

Tooele City Code

5-1-28. Revocation.

(1) The issuance of a license under this Title 5 grants a revocable property interest and privilege to engage in business. The licensee agrees, as a condition of license issuance, to operate the licensed business or activity in conformity with the ordinances of the City and all other applicable laws.

(2) Any license issued pursuant to the provisions of this Title may be revoked for one year by the City Recorder for any of the following reasons:

- (a) the violation by the licensee of any provisions in this Title;
- (b) failure to pay when due any license fee, tax, charge, or penalty provided for in State statute or City ordinance;
- (c) falsification of the license application or supporting documentation provided with the license application;
- (d) any fraud or misrepresentation of a material fact in the procurement of the license;
- (e) noncompliance with building, fire, or health codes;
- (f) any conduct at the licensed premises tending to render the licensed premises, business, or activity a private or public nuisance as defined in this Code, or a menace to the health, peace, or general welfare of the City or its inhabitants;
- (g) using or possessing for use a false weight or measure or any other device for falsely determining or recording any quantity or quality;
- (h) selling, or offering or exposing for sale, commodities that vary from the standard of composition or quality prescribed by any statute that provides criminal penalties for:
 - (i) deviation from standards set by any statute;
 - (ii) deviation from standards set by established commercial usage; or,
 - (iii) deviation from legal requirements for truthfulness or disclosure in labeling as required by any statute;
- (i) activities, under the guise of conducting a business, that are fraudulent, deceptive, or constituting a violation of City ordinance or other law;
- (j) failure of the licensee to retain the legal qualifications necessary for the license;
- (k) violation of the zoning ordinances governing the licensed business or activity, including parking ordinance requirements;
- (l) conviction of a felony or any crime of moral turpitude on or related to the licensed business or activity after the issuance of a license;

- (m) refusal to allow City officers or employees to make inspection of the licensed premises during the hours of 8 a.m. to 5 p.m. Monday through Friday;
- (n) selling, or offering or exposing for sale, to minors any harmful material, sexually oriented material, or sexual paraphernalia, as defined in Section 11-1-10 of this Code;
- (o) violation of any of the terms or conditions of a conditional use permit; and,
- (p) any violation of City ordinance or other law relating to the licensed business or activity.

(3) An action or omission constituting grounds for revocation under this Section by an agent, employee, officer, operator, owner, or patron of the licensee or the licensed business or activity shall constitute the action or omission of the licensee.

(4) Notification of the City Recorder's preliminary determination to revoke a business license shall be mailed by the City Recorder by certified U.S. mail to the licensed business at the mailing address identified on the business license application.

(5) Notification of business license revocation shall be mailed by the City Recorder by certified U.S. mail to the licensed business:

- (a) if no timely appeal of the preliminary revocation determination was filed, at the mailing address identified on the business license application; or,
- (b) if a timely appeal of the preliminary revocation determination was filed, and the determination was sustained by the Administrative Hearing Officer, at the address identified on the appeal.

(Ord. 2014-01, 01-15-2014); (Ord. 2013-07, 04-17-2013); (Ord. 2012-13, 04-18-2012); (Ord. 2009-16, 03-17-2010); (Ord. 1987-24, 01-02-1988; Ord. 1983-22, 12-07-1983)