
  2. All office space must comply with the Land Management Code and this Title.

Exhibit A: Title 4 For Hire Business License Amendments

- C. ~~hire-A For-Hire Ground Transportation Business with a current business license from another political subdivision within the state may operate~~ upon the streets of Park City without ~~first having provided the required documents to be an eligible driver and obtained~~obtaining a Park City For Hire Vehicle StickerGround Transportation Business License from the City if the business license from the other political subdivision within the state has substantially the same requirements as the Park City For-Hire Ground Transportation Business License. The Finance Manager or designee is authorized to determine whether the requirements of another political subdivision are sufficient under this Chapter.
- D. ~~No Person who has been convicted of or plead guilty to three (3) or more moving violations within the preceding three hundred sixty five (365) days shall be permitted to operate a For Hire Vehicle upon the streets of Park City.~~
- E. ~~No Person who has been found to be in violation of the Park City Parking Code three (3) or more times within the preceding three hundred sixty five (365) days shall be permitted to operate a For Hire Vehicle on Park City streets.~~
- F. ~~No Person who has been found to be in violation of or pleaded guilty to three (3) or more idling violations within the preceding three hundred sixty five (365) days shall be permitted to operate a For Hire Vehicle on Park City streets.~~
- G. ~~All vehicles that have been licensed by the City shall be issued a For Hire Vehicle Sticker that shall be used as an identifying marking. The For Hire Vehicle Sticker must be placed on the bottom left corner of the rear window of the vehicle on the driver's side. The For Hire Vehicle Sticker shall be issued by the City and include the date of expiration.~~
- H.D. ~~\_\_\_\_\_~~ All For-Hire Ground Transportation Vehicles shall have in the driver's possession a copy of the current vehicle registration, a copy of the Park City For-Hire Ground Transportation Business License or business license from another jurisdiction, and proof of required insurance ~~as required by this Code, and the~~. The driver shall have a "P" endorsement on their Utah State driver license if operating a vehicle that seats sixteen (16) or more. Failure to produce any of this information upon request may result in the issuance of a citation.
- I. ~~The following items shall be prominently displayed in the passenger compartment of the For-Hire Vehicle:~~
- ~~1. The Fare schedule;~~Ground Transportation Business License must be renewed annually  
and
  - ~~2. Contact information, including a telephone number, for the owner or responsible party of the For Hire Vehicle.~~
- J.E. ~~For the purpose of this Chapter, the term 'operate for hire upon the streets of Park City' shall not include:~~ the date of expiration.

Exhibit A: Title 4 For Hire Business License Amendments

~~1. The transporting by a For Hire Vehicle of a passenger or passengers where the trip shall originate with the passenger or passengers being picked up outside the corporate limits of the City and the destination is either within or beyond the City corporate limits.~~

~~K. The term 'operate for hire upon the streets of Park City' means and shall include the soliciting or picking up of a passenger or passengers within the corporate limits of the City, whether the destination is within or outside of the corporate limits of the City.~~

~~L.1. All office space must comply with the Land Management Code and this Title.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

Amended by Ord. 2019-17 on 4/18/2019

4-8-3 License Requirements For Operators

~~It is unlawful for any Person to operate a 4-8-3 Requirements For Drivers~~

~~A. Drivers of For-Hire Vehicle upon Ground Transportation Vehicles must meet the streets of background check requirements of this Chapter.~~

~~B. A For-Hire Ground Transportation Business may not allow an individual to provide For-Hire Ground Transportation services if, within the City without providing preceding three hundred sixty-five (365) days, the required documents individual:~~

- ~~1. has been convicted of or pled guilty to three (3) or more moving violations;~~
- ~~2. has been found to be eligible as a driver and without a valid in violation of the Park City For Hire Vehicle Business License Parking Code three (3) or more times; or,~~
- ~~3. has been found to be in violation of three (3) or more idling violations.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2016

Amended by Ord. 16-13 on 3/24/2016

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

Amended by Ord. 2019-17 on 4/18/2019

4-8-4 Compliance Responsibility

4-8-4 Compliance Responsibility

Exhibit A: Title 4 For Hire Business License Amendments

The licensee shall not be relieved of any responsibility for compliance with the provisions of this Title, whether the licensee leases or rents For-Hire Ground Transportation Vehicles to drivers, or whether the licensee pays salary, wages, or any other form of compensation to drivers.

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Amended by Ord. 16-13 on 3/24/2016

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

Amended by Ord. 2019-17 on 4/18/2019

4-8-5 Background Check Requirement

4-8-5 All drivers Background Check Requirement

- A. Before a For-Hire Ground Transportation Business allows an individual to provide For-Hire Ground Transportation services or drive a For-Hire Ground Transportation Vehicle, the business shall obtain a Background Check Certificate from the Utah Bureau of Criminal Investigation (BCI). All drivers shall also obtain a driver license record criminal background check on the individual
- B. The criminal background check report from the Utah Driver License Division showing "Valid" as license status or certificate shall be maintained by the business for a minimum of three (3) years.
- 1.C. The City shall be permitted to request the background check records at any time. The City shall also be permitted to further investigate any information that is relevant to such background checks in order to determine the accuracy of the information. This investigation may include, but is not limited to, requiring the applicant driver to provide additional information. Drivers who possess a current Salt Lake City Vehicle Operator's Certificate (VOC/Airport Badge) may submit their VOC in lieu of a BCI Identification Record and driver history report.
2. The Park City Police Department shall review the Identification Record of each driver and identify if the driver has engaged in a disqualifying criminal offense, as set forth by this Section. A driver is deemed to have engaged in a disqualifying criminal offense if the driver has been convicted, or found not guilty by reason of insanity, of any of the crimes listed in this Section. Disqualifying offenses shall include:
1. Murder;
  2. Assault or aggravated assault;
  3. Kidnapping or hostage taking;
  4. Rape, aggravated sexual abuse, or other sex crime, including, but not limited to, unlawful sexual activity with or sexual abuse of a minor, enticing a minor over the

Exhibit A: Title 4 For Hire Business License Amendments

~~internet, unlawful sexual intercourse or conduct, object rape or sodomy, forcible sexual abuse, aggravated sexual assault, sexual exploitation of a minor, incest, lewdness, or obscene acts, sex acts for hire, or solicitation of sex;~~

- ~~5. Stalking;~~
- ~~6. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon;~~
- ~~7. Extortion;~~
- ~~8. Robbery, burglary, theft, bribery;~~
- ~~9. Distribution of, or intent to distribute, a controlled substance;~~
- ~~10. Felony arson;~~
- ~~11. Felony involving a threat;~~
- ~~12. Felony involving willful destruction of property;~~
- ~~13. Felony involving dishonesty, fraud, or misrepresentation;~~
- ~~14. Possession or distribution of stolen property;~~
- ~~15. Felony involving importation or manufacture of a controlled substance;~~
- ~~16. Illegal possession of a controlled substance punishable by a maximum of imprisonment of more than one year;~~

D. Reckless driving. A For-Hire Ground Transportation Business may not allow an individual to drive for the Business if the individual:

1. has been convicted, in the seven years before the day on which the individual begins driving for the Ground Transportation Business, of:
  - i. driving while under the influence of alcohol or a controlled substance, or being in or about a drug;
  - ii. fraud;
  - iii. a sexual offense;
  - iv. a felony involving a motor vehicle while under the influence of alcohol or a controlled substance;
  - v. a crime involving property damage;
  - vi. a crime involving theft;
  - vii. a crime of violence; or
  - viii. an act of terror;
- 17.2. is required to register as a sex offender in accordance with the intent of driving Utah Sex and Kidnap Offender Registry;
- ~~18. Felony involving does not have a driving offense.~~

Exhibit A: Title 4 For Hire Business License Amendments

~~3. If a driver's criminal record discloses arrests for a disqualifying offense without indicating disposition, the Police Department must investigate and make a determination as to whether the arrest resulted in a disqualifying offense as provided under this Section.~~

~~4.3. Prior to making a final decision to deny a Background Check Certificate, the Police Department shall advise the valid Utah driver that the Identification Record discloses a disqualifying offense. If the driver's Identification Record inaccurately contains a disqualifying offense, the driver may seek to complete or correct the Information Record by contacting the local jurisdiction responsible for the information and the BCI within thirty (30) days following notice of the disqualifying information. The driver must also notify the Police Department and indicate their intent to correct any inaccurate information. The Police Department must then receive a copy of the BCI record or certified true copy of the information from the appropriate court before granting a Background Check Certificate. If no such notification is received within the thirty (30) day period, the Police Department shall make a final determination based on available information.~~

~~4. is not at least 19 years of age.~~

~~5.E. A For-Hire Any Person who complies with the Background Check Certificate requirements shall have Ground Transportation driver has a continuing obligation to disclose to the Police Department Business within twenty-four (24) hours if he/she any arrest for a disqualifying offense. The Business Licensee must notify the Finance Manager or designee within (24) hours if any driver has been arrested for a disqualifying offense, which is convicted of any disqualifying criminal offense, or otherwise fails to comply with the provisions of this Section, at any time while he/she possesses a Background Check Certificate. listed in subsection (D) above.~~

~~6.F. Failure to comply with the continuing obligation to notify the Finance Manager or his/her designee within twenty-four (24) hours of: a disqualifying conviction pursuant to offense that is listed in Subsection (BD) above, or the accumulation of three (3) moving violation convictions during the past three hundred sixty-five (365) days is a Class "A" misdemeanor.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

Amended by Ord. 2019-17 on 4/18/2019

~~4-8-6 State Motor Vehicle Endorsement Or Commercial Driver License Required And Background Check Certificate Required For Application~~

~~Before any application is accepted by the Finance Manager, the applicant shall be required to show that such applicant has a current motor vehicle license issued by the state. 4-8-6 State Motor Vehicle Endorsement Or Commercial Driver License Required And Background Check Certificate Required For Application Repealed by Ord 2019--55~~

Exhibit A: Title 4 For Hire Business License Amendments

~~A.~~

~~B. A For Hire Vehicle that seats sixteen (16) or more passengers shall require the driver to have a valid CDL license with a Class C or a P endorsement.~~

~~C. Before any application is accepted by the Finance Manager, the applicant shall be required to show that such applicant has a valid Background Check Certificate.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

4-8-7 Compliance With City, State, And Federal Laws

4-8-7 Compliance With City, State, And Federal Laws

Every driver licensed under this Chapter shall comply with all city, state, and federal laws. Failure to do so may result in the suspension or revocation of a Business license by the City.

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Amended by Ord. 16-13 on 3/24/2016

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

4-8-8 Identifying Design

4-8-8 Identifying Design

~~A.~~ Each For-Hire Ground Transportation Vehicle shall bear on the outside of each rear or front door, in painted letters not less than five-sixteenths inch (5/16") stroke and more than two and one quarter inches (2¼") in height, the name of the licensee and the company number, which number shall also be painted or placed on the rear of the ~~For Hire Vehicle~~vehicle.

~~B.~~ The identifying design shall be permanent. The use of magnetic or removable signs is prohibited.

~~C. A City representative will inspect each vehicle at the time of licensing or license renewal to ensure compliance with this Section. The City representative will then witness the application of the For Hire Vehicle Sticker.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

4-8-8.5 Repealed By Ord 2017-51

Exhibit A: Title 4 For Hire Business License Amendments

4-8-8.5 Repealed By Ord 2017-51

HISTORY

Amended by Ord. 14-52 on 10/30/2014

Amended by Ord. 16-07 on 1/28/2015

Repealed by Ord. 2017-51 on 10/5/2017

4-8-9 Display Of Charges

~~All rates 4-8-9 Passenger Access to be charged for the use of a For Hire Vehicle Fares and Rates~~

~~The following items shall be posted on the inside of the vehicle and readily available in such a manner as to be plainly visible and accessible to all passengers in the passenger compartment of the Ground Transportation Vehicle:~~

- ~~A. The Fare schedule; and,~~
- ~~B. Contact information, including a telephone number, for the owner or responsible party of the For-Hire Ground Transportation Vehicle.~~

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 06-57 on 8/3/2006

Amended by Ord. 16-07 on 1/28/2015

Amended by Ord. 16-13 on 3/24/2016

Amended by Ord. 2017-11 on 3/30/2017

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

Amended by Ord. 2019-17 on 4/18/2019

4-8-10 Receipts For Payment Of Fare

4-8-10 Receipts For Payment Of Fare

The driver of any For-Hire Ground Transportation Vehicle shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by specially prepared receipt, on which shall be the name of the owner, Business license ~~number~~ information, amount of charges, and date of transaction.

HISTORY

Amended by Ord. 01-31 on 7/19/2001

Amended by Ord. 16-07 on 1/28/2015

Repealed & Reenacted by Ord. 2017-51 on 10/5/2017

4-8-11 Hiring Vehicle With Intent To Defraud

4-8-11 Hiring Vehicle With Intent To Defraud

Exhibit A: Title 4 For Hire Business License Amendments

It is unlawful for any Person to hire any vehicle defined in this Chapter with intent to defraud the Person from whom it is hired of the value of such service.

HISTORY

*Adopted by Ord. [16-07](#) on 1/28/2015*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

~~4-8-12 Refusing To Pay Legal Fare~~

4-8-12 Refusing To Pay Legal Fare

It is unlawful for any Person to refuse to pay immediately the legal Fare of any of the vehicles mentioned in this Chapter.

HISTORY

*Amended by Ord. [01-31](#) on 7/19/2001*

*Amended by Ord. [16-07](#) on 1/28/2015*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

~~4-8-13 Direct Route Required~~

4-8-13 Direct Route Required

Any For-Hire Ground Transportation Vehicle driver employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his/her destination, unless otherwise directed by the passenger.

HISTORY

*Amended by Ord. [01-31](#) on 7/19/2001*

*Amended by Ord. [16-07](#) on 1/28/2015*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

~~4-8-14 Prohibited Solicitation Procedures~~

4-8-14 Prohibited Solicitation Procedures

1. No driver shall solicit patronage by:
  1. Using a tone of voice that a reasonable Person would consider to be loud or annoying;
  2. Using a sign;
  3. Engaging in any activity or behaving in a manner that would annoy a reasonable Person or obstruct the movement of any Persons;
  4. Following any Person for the purpose of soliciting patronage.

Exhibit A: Title 4 For Hire Business License Amendments

2. The driver of any For-Hire Ground Transportation Vehicle shall remain in the driver's compartment or immediately adjacent to their vehicle at all times when on duty and such vehicle is upon the public streets. The driver ~~of a For-Hire Vehicle~~ is permitted to leave the driver's compartment when actively aiding passengers in loading or unloading the vehicle.

HISTORY

*Amended by Ord. [01-31](#) on 7/19/2001*

*Amended by Ord. [16-07](#) on 1/28/2015*

*Repealed & Reenacted by Ord. [2017-51](#) on 10/5/2017*

~~**4-8-15 Solicitation Of Hotel Business Prohibited**~~

**4-8-15 Solicitation Of Hotel Business Prohibited**

It is a violation of this Chapter for any driver of a For-Hire Ground Transportation Vehicle to solicit Business for any hotel, motel, or other nightly lodging Business, or to attempt to divert patronage from one hotel, motel, or other nightly lodging Business to another.

HISTORY

*Adopted by Ord. [2017-51](#) on 10/5/2017*

~~**4-8-16 Engaging In Liquor Or Prostitution Traffic Prohibited**~~

**4-8-16 Engaging In Liquor Or Prostitution Traffic Prohibited**

It is unlawful for any For-Hire Vehicle driver to sell intoxicating liquor or to knowingly transport Persons for the purpose of buying liquor unlawfully, or to solicit Business for any house of ill repute or prostitute. It is also unlawful for any For-Hire Vehicle driver to permit any Person to occupy or use his/her vehicle for the purpose of prostitution, lewdness, or assignation, with knowledge or reasonable cause to know that the same is or is to be used for such purposes, or to direct, take, or transport, or to offer or agree to direct, take, or transport, any Person to any building or place, or to any other Person, with knowledge or reasonable cause to know that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation.

HISTORY

*Adopted by Ord. [2017-51](#) on 10/5/2017*

**EXHIBIT A- AMENDING TITLE 9, CHAPTER 5**

**9-5 Resident Permit Parking**

9-5-1 Permit Parking Area

9-5-2 Year Round Regulations

9-5-3 Types Of Permits

9-5-4 Permits Do Not Affect General Parking Regulations

9-5-5 Permit Does Not Guarantee Parking

9-5-6 Issuance Of Permits And Permit Fees

9-5-7 Valid Permit To Be Registered

9-5-8 Replacement Permit

9-5-9 Signs

9-5-10 Violations

9-5-11 Multiple Permits

9-5-12 Permits Non-Transferable

9-5-13 Falsely Obtaining Permits Prohibited; Alteration Or Reproduction

9-5-14 Hours Of Enforcement

9-5-15 Reserved Parking Areas

9-5-16 Official Vehicles

9-9-3 Nature of Violations

**9-5-1 Permit Parking Area**

The City Manager or designee shall determine which streets or public parking facilities would benefit by inclusion in a Permit Parking Zone (PPZ). The City Manager or designee shall designate the boundaries of each zone identifying each zone by letter, number or name, and cause a parking area map to be published showing the zone boundaries.

If modification of an established parking zone boundary or establishment of a new PPZ is determined to be in the public interest, the City Manager or designee shall designate the boundaries thereof and give fourteen (14) days notice of the same by publication twice in a newspaper of general circulation within the City.

**9-5-2 Year Round Regulations**

The parking regulations of this Chapter shall apply to the zones designated on the current Parking Area Map on a year-round basis.

**9-5-3 Types Of Permits**

The following permit types are established and shall be issued by the City upon payment of the appropriate fee, if any, as designated in the Fee Resolution:

- A. **RESIDENT PERMIT.** One (1) resident permit shall be issued for each vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two (2) permits are requested for one (1) residence, the owner(s) of the vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of resident permits issued to one (1) residence exceed five (5). Permits will only be issued to the extent that the number of vehicles registered at the dwelling exceeds the off-street parking available at that dwelling to encourage the use of all available off-street parking. No more than two (2) permits shall be issued to any residence within an RPZ that requires parking on a public street subject to time limited parking, as set forth in 9-3-3 of the Municipal Code. An applicant for a permit shall present a current Utah Motor Vehicle registration, a current operator's license, and proof of residence with the application, and shall certify the application with his or her signature.

No permit shall be issued in the event that either the registration or license shows an address not within the RPZ unless the applicant demonstrates to the satisfaction of the City Manager or designee that the applicant is, in fact, a resident of the RPZ and that the vehicle is used primarily by the applicant.

The resident permits shall be valid until the expiration date shown on the permit, or until the resident, business, or qualified non-profit organization relocates outside of the RPZ, or until the permitted vehicle is sold, whichever occurs first.

Resident permits shall be valid only in the same residential permit parking zone in which the residence, business, or qualified institution is located.

- B. **RESIDENT GUEST PERMIT.** One (1) resident guest permit shall be provided to each residential, business or qualified non-profit institution address receiving at least one (1) resident permit within an RPZ, subject to the following conditions:
1. Resident guest permits shall be issued for the exclusive use of the resident permit holder's guests only during periods when the guests are actually visiting a resident permit holder's address. Resident guest permits shall display the host resident's resident permit number. Residents shall instruct their guests in the proper display and use of the guest permit.
  2. Resident guest permits issued to business or non-profit institution guests within an RPZ shall be valid only while the guest is actually engaged in business at a resident permit holder's business or institution address. Resident guest permits issued to businesses or institutions within an RPZ shall display the host business's or institution's resident permit number. Businesses or institutions shall instruct their guests in the proper display and use of the guest permit.

Exhibit 6: Title 9 Parking Code Redline

3. Resident guest permits may also be issued directly to guests by the Transportation & Parking Department subject to reasonable conditions imposed by the City Manager or designee.

The resident guest permits shall be valid until the expiration date shown on the permit, or until the holder of the host permit relocates outside of the RPZ, whichever occurs first.

The resident guest permit shall be valid only in the same residential permit Parking zone in which the host residence, business, or qualified institution is located.

**C.B. LODGING GUEST PERMIT.** Lodge guests permits shall be issued to, or approved for, lodges within a non-metered RPZ for the exclusive use of lodge guests during their period of stay at the lodge. Lodge owners shall fill out the lodge guest permit completely, using permanent ink, and instruct their employees and guests in the proper display and use of the lodge guest permit. Passes shall not be available for transient lodging units with available off-street parking for their guests and/or employees, or for lodging units located within a metered parking zone. Lodge guest permits may also be issued to individuals with unusual or special needs at the discretion of the City Manager or designee.

The lodge guest permit shall be valid either only during the guest's stay at the lodge, or for seven (7) days from the date of issue to the guest, whichever is less.

The lodge guest permit shall be valid only in the same residential permit Parking zone in which the host lodge is located.

**D.C. EMPLOYEE PERMIT.** If the City Manager or designee deems necessary, employee permits may be made available upon payment of the prescribed fee, if any, to Main Street area businesses that have inadequate off-street parking for parking in designated public parking facilities.

**E.D. BUSINESS PERMIT.** If the City Manager or designee deems necessary, business permits may be made available upon payment of the prescribed fee, if any, to Main Street area businesses for parking in designated public parking facilities.

**F.E. SERVICE VEHICLE PERMIT.** Service vehicle permits shall be made available to allow building maintenance and cleaning functions for buildings in the resident permit zones. Applicants shall possess a valid Park City business license. Service vehicles shall be required to use short-term zones, or park in metered spaces and pay the hourly fee while conducting service calls in the metered Main Street core parking areas.

**F. DROP, LOAD, AND STAGING (DLS) PERMIT.** If the City Manager or designee deems necessary, DLS permits shall be issued for ground transportation upon demonstration of eligibility and payment of the prescribed fee. DLS permits shall be valid until the expiration date shown on the permit. The following types of ground transportation are eligible for a DLS permit:

1. A hotel courtesy shuttle;
2. A registered TNC driver under the Transportation Network Company Registration Act;
3. A ground transportation business with a Park City For-Hire Ground Transportation Business License or a current business license from another political subdivision within the state, as defined in Title 4 Chapter 8.

#### HISTORY

*Amended by Ord. 00-52 on 9/28/2000*

*Amended by Ord. 12-25 on 9/13/2012*

*Amended by Ord. 2017-58 on 11/9/2017*

#### **9-5-4 Permits Do Not Affect General Parking Regulations**

The provisions of this Chapter on permit parking do not supersede any other provisions of the Park City Parking Code with respect to general parking regulations such as parking in a manner that obstructs driveways or traffic, parking that interferes with snow removal, proximity to intersections, fire hydrants and other general parking regulations. It is not a defense to any parking violation that the violator had a parking permit, unless alleged violation is parking without the required permit.

#### **9-5-5 Permit Does Not Guarantee Parking**

The intent of this Chapter is to attempt to divide the limited pool of available parking among the various classifications of parking users on an equitable basis. The issuance of a permit does not guarantee a place to park at all times.

#### **9-5-6 Issuance Of Permits And Permit Fees**

Parking permits shall be issued through the Transportation & Parking Department. Permit fees for each permit type determined by the City. Proof of eligibility within the permit parking area and payment of the applicable fee will be required before a permit will be issued. All permits are valid only for their prescribed use and area.

#### **9-5-7 Valid Permit To Be Registered**

Permits will be valid through the registered expiration date. It shall be unlawful to use an expired permit while parking in a permit area. Resident permits will be in the form of stickers, which shall be affixed to the permittee's vehicle as designated on the sticker, or permits will be associated with a registered license plate number. Permits in the form of hangtags shall be suspended from the rearview mirror so as to face toward the front of the vehicle.

#### HISTORY

*Amended by Ord. 2017-58 on 11/9/2017*

#### **9-5-8 Replacement Permit**

## Exhibit 8: Title 9 Parking Code Redline

Replacement permits will be issued to replace permits that have been lost, destroyed, or in cases where there has been a change in vehicles for a handling charge as determined by the City. Upon issuance of a replacement permit, the original permit shall be void; and it shall be unlawful for any vehicle to display the permit.

### 9-5-9 Signs

The City will designate the various parking areas with signs at the entrance to the affected public parking facilities, or along the designated streets. In the absence of signs, on-street parking is hereby designated as resident permit parking and a resident parking permit is required. The designations of parking areas may be changed from time-to-time by relocation or redesignation of the signs to adapt to actual parking demand experienced for that kind of parking area.

### 9-5-10 Violations

Parking any vehicle in a manner that is in conflict with the provisions of this Title is unlawful, and shall be punishable as an infraction ~~as provided~~ or civil penalty found in the Park City Parking Code Fee Schedule. In addition to enforcement by ticket, illegally parked vehicles are subject to towing.

### 9-5-11 Multiple Permits

Persons who are entitled to more than one (1) classification of permit, such as persons residing and working in the permit Parking area, shall be entitled to only one (1) permit, which will be the resident permit or other permit which is the least restrictive available to which that person is entitled.

### 9-5-12 Permits Non-Transferable

~~Permits, except the residential guest permit,~~ Except as provided in subsection (B), permits shall not be transferable, and may be revoked in the event the Transportation & Parking Department determines that the owner of the vehicle, the driver of the vehicle, or the vehicle itself for which a permit has been issued no longer meets the eligibility requirements established by the Transportation & Parking Department. Upon no longer meeting the eligibility requirements, the holder of the permit shall surrender such permit to the Transportation & Parking Department.

A. The residential guest permit is transferable.

B. The DLS permit is only transferable between vehicles owned and operated by the same company.

### 9-5-13 Falsely Obtaining Permits Prohibited; Alteration Or Reproduction

Exhibit ~~6~~: Title 9 Parking Code Redline

It shall be unlawful to falsely represent oneself as eligible for a permit under this division or to furnish any false information in, or in conjunction with, an application for a residential parking permit. It shall be unlawful to attempt or to reproduce or alter any permit issued by the City.

**9-5-14 Hours Of Enforcement**

The parking restrictions stipulated in Chapter 5 of this Title shall be enforced according to official signs posted in the resident permit zones, unless otherwise specified.

**9-5-15 Reserved Parking Areas**

In any area designated as a permit zone, where parking is prohibited with certain permits exempt, it shall be unlawful for any person to park any motor vehicle on the street between the posted hours unless there is affixed to the windshield of such motor vehicle a valid parking permit corresponding to the permits which are posted as exempt.

**9-5-16 Official Vehicles**

Emergency, government, and public utility vehicles engaged in official business shall be exempt from permit and Chapter 7, Paid Parking, requirements.

**9-9-3 Nature Of Violations**

**9-9-3 Nature of Violations**

Violations of this Title are punishable by infractions, or punishable by a fine, fee or civil penalty, including ~~immobilization~~immobilization and/or towing, but not imprisonment.

**HISTORY**

*Amended by Ord. 99-31 on 8/5/1999*