

Minutes of a Planning and Zoning Meeting held on February 5, 1983, at City Hall at 8:00 A. M.

Present were Larry Butler, Steve Porter, Jim Corry, Ramona Rosenlund, clerk and Arthur Adcock who came in at 8:15 A. M.

Mr. Butler called the meeting to order at 8:05 A.M. and prayer was offered by Mr. Corry. Minutes of the meeting held January 29, 1983, were read by Mrs. Rosenlund. A motion to accept them as read was made by Mr. Butler and seconded by Mr. Porter. Motion passed unanimously.

Mrs. Rosenlund reported the State Tax Commission had been contacted and they were sending us a list of those persons in town who have a State sales tax number. She reported that the City Recorder said that the amount of gross revenue of each business would not be furnished to the city except upon written request of the Mayor.

There was a discussion of whether it would be best to charge a business license fee based on the previous year gross revenue or a flat amount for everyone. Both Mr. Corry and Mr. Porter said they felt a flat fee would be better. Mrs. Rosenlund had checked with Payson City and Salem and found that Salem charged a flat \$25.00 per year for everyone except for peddlers, etc. from out of town, who were charged \$25.00 per day. Payson is based on the gross revenue of the previous year. There was a discussion of how to let people know they needed a license. The city used to send letters out every December to remind them but have not done this for several years as they feel the people know if they need a license.

Mr. Adcock came into the meeting at 8:15 A. M. and was introduced to the group as the new member of the Commission.

Mr. Porter suggested that a letter be sent to all those who have a state sales tax number telling them they need a business license if they are still in business and that people would have to be trusted to be honest about it. Mr. Corry suggested that the letter say if they are still operating a business, please get a license. It was felt the biggest problem would be with persons operating out of their homes. It was pointed out that everyone desiring a Home Occupation or Home Industry are supposed to come before the Board of Adjustment with their request prior to starting the business and this should help to know who has such a business.

There followed a discussion as to what constitutes a Home Occupation. It was thought that selling of Avon products might not be as none of this takes place in the home of the seller, as they make appointments with people to show their product in the buyers home. Mr. Porter said if what they do

fits the definition of a Home Occupation or Home Industry, then they must have a license. There was some discussion of enforcement of the Ordinance.

Mr. Porter suggested that it be put in the ordinance that no one was exempt from having a business license if they meet the requirements in the Zoning Ordinance unless they receive a variance from the Board of Adjustment. That all businesses with a state sales tax number or who come under the requirements of the Home Occupation or Home Industry must have a business license. The section of the Zoning Ordinance covering Home Occupations and Home Industries was read and it was felt the above suggestion would cover everyone.

There followed a discussion of fees and how much should be charged. Mr. Porter said he thought a flat fee of \$25.00 per year might be good. Mr. Adcock said what if one person was selling a few hundred dollars worth in a year and a neighbor was selling a hundred thousand dollars worth a year. Mr. Corry asked why penalize someone who is more industrious. Mr. Porter said he felt a license should always be required as if there are complaints the City has a way of shutting them down if they need to. Mr. Corry said he felt a license to raise revenue rubbed the wrong way but a license to regulate a business does not seem too bad and the State Code says a city can do about anything they want. Mr. Porter repeated that he felt \$25.00 per year was a good amount.

Mr. Corry brought up religious organizations such as scouts, moonies, or other church groups selling candy bars, flowers, etc. for a fund raising project and wondered if they should be exempt. There was a discussion of out-of-town people coming into the city limits to sell their products and if they should have a daily license fee to pay. Would agricultural products be exempt? Mr. Corry asked what was the difference between pots and pans or peaches and pears. Mr. Adcock said he felt all outsiders should stay outside the city limits or pay a daily fee. Mr. Corry said could we say anything produced within a two mile radius of the city pay \$25.00 per day and others more? Mr. Porter said this may not be legal as we don't have any jurisdiction outside the city limits. Agricultural products is a local thing and so maybe those raising it outside the city limits and selling it inside the city should be exempt even if it is grown outside the city limits. Mr. Butler said there are several persons who grow agricultural products outside the city limits but they live within the city so maybe they don't need a license. Mr. Adcock said he felt everyone outside the city limits should be treated the same and Mr. Corry said he felt \$25.00 per day should include everyone outside the city selling inside the city.

Mr. Corry made a motion that the license fee for engaging in, carrying on or conducting transient merchant business in

Santaquin City shall be \$25.00 per day, payable in advance, for each day such business shall continue. Mr. Butler seconded the motion. Voting for the motion were Mr. Corry, Mr. Butler and Mr. Porter with Mr. Adcock voting against. Motion passed.

Mrs. Rosenlund was asked to type up a work copy of the proposed ordinance and have it ready for the next meeting.

Mr. Adcock asked if breaking the ordinance was a class B misdemeanor and was told yes, it was thought to be.

There followed a discussion of the best time for meetings. Mr. Adcock said he felt a definite date and time for the meetings would be good and that if a time came when they did not need a meeting, it was easier to call it off than it was to call one which had not previously been set up. Mr. Corry said this was hard for him as his work schedule varied. Mr. Adcock suggested the first and third Saturday of each month. Mr. Corry suggested only one per month and they could call another one during the regular meeting if it was felt one was needed. It was finally agreed to meet the first Saturday of each month, at 8:00 A.M.

Mrs. Rosenlund checked and found that the new beer selling ordinance does not cover the licensing of amusement devices and these would have to be in the proposed ordinance. Also, that when this is finished, they have been asked to update the trailer court license ordinance.

Mr. Butler reminded them that they need to select a new chairman at the next meeting, as his term expires.

A motion to adjourn this meeting and for the next one to be held on Saturday February 26, 1983 at 8:00 A. M. was made by Mr. Butler. Motion was seconded by Mr. Porter. Motion passed and meeting adjourned at 9:45 A.M.

Feb. 19, 1983
Approved

Harry D Butler
Chairman

Ramona Rosenlund
Secretary