



2019
session
recap



UTAH LEAGUE OF
CITIES AND TOWNS

#citieswork



ULCT board of directors

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 - Roosevelt Council Member Dustin White
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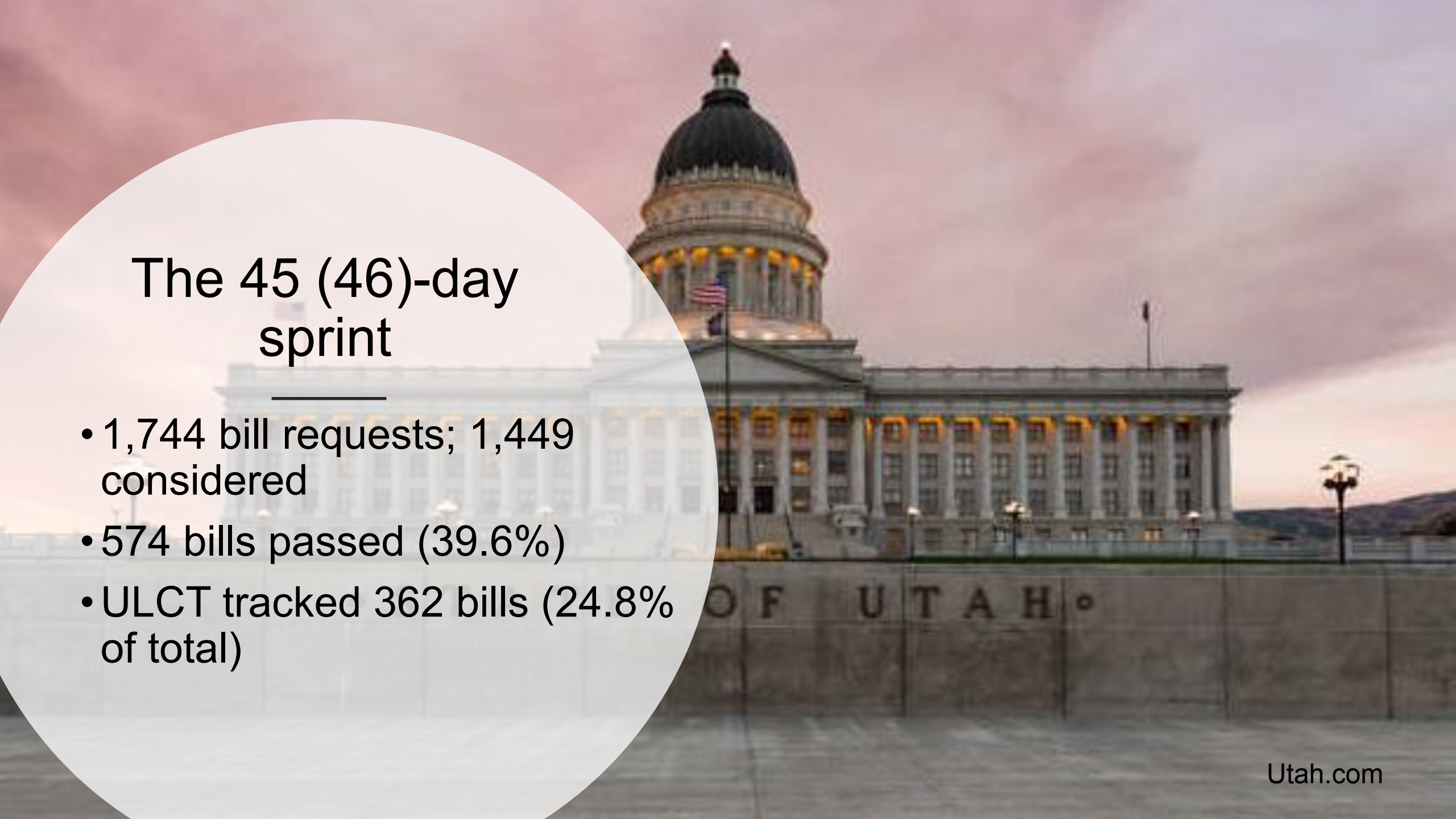
Engage with us

• LPC

- Every city and town = 3 voting members
- Board members = 4th vote
- Every Monday during the session
- Monthly June-Jan
- Webcast or in-person

• Caucuses/conventions

- Annual Convention, Sep. 10-13
 - Caucus discussions
- Resolutions = ULCT policy platform
 - 2018:
 - Population growth
 - Water
 - Marijuana
 - Our Schools Now
- Every city/town has weighted vote

The background of the slide is a photograph of the Utah State Capitol building in Salt Lake City, Utah, taken at dusk. The building's dome is illuminated, and the sky is a mix of pink, purple, and blue. In the foreground, a stone wall with the words "OF UTAH" is visible. A large white circle on the left side of the image contains the text.

The 45 (46)-day sprint

- 1,744 bill requests; 1,449 considered
- 574 bills passed (39.6%)
- ULCT tracked 362 bills (24.8% of total)



Bill tracking and
legislative wrap-up
at

www.ulct.org

What passed?

Why is it urgent?

How does it impact
you?



UTAH LEAGUE OF CITIES AND TOWNS

GENERAL LEGISLATIVE SESSION

Quick Guide

2019

A photograph of the Utah State Capitol dome, viewed from a low angle looking up. The dome is dark and has a decorative top. The background is a blue sky with a grid pattern.

From gravel pits to anti-idling laws, local control saw multiple wins in the 2019 Utah Legislature

But the fight continues over the Utah Inland Port Authority 'land grab'

By [Katie McKellar](#) [@KatieMcKellar1](#)

Published: March 17, 2019 3:42 pm

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Tribune Editorial: Utah Legislature should leave the locals alone. Mostly.

By The Salt Lake Tribune Editorial Board • [Published: February 21](#)
[Updated: February 21, 2019](#)



General themes of the 2019 Session

Part 1: Medicaid

• Housing

- Housing affordability and affordable housing and transportation
- 2018 ULCT resolution

• Referendum

- 2018 ULCT resolution

• Land use

- Agriculture, gravel, nuisances and protections
- Interim: Land Use Task Force

• Water

- 2018 ULCT resolution
- Interim study: secondary water metering

• Public safety

- Interim work: Tier 2 retirement (2020)

• Beer

Part 2: Tax reform

- Interim study: Tax Task Force
- Economic development

• General local gov't authority



Licensing fun

- HB 150: Trampoline Park Safety Standards

- Requires trampoline parts to maintain local business licenses, get annual inspections, display certain signage, monitor operations, and carry insurance.
- Local government may revoke or refuse to renew business licenses if parks fail to comply.

- HB 381: Amusement Ride Safety

- Creates the Utah Amusement Ride Safety Act and Committee under DOT
- Ensure that operators are properly inspected/permitted for your summer events.

Licensing beer

- **HB 202: Off-premise Beer Retailer Amendments**

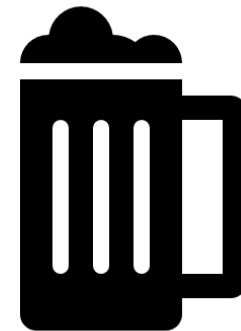
- Clean-up of last year's bill
- Clarifies who needs training to get an off-premise license
- No direct impact on cities, but retailers that fail to complete training and licensing will lose the ability to sell beer.

- **HB 453: Alcohol Amendments**

- Laundry list of changes

- **SB 132: Beer Amendments**

- Defines “heavy beer” – 5% by weight – and “beer” – 4% by weight





Licensing food trucks, of course

SB 71: Food Truck Amendments

- Clarifies that the license applies to the business, not the individual.
- Clarifies that you can't require a permit or fee for a truck to operate at a private event.
- Food trucks can remain in place for the duration of an event if other food vendors can.
- Fees are limited to the actual cost of processing.

Licensing nicotine

- **HB 338: Changes to Tobacco Retail Permit**

- Changes “person” to “retail tobacco specialty business” to clarify that the permit is tied to the location, not the person.

- **HB 252: E-Cigarette and Other Nicotine Product Amendments (NOT PASSED)**

- Would have moved e-cigarettes, vaping products, and other nicotine products under the “other tobacco product” regulations and taxing policy.

- **HB 324: Tobacco Age Amendments**

- Enacts Tobacco 21 law statewide
- Beginning July 1, 2020, a person must be 20 to purchase tobacco/e-cigarette product.
- Beginning July 1, 2021, a person must be 21 to purchase.

Licensing other stuff

- **HB 18: Massage Therapy Practice Act Amendments**

- Exempts a bowenwork practitioner from massage therapist licensure.

- **HB 23: Gambling Machines Amendments**

- Defines a “fringe gaming device” and clarifies that it is a form of gambling.

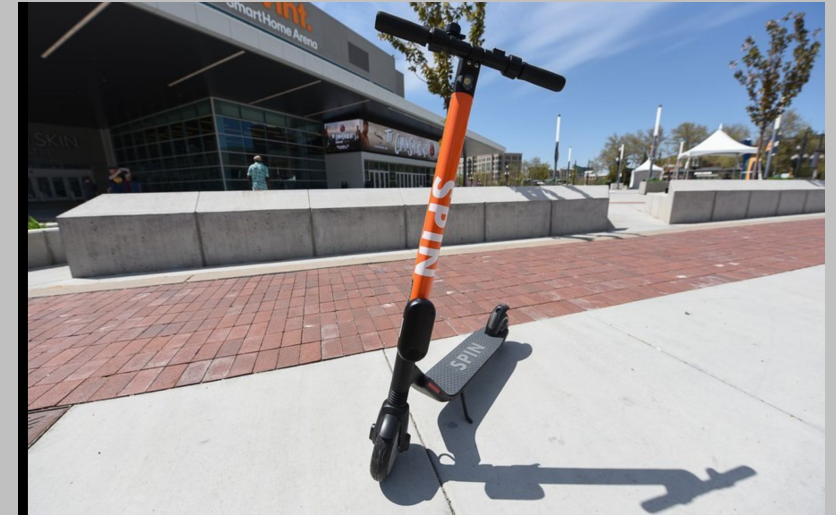
- **HB 258: Sexually Oriented Business License Amendments**

- Increases the penalty for operating a sexually oriented business without a license from a Class B misdemeanor to a Class A misdemeanor.

E-scooters

SB 139: Motor Assisted Transportation Amendments

- E-scooters: don't ride them while drunk
- Gives locals some flexibility to regulate where they can be staged and ridden.
- Insurance and indemnification



The Salt Lake Tribune

A new scooter company – Spin – arrives in Salt Lake City, and GREENbike plans expansion

Medical marijuana

SECTIONS

Utah

Legislators mulling 'tweaks' to Utah's medical marijuana law after D.A.s question dispensary legality

By [Ashley Imlay](#) [@ashley_imaly](#)
Published: July 30, 2019 6:05 pm

[Twitter](#) [Facebook](#) [Email](#) [17](#) Comments



SECTIONS

Utah

Utah Supreme Court rejects challenge to medical marijuana law that replaced Prop. 2

By [Gretel Kauffman](#) [@gretelkauffman](#)
Published: August 6, 2019 6:34 pm
Updated: Aug. 6, 2019 8:21 p.m.

[Twitter](#) [Facebook](#) [Email](#) [22](#) Comments



Production/cultivation establishments (4-41a-201)

- Maximum number of 10 (8 have been announced)
- Must have a local business license in order to get a state license from the Dep't of Ag
- May not deny a business license on the basis that it is a cannabis business
- May enforce business license regs like you would any other business
- Applicant must demonstrate the proposed production facility is consistent with zoning
- City must allow in industrial or agricultural zone
- May not be within 1000 feet of a community location or 600 feet of primarily residential use zone (city can waive)
- Dep't of Ag will consult with local land use authority before approving more than 1 location



Cannabis pharmacy (26-61a-301)

- Maximum number of 7-10 (7 through 2021; if central fill is not operational than 1 new license could be issued every 6 months)
- Must have a local business license to get a license from the Dep't of Health
- Dep't of Health is in process of collecting applications now
- City may not deny license on the sole basis it is for a cannabis pharmacy
- May enforce business license regulations like any other business
- State must ensure geographic dispersal among licensees
- Applicant must demonstrate the pharmacy is consistent with zoning; city can't deny in ag or industrial
- May not be within 600 feet of community location or area zoned primarily residential (city may waive)
- May enact time, place, manner of operations ordinance

Other cannabis considerations

- SB 161: Medical Cannabis Act Amendments

- Clarifications to HB 3001 including transport, testing, & protections for parents of minor patients.
- DHRM also working on a form that political subdivision employers will give to employees informing them that job duties may violate federal law.



Outdoor sign enforcement

• HB 254: Unlawful Outdoor Advertising Amendments

- Allows UDOT to issue a citation and levy a fine for a person guilty of unlawful outdoor advertising without a required permit.
- Off-premise sign enforcement

• HB 343: Development Advertising Amendments

- Requires cities to meet certain notice requirements for public hearings or meetings when illuminated sign regulations or applications are considered.
- 500 foot radius of sign site
- Property owners must commence construction within one year after sign is installed.

Legislators discuss change to allow better enforcement of idling laws

By [Emily Ashcraft](#) [@emilyjaneen3](#)

Published: February 7, 2019 7:09 pm

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Air quality enforcement

HB 148: Vehicle Idling Revisions

- Reduces required warnings from 3 to 1 before a city can issue a citation under an anti-idling ordinance

Air quality enforcement



HB 139: Motor Vehicle Emissions Amendments

- It is a traffic violation to intentionally spew exhaust at a vulnerable person in a non-attainment area.
- Enhances penalties for people who illegally modify diesel vehicles.

Code enforcement

SB 184: Code Enforcement Amendments

- Must give written notice of a violation, specify the violation, and allow a reasonable time to cure before collecting a fine.

SB 250: Graffiti Amendments

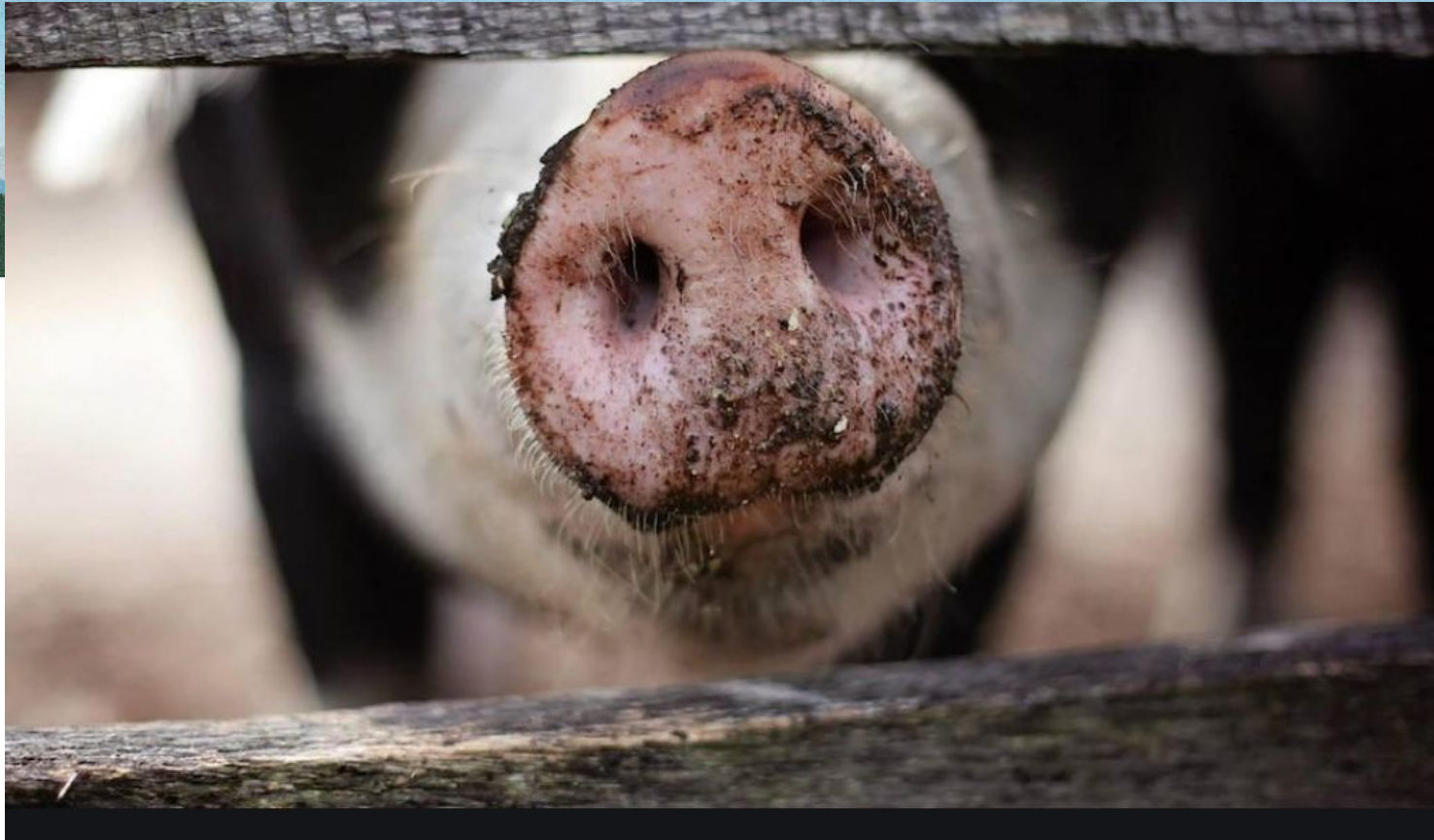
- City must give “victim of graffiti” notice and one week to remove; financial hardship provision.

SB 90: Political Signs Amendments (NOT PASSED)

SB 107: Nuisance Amendments (NOT PASSED)

We'll probably see both of these next year.





Other enforcement

SB 93: Agricultural Nuisance Amendments

- An agricultural operation operating in accordance with sound practices and local regulations is presumed not to be a nuisance.

Other enforcement

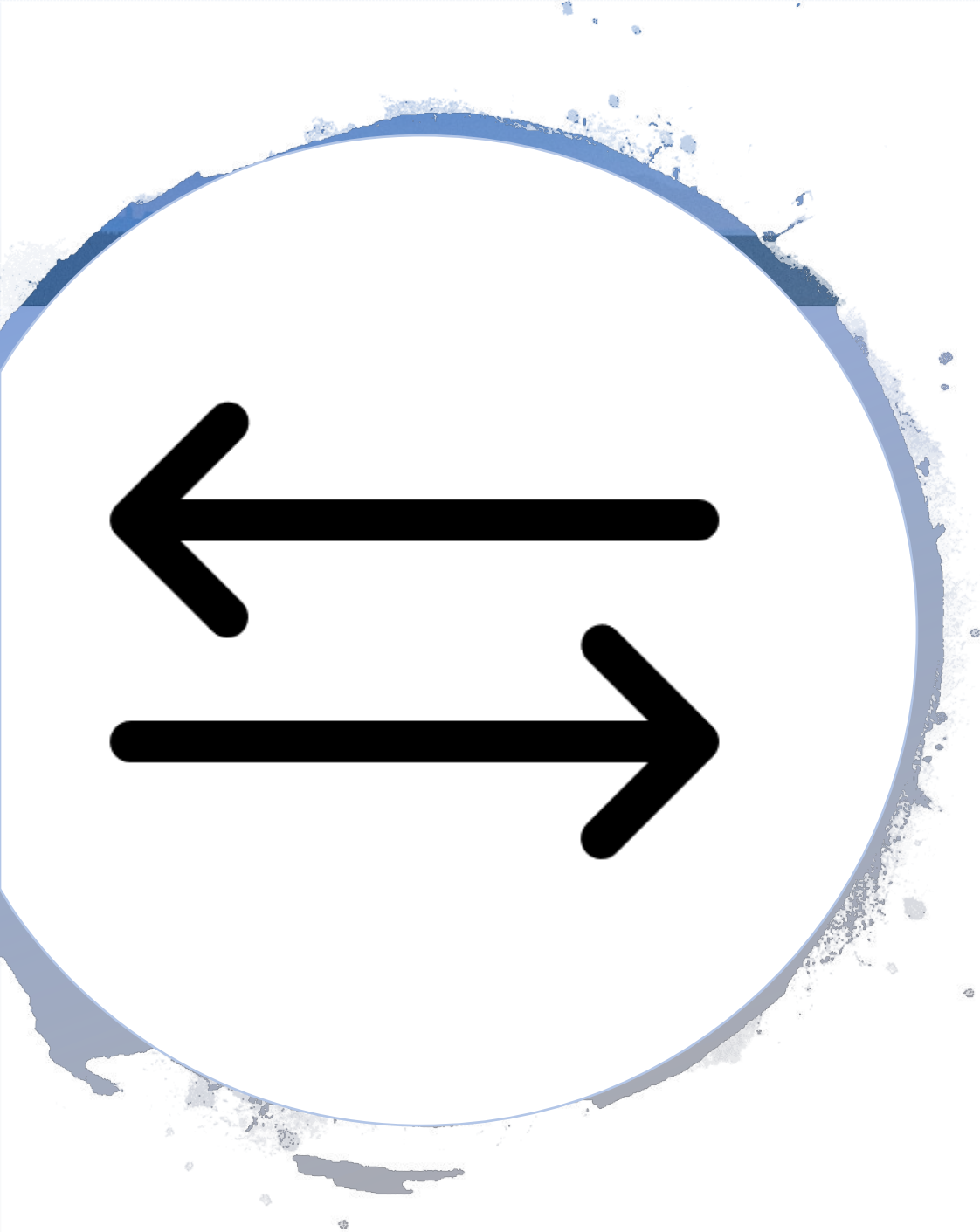
HB 228: Towing revisions

- Addresses rotation issues
- As of Jan. 2, 2021, cities may not charge towing companies a fee to be included in a towing rotation.
- Cities must also provide an appeals process for towing companies that are suspended or removed from a towing rotation.

HB 394: Pawnshop & Secondhand Merchandise Amendments

- Requires certain recordkeeping by pawnshops.
- Yearly database training for law enforcement.





Trends and topics for discussion

- Paving the path for disruptive technology: from car-sharing to closet-sharing
- Long-term fiscal sustainability
- Justifying regulation and fees
- Short-term rentals
- Home occupations
- Rental property fees and regs
- Disproportionate impacts
- Housing – ADUs and innovations

Stay in touch with ULCT! *#citieswork*

- Friday Facts email
- Daily email during the session
- Cities Work podcast
- Director's Message video
- @ulctcitycafe
- Facebook, youtube, twitter
- Utah Policy submissions
- www.ulct.org

- Executive Director: Cameron Diehl, cdiehl@ulct.org
- Gov't Relations: Rachel Otto, rotto@ulct.org
- Policy: Wayne Bradshaw, wbradshaw@ulct.org
- Communications: Susan Wood, swood@ulct.org
- Training: Meg Ryan, mryan@ulct.org
- Senior Advisor: Roger Tew, rtew@ulct.org; John Hiskey, jhiskey@ulct.org

