

RESOLUTION NO. 08-02-2018

A RESOLUTION TO NOTIFY THE UTAH COUNTY COMMISSION OF THE CITY OF SANTAQUIN'S INTENT TO SUBMIT AN OPINION QUESTION TO SANTAQUIN RESIDENTS REGARDING WHETHER SANTAQUIN SHOULD IMPOSE A CITYWIDE TAX TO FUND RECREATIONAL AND ZOOLOGICAL FACILITIES AND BOTANICAL, CULTURAL AND ZOOLOGICAL ORGANIZATIONS IN SANTAQUIN

WHEREAS, the Utah State Code: (Section 59-12-1401, et. seq.) authorizes a city to submit an opinion question to its voters as to whether or not the city should impose a local sales and use tax of 0.1 percent to fund recreational and zoological facilities and botanical, cultural, and zoological organizations in the city (commonly referred to as a "RAP tax"); and

WHEREAS, a city may not impose a RAP tax if the county in which the city is located has either enacted a countywide RAP tax or has declared its intent to submit an opinion question to county voters as to whether the county should impose a countywide RAP tax; and

WHEREAS, U.C.A. Section 59-12-1402(6)(a)(i) states that before a city submits an opinion question to its voters regarding the RAP tax, that it must first "submit to the county legislative body in which the city or town is located a written notice of intent to submit the opinion question to the residents of the city or town"; and

WHEREAS, State law then gives the county sixty days from receipt of the city's notice to provide the city with either (1) a resolution stating that the county does not seek to impose a countywide RAP tax, or (2) a written notice that the county will submit an opinion question to county voters as to whether the county should impose a countywide RAP tax; and

WHEREAS, the city may proceed with its RAP tax election if the county indicates that it does not seek to impose a countywide RAP tax; the city may not proceed with the RAP tax election if the county gives the city written notice that the county will have its own RAP tax election; and

WHEREAS, on May 17, 2016, the Utah County Commission, through its Resolution 2016-38, previously indicated to the City of Payson that Utah County did not intend to impose a countywide RAP tax; the City of Santaquin now respectfully requests the consideration of the Utah County Commissions to pass a similar resolution of notification on behalf of Santaquin City; and

WHEREAS, the Santaquin City Council intends to proceed with an opinion question to the Santaquin City voters as to whether the City should impose a citywide RAP tax and to provide Utah County with notice of its intent as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTAQUIN, as follows:

1. The Santaquin City Council hereby declares its intent to submit an opinion question to Santaquin City residents as to whether the City of Santaquin should impose a local sales and use tax of

0.1 percent to fund recreational and zoological facilities and botanical, cultural, and zoological organizations in Santaquin.

2. The City of Santaquin hereby gives the Utah County Commission notice of its intent and respectfully requests Utah County respond to this notice as required by law.

3. All acts, orders, resolutions and ordinances and parts in conflict with this Resolution are hereby rescinded.

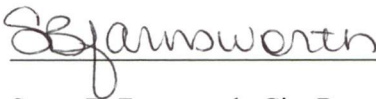
4. This Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 1st day of August 2018.



Mayor Kirk F. Hunsaker

Attest:



Susan B. Farnsworth, City Recorder