

**PERRY CITY
ORDINANCE 23-Q**

REPEAL UCA §59-12-2214 OPTION TRANSIT TAX

AN ORDINANCE OF PERRY CITY, UTAH, REPEALING THE LOCAL OPTION SALES AND USE TAX UNDER UTAH CODE §59-12-2214 FUNDING PUBLIC TRANSIT AS APPROVED BY THE VOTERS AT THE 2023 GENERAL ELECTION; 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 §59-12-502, which was transitioned under Utah Code §59-12-2212.1;

WHEREAS, the City previously adopted Ordinance 08-M, Resolution 08-02, along with an accompanying Interlocal Cooperation Agreement between the City and the Utah Transit Authority, and Perry City Municipal Code (“PMC”) Section 4.03.040, and may have adopted additional Ordinances and possible agreements, to impose a local option sales and use tax to fund public transit in accordance with Utah Code §59-12-2214;

WHEREAS, at the 2023 General Election the registered voters in the City approved a ballot proposition to repeal the local option sales and use tax to fund public transit under Utah Code §59-12-2214, in accordance with Utah Code §59-12-2208;

WHEREAS, the City desires to effect the will of the voters by this Ordinance;

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

Section 1. Repeal.

Ordinance 08-M, Resolution 08-02, and its accompanying Interlocal Cooperation Agreement, and PMC Section 4.03.040 are hereby repealed in their entirety along with any other Ordinance that conflicts with this Section.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option sales and use tax adopted by the City to fund public transit in accordance with Utah Code §59-12-2214 is hereby repealed in its entirety. The Interlocal Cooperation Agreement with the Utah Transit Authority is hereby terminated in its entirety.

Section 2. 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 3. 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 4. 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	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Wright	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Ostler	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Walker	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Young	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

ATTEST:



City Recorder