

**PERRY CITY
ORDINANCE 23-P**

REPEAL UCA §59-12-2213 OPTION TRANSIT TAX

**AN ORDINANCE OF PERRY CITY, UTAH, REPEALING THE LOCAL
OPTION SALES AND USE TAX FUNDING PUBLIC TRANSPORTATION
THAT MAY BE IMPOSED UNDER UTAH CODE §59-12-2213;
SEVERABILITY; AND EFFECTIVE DATE.**

WHEREAS, Perry City (hereafter "City") is a municipal corporation duly organized and existing under the laws of the state of Utah;

WHEREAS, the Utah State Legislature previously adopted Utah Code §59-12-1001, which was transitioned under Utah Code §59-12-2212.1;

WHEREAS, the Utah State Tax Commission is presumptively collecting a sales and use tax in accordance with Utah Code §59-12-2213, and the City desires to repeal the same;

WHEREAS, the City Council has the power to establish and repeal a sales tax on retail sales for the purpose of funding public transportation and transit;

WHEREAS, the City previously adopted Ordinance 07-HH, and may have adopted additional Ordinances and possible agreements, to impose, pursuant to Utah Code §59-12-1001, a sales and use tax upon retail sales of 0.30% to finance public transportation for the City and now desires to repeal the same;

WHEREAS, notwithstanding Utah Code §59-12-2208, the City's Legislative Body is not required to submit this repeal to the City's registered voters;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Perry City, Utah, as follows:

Section 1. Repeal. Ordinance 07-HH is hereby repealed in its entirety along with any other Ordinance that conflicts with this Section. The local option sales and use tax adopted by the City to fund public transportation in accordance with Utah Code §59-12-1001 and presumed to be currently imposed under Utah Code §59-12-2213 is hereby repealed in its entirety.

Section 2. Agreement. Any interlocal agreement or similar agreement related to the local option sales and use tax to fund public transit in accordance with Utah Code §59-12-1001 and presumed to be currently imposed under Utah Code §59-12-2213 is hereby repealed and terminated in accordance with the terms of said agreement that may exist.

Section 3. Effect.
The City Recorder is authorized and directed to provide this Ordinance to the Utah State Tax Commission and comply with any other notice, documents, or related requirements to effectuate this repeal.

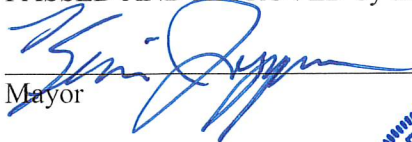
Section 4. Severability.

If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 5. Effective Date.

This Ordinance is effective immediately upon passage and approval or in accordance with the applicable State Law.

PASSED AND APPROVED by the Perry City Council this 5th day of December, 2023.



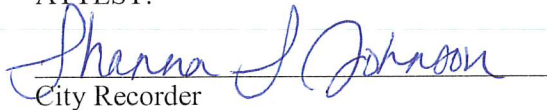
Mayor

Voting:



Tueller Yea x Nay
Wright Yea x Nay
Ostler Yea x Nay
Walker Yea x Nay
Young Yea x Nay

ATTEST:



City Recorder