

Action Number: TBA by Clerk Submitted by: Paul Starks
Date of Proposal Inception: 02/15/18

Action Type: Proposed Ordinance

Action Name: Business Licenses and Regulations

Action Preamble:

WHEREAS, and

WHEREAS, and

WHEREAS,

NOW THEREFORE,

Definitions: For purposes of this title, the following words and phrases shall have the following meaning:

"Business" means and includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, whether full-time or part-time, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit either directly or indirectly, on any premises within the county anywhere within its jurisdiction. Any person engaged in rental of two or more real property units for profit shall be considered to be engaging in business.

"Town" means the town of Cedar Highlands, Utah.

"Town license officer" means the town clerk.

"Employee" means any operator, owner or manager of a business; any person or persons employed by an operator, owner or manager in the operation of a place of business in any capacity, whether part-time or full-time; any sales persons, agents or independent contractors engaged in the furtherance of a business activity in any capacity, regardless of the method of compensation. As used in this title, the term employee is intended to include all owners if there be more than one.

"License" means a certificate or document issued by the town evidencing permission or authority from the town to the holder named to carry on a particular business or to pursue a particular occupation.

"Licensee" means the person to whom a license has been issued pursuant to the provisions of this title, including individual persons, partnerships, joint ventures, associations, clubs, trusts, corporations or any other entities qualified by law to carry on any business referred to in this title. The term person as used in this title shall include all of the above, and shall be either an applicant or licensee.

"Number of employees" means the average number of employees engaging in the furtherance of licensee's business from a base within the town during a regular working day of the preceding calendar year, or in the case of a new business, said number shall be based upon applicant's sworn statement. In computing such number, a part-time employee shall be counted by that fraction formed by using the total number of hours worked by such employ-

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ee as the numerator and the total number of hours worked by a full-time employee as the denominator. (Full-time is defined as a forty-hour week.)

"Premises" means all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or otherwise used in connection with any such business conducted on such premises.

Action Body:

3.01.040 - Regulation as applied.

- A. Compliance Required. It is unlawful for any person, either directly or indirectly, to conduct any business or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine or device in whole or in part for which a license is required by any law or ordinance of this town without a license first being procured and kept in effect at all times as required by law.
- B. Special Sales. This title shall apply to all businesses in the nature of special sales for which a license is required by any law or ordinance of this town, and it is unlawful for any person either directly or indirectly to conduct any such sale except in conformity with the provisions of this title.
 - 1. One Act Constitutes Doing Business. For the purpose of this title, any person shall be deemed to be in business or engaging in nonprofit business and thus subject to the requirements of subsections A and B of this section when any of the following are done:
 - a. Selling any goods or service;
 - b. Soliciting business or offering goods or services for sale or hire; or
 - c. Acquiring or using any vehicle or any premises in the town for business purposes.
- C. Responsibility for Obtaining License. It shall be the responsibility of the person engaging in business within the town to voluntarily apply and maintain in full force and effect a valid license. The agents or other representatives of nonresidents who are doing business in the county shall be personally responsible for compliance by their principals and the businesses they represent with the terms of this title.
- D. Separate License for Branch Establishments. A license shall be obtained in the manner prescribed in this title for each branch establishment or location of the business engaged in, as if each branch establishment or location were a separate business, provided that warehouses and distributing plants used in connection with and incidental to a business license under the provisions of this title shall not be deemed to be separate places of business or branch establishments.
- E. Joint License. A person engaged in two or more businesses at the same location shall not be required to obtain separate licenses for conducting each of such businesses, but when eligible shall be issued one license which shall specify on its face all such businesses. However, such joint license shall not include licenses for beer, liquor set-ups, dance, shuffle boards, automatic baseball, marble or pinball machines, juke boxes, music machines, video games, and other amusement devices.

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- F. No License Required When Solely for Resale. No license shall be required for any solicitor or salesman who solicits, obtains orders for or sells goods in the town solely for resale and maintains no premises in the town in connection therewith.
- G. Exemptions. Exemptions to this title are as follows:
 - 1. Any person or organization for the conduct or operation of a nonprofit enterprise, either regularly or temporarily, when it is found that the applicant operates without private profit and for a public, charitable, educational, literary, fraternal or religious purpose.
 - 2. Any business having gross sales of less than two thousand dollars per year.

Town license officer—Powers and duties.

- A. Issue Licenses. The town license officer shall issue licenses in the name of the town to all persons qualified under the provisions of this title upon payment to the county clerk of all license fees required hereunder.
- B. All information furnished to or secured by the town license officer under the authority of this title shall be kept in strict confidence, shall not be subject to public inspection, and shall be kept in such a manner as to prevent disclosure to persons other than the town as required by law, and/or the county and state, and those charged with administration of this title, save and except that the town license officer may release the names, address and nature of said business only upon request.
- C. The town license officer shall have the power to:
 - 1. Adopt Forms. Adopt all forms and prescribe the information required therein as to all matters relevant to the issuance of a license.
 - 2. Investigate. Investigate and determine the eligibility of any applicant or licensee, either at the time of issuance of a license or at any reasonable time after its issuance, in such manner as may be reasonable and necessary for the proper administration and enforcement of this title. The sheriff, the fire marshal, their authorized officers and deputies, the building inspector and the county attorney are authorized and declared to be ex officio license deputies, and are authorized and required to examine all places of business subject to this title to see that such businesses are carried on or transacted in accordance with this law, and to report to the town officer any violation.
 - 3. Inspection of Premises and Records. Inspect prospective or existing places of businesses to insure compliance with building, safety and health code, and inspect books and records of any applicant or licensee to determine the number of employees, or any other information reasonably necessary to the administration and enforcement of this title; provided, that all such inspections shall be at reasonable times and upon proper advance notice to the applicant or licensee. The license officer shall utilize the deputies referred to in subsection (C)(2) of this section for the purpose of the inspections.
 - 4. Give Notice. Notify any applicant of the acceptance or rejection of their application, and in the event of rejection, at the applicant's request, state in writing the reasons therefor and deliver it to the applicant.
 - 5. Request Enforcement. Request the town attorney to file an action against any applicant or licensee who conducts a business without license required by this title.

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6. Good Standing of Applicant or Licensee. Determine that the applicant or licensee is not in default under the provision of any town ordinance, or indebted or obligated in any manner to the town or the utilities operated by it; determine that they are not in violation of any town zoning regulation by reason of the condition of business premises or the use to be made thereof. A favorable determination of the applicant's standing in light of these factors shall be a condition precedent to issuance of a license under this title.
7. Require Affidavits. Require, when deemed necessary at the discretion of the town license officer, affidavits regarding the license history of the applicant indicating whether such person in previous business operations, in this or another state, had a business license revoked or suspended, together with the reasons therefor; to request that the sheriff obtain a record of any prior convictions of the applicant or licensee when determined by the town license officer to be desirable.

3.01.060 - License—Application—Issuance—Denial—Renewal.

- A. Formal Application Required. A written statement shall be submitted upon forms provided by the town license officer. Such forms shall include an affidavit to be sworn to by the applicant before a notary public, except upon renewal, in which case said statement need not be notarized.
 1. Form of Application. A written statement upon forms provided by the town license officer. Such form shall include an affidavit to be sworn to by the applicant before a notary public.
 2. Contents of Application. Require the disclosure for all information which the town license officer shall find to be reasonably necessary to the fair administration of this title, including business name, description of business to be engaged in, mailing address, business telephone, owner's name, owner's residence address, owner's phone number, date of birth, social security number, banking references, two-character references and such other information as the license officer shall deem reasonable and necessary.
 3. Payment of Fees. Payment in full of fees chargeable for such license.
- B. Issuance of Receipt. Whenever a license cannot be issued at the time application for the same is made, the town license officer shall issue a receipt for the money paid in advance, subject to the following condition:
 1. Such receipt shall not be construed as approved by the town license officer for the issuance of a license; nor shall it entitle or authorize the applicant to open or maintain any business contrary to the provisions of this title.
- C. Due Date for Applications. All applications for new licenses or renewals shall be made in writing and submitted to the town license officer on or before January 1st of each year on forms as set forth in this section; the fee payment in full shall accompany the annual application.
- D. Duplicate License Procedure. A duplicate license shall be issued by the license officer to replace any license previously issued which has been lost, stolen, defaced or destroyed without any willful conduct on the part of the licensee upon the filing by the licensee of an affidavit sworn to before a notary public of the state attesting to such fact and paying to the license officer a replacement fee of two dollars.
- E. Approval of Application. In the event the town shall approve an application for a license, such approval shall be endorsed on the license and signed by the town clerk, who shall forthwith issue a license certificate.

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- F. Non-Approval of License. The license officer shall, upon disapproving any application submitted under the provisions of this title, refund all fees paid in advance to the applicant, provided the applicant is not otherwise indebted to the county, in which case the county may apply the fee to any such delinquent account.
1. Hearing Before Town Commission. Upon denial of a license, or upon application of the fee to a delinquent account, an applicant may appear before the town commission for the purpose of presenting reasons for setting aside such denial. If applicant makes such appearance and presents adequate justification, the town commission may, at its discretion, set aside the denial and approve the application.
 2. Compliance Pending Legal Action. When the issuance of a license is denied and any action is instituted by the applicant to compel its issuance, such applicant shall not engage in the business for which a license was refused unless a license be issued pursuant to a judgment ordering the same.
- G. Renewal License Procedure. An applicant for renewal of a license shall submit an application for renewal to the town license officer on such form as the license officer may direct.
1. Contents. Require the disclosure of such information concerning the applicant's demeanor in the operation of the applicant's business during the preceding licensing period as is reasonably necessary to the determination by the license officer of the applicant's eligibility for a renewal license and to a possible adjustment of license fee.

3.01.070 - License—Fee—Determination.

Every person engaged in business within the county shall pay an annual license fee as required by ordinance unless specifically exempt by law. Subsection A of this section shall apply to all businesses except for those specifically covered in Chapter 3.02 of this title, in which case the fee for such license shall be determined in accordance with the specific section pertaining to that business.

- A. General Business License Fee. The license fee for all business shall be twenty-five dollars per year. Together with twenty-five dollars per year for each employee (as defined in this chapter) more than one engaged in such business, not to exceed the total amount of four hundred dollars annually. The additional fee per employee shall be pro-rated for part-time employees of the business in accordance with the fraction set forth in the definition of "Number of Employees" in Section 3.01.030. The number of employees and their status as full-time or part-time shall be verified by the licensee through submission of payroll records to the town license officer upon reasonable request.
- B. Term of License—Payment of License Fees. All license fees provided for in this title shall be payable annually in advance and shall be effective up and until January 1st of the succeeding year, unless otherwise specifically provided.
- C. Adjustment of Fee—Pro Rated Fees. The license officer shall:
 1. Change in License Status. Require the payment for an additional or higher license fee to be pro-rated for the balance of the license period when a licensee changes status under this title by increasing the number of employees.

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2. Date of Issuance. Any application for a license pursuant to this title filed subsequent to July 1st of any year shall authorize a pro-rated fee to the licensee at half the annual license fee set forth in this title. If they apply in December they pay twelve dollars and fifty cents, then in January they pay twenty-five dollars again.
- D. Rebate of Fee.
1. General Prohibition. Except as herein provided, on rebate or refund of any license fee or part thereof shall be made by reason of nonuse of such license or by reason of a change of location or any business rendering the use of such license ineffective.
 2. Authorize in Special Cases. The license officer shall have the authority to refund a license fee or pro rate a portion thereof where:
 - a. The license fee was collected through error;
 - b. The licensee has been prevented from enjoying the full license privilege due to death or incapacity;
 - c. The licensee has entered into the armed services and thereby rendered unable to conduct business;
 - d. The licensed business is subject to eminent domain; or
 - e. The licensed business is destroyed by fire or other casualty through no fault of licensee.
 3. Basis of Rebate. A rebate as provided herein shall be based upon the number of days in the license period remaining after the occurrence of the event relied upon for rebate, based upon a three hundred sixty-five-day year.
- E. Late Penalties. Any license fee due on January 1st that is paid later than February 15th of any license year shall be considered to be late, and a late penalty of ten dollars shall be assessed for each renewal application submitted after February 15th of a license year.
- F. License Fee Additional. The license fee herein provided for shall be in addition to any and all licenses and taxes imposed by any other ordinance of the town. In any case where the state of Utah requires a business to be licensed, the obtaining of such license is a prerequisite to receiving a license under this title.
- G. Board of Equalization. The town commission is hereby constituted a board of equalization for the equalization of license rate. Said board shall have the authority to examine fees and to hear complaints regarding license assessments and to make changes in assessments which the board deems to be illegal, unequal or unjust; provided, however, that any corrections made by the board shall be accompanied with findings of fact and the same shall be entered in the record of license assessment kept by the license officer.
- H. Fee Adjustments. License fees may be adjusted as necessary by ordinance amendment or by resolution of the board of town commissioners.

3.01.080 - License—Contents.

Information. Each license issued under this title shall state upon its face the following:

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- A. The name of the licensee and any other name under which such business is to be conducted;
- B. The type and address of each business so licensed;
- C. The date of issuance and expiration thereof;
- D. Such other information as the license officer shall determine.

3.01.090 - License—Transfer.

No license granted or issued under any of the provisions of this title shall be assignable or transferable in any manner.

3.01.100 - Licensee—Duties.

- A. General Standards of Conduct. Every licensee under this title shall:
 - 1. Permit Inspection. Permit all reasonable inspections of the business and examination of the books by a public authority so authorized by law.
 - 2. Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to licensed business.
 - 3. Operate Properly. Avoid all forbidden, improper or unnecessary practices which may affect the public health, morals or welfare.
 - 4. Cease Business. Refrain from operating the licensed business on premises after expiration of the license or during the period when a license is revoked or suspended.
- B. Display of License. Every licensee under this title shall post and maintain such license upon the licensed premises in a place where it may be seen at all times. The licensee shall carry such license on their person when there is no licensed business premises.
- C. Unlawful Possession. A licensee shall not loan, sell, give or assign to any other person, or allow any other person to use or display, or to destroy, damage or remove, or to have in their possession, except as authorized by the license officer or by law, any license which has been issued to said licensee.
- D. New Location Desired. A licensee shall have the right to change the location of the licensed business provided the following is complied with:
 - 1. Approval by License Officer. Obtain written permission from the license officer for such change of location.
 - 2. Payment of Fee. The license officer may endorse a change of location for any business upon approval and up on payment of a five-dollar service fee.
- E. Keep Records. Keep all records and books necessary to the computation of the license fee and to the enforcement of this title.

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3.01.110 - Ineligible business.

It is unlawful to peddle or offer for sale in any place but in a duly licensed business establishment any medicine or remedy of any character or description and no license shall be issued for such purpose, except that this shall not apply to the sale of medicines or remedies packaged or labeled in compliance with the requirements of the Federal Food, Drug and Cosmetic Act and regulations thereunder, and similarly applicable laws and regulations of the state of Utah.

3.01.120 - Non-established businesses—Nonresidents.

- A. This title shall apply to persons engaged in business whether the business is conducted with or without an established place of business and shall also include those who conduct business from a hotel room, an automobile or other type of mobile unit.
- B. This title shall be applied to nonresidents of the town, as well as to residents, and in the same manner as applied to residents of the town.

3.01.130 - Undue burden on interstate commerce.

None of the licenses provided for by this title shall be applied so as to occasion an undue burden on interstate commerce. In any case where a license fee is levied on a licensee or applicant for license, and the levy is alleged to place an undue burden upon interstate commerce, such person may make application for hearing pursuant to the provisions set forth in Section 3-7 before the board of equalization, and may utilize all other applicable remedies set forth herein.

3.01.140 - Enforcement.

- A. Inspections. All persons authorized herein to inspect licensees and businesses shall have the authority to enter, with or without search warrant, at all reasonable times. It is unlawful for any person licensed under the provisions of this title to refuse permission to an inspector of the town or any law enforcement officer to enter the licensed premises to inspect the same.
- B. Provisional Order. When an inspector has reported any violation of this title or any law or ordinance, the license officer shall issue to the affected person a provisional order to comply:
 - 1. Nature of Notice. The provisional order shall be in writing, shall be personally served and shall apprise the person affected of the specific violation. In absence of the person affected or agent or employee, a copy of such notice shall be affixed to some structure on the premises as personal service. Depositing such notice in United States Mail shall also constitute personal service.
 - 2. Period of Compliance. The provisional order shall require compliance within ten days of service on the affected person.

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3. Hearing. Upon written application by the person affected before the expiration of the ten-day period for compliance, the license officer shall order a hearing before the town commission. Notice of such hearing shall be given to the affected person as prescribed above.
- C. Final Order. Upon the failure or refusal of the violator to comply with the provisional order or with any order made after hearing, the license officer shall then declare and make the provisional order final.
1. Authority of License Officer. The license officer shall have the authority to suspend or revoke licenses upon making and declaring a provisional order final.
 2. Effect of Revocation or Suspension. Upon revocation or suspension, no refund of any portion of the license fee shall be made to the licensee and they shall immediately cease all business under such license.
- D. Summary Action. When the conduct of any licensee, agent or employee is so inimicable to the public health, safety and general welfare so as to constitute a nuisance and thus give rise to an emergency, the license officer shall have the authority to summarily order the cessation of business and the close of premises, or to suspend or revoke the license.
1. Special Hearing. Unless waived in writing, within ten days after acting summarily, the license officer shall conduct a special hearing for such action before the town commission on the summary order. Notice of such hearing shall be given to the affected person in the manner prescribed.
- E. Right of Appeal. Any person aggrieved by any decision of the license officer after hearing shall have the right to appeal to the town commission by filing a written appeal with the town clerk within ten days following the effective date of the action or decision complained of.
1. Contents of Appeal. Such appeal shall set out a copy of the order appealed from and shall include a statement of the facts relied upon to avoid such order.
 2. Notification of License Officer. At the time of filing any such appeal, a copy shall be filed by the appellant with the license officer.
 3. Hearing. The commission chairman shall fix a time and place for hearing the appeal and shall personally serve a written notice as provided herein upon the appellant. The commission chairman shall also give such notice to the license officer and such officer shall be entitled to appear and defend such order.
 4. Effective Decision. The findings of the town commission shall be final and conclusive and shall be personally served upon the appellant as required in this section.
- F. Effect of Denial, Suspension or Revocation—Waiting Period. No person who has been denied a license, or whose license has been suspended or revoked under the provisions of this title, and no person associated with such person in the conduct of such business shall be granted a license for the same purpose under the provisions of this title for a period of six months after such denial, suspension or revocation, unless otherwise specifically provided for herein. The town commission may, however, at its discretion, waive the prohibition against persons associated with an individual who has been denied a license.
- G. Soliciting or Canvassing Prohibited. Notwithstanding any other provision in this title, it is unlawful for any solicitor, peddler, hawker, itinerant merchant or transient vendor or merchandiser who has not been invited to do so by the owner or occupant of any private residence to enter in or upon any private residential property within

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the limits of the town for the purpose of soliciting orders for goods, wares or merchandise, or for the purpose of selling or disposing of or hawking or peddling the same for sale.

H. Liability of Violator.

1. Unpaid Fee Constitutes Debt. The amount of any unpaid fee, the payment of which is required under this title, shall constitute a debt due the town.
2. Action by town Attorney. The town attorney shall, at the direction of the license officer, institute civil suit in the name of the town to recover any such unpaid fee and/or enjoin the operation of said business.
3. Civil Judgment No Bar. No civil judgment, or any act by the town attorney, the license officer or the violator shall bar criminal prosecution as set forth below for each and every violation of this title.

3.01.150 - Violation—Penalty.

- A. Any person, firm or corporation violating any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one thousand dollars or by imprisonment for a period not exceeding six months or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
- B. Additional Penalty for Doing Business Previously Without a License. In addition to the above, in event that it is discovered that any person or applicant for a business license has done business in the town during a previous year or years without a valid license as required by this title, the town license officer shall not issue a license to such person or applicant for the current year until said applicant pays to the town the license fee which would have been applicable for the business during the preceding years, together with a twenty-five dollar penalty.

Chapter 3.02 - BUSINESS LICENSE FEES

Sections:

3.02.010 - Regulation of specific businesses—Required license and fees.

All businesses specifically set forth in the following sections shall pay the fee required therein in lieu of the general license required in Section 3.01.070, unless otherwise set forth therein.

3.02.020 - Pawnbrokers, swap meets, secondhand dealers.

- A. Pawnbrokers, swap meet operators, and dealers in secondhand merchandise shall pay the general license fee required by Section 3.01.070.
- B. Any person engaged in the business of lending money upon deposit or pledge of personal property or other thing of value, other than securities and printed evidence of indebtedness, or in the business of purchasing personal property or things of value or selling or agreeing to sell the same back to the seller at a price higher

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than the original purchase price, or who deals in secondhand merchandise, or who operates a swap meet where booths or areas are leased out to peddlers or individuals wishing to sell items of personal property,

either new or used, shall be aware of all merchandise purchased, received, sold or otherwise, forming a part of the business transacted on the premises, and shall make reasonable investigation as to the origin of such merchandise to insure that no stolen merchandise is the object of any transaction.

- C. Swap meet operators shall keep a complete record of names, residences and driver's license numbers of each person selling or displaying merchandise. All pawnbrokers shall keep a complete ledger containing an account of each and every transaction concerning both the pledging and redeeming of articles, and setting forth the transaction date, name, address and the driver's license number of the pledger, a description of the goods, including serial number if any, the amount of money loaned or paid therefor, and the number of the pawn ticket. A copy of said record shall be provided to the county sheriff weekly.
- D. A pawnbroker shall not enter into a business transaction with a person who is incompetent or of minority. It is unlawful for any pawnbroker to transact business with any person other than the lawful owner of personal property.
- E. Every person applying for a license as a pawnbroker shall be required to post a cash or corporate surety bond to the town in the amount of five thousand dollars acceptable to the license officer conditioned upon faithful observance of all ordinances and laws respecting pawnbrokers.
- F. No person shall be granted a pawnbroker's license unless they are of good moral character, over the age of twenty-one years and a citizen of the United States, or to anyone who has been convicted of a felony or a crime involving moral turpitude within the previous ten-year period. The license issued shall not permit the licensee to conduct the business of a merchant.

3.02.030 - Amusement devices.

Any machine, device, electronic mechanism or other contrivance which is legal under the laws of the state of Utah, the county and town, designed or intended to be operated or used for amusement in response to the payment of some charge or insertion of a coin or other object, shall be licensed under the general license fee required by Section 3.01.070.

3.02.040 - Billboard advertising.

Every person engaged in the business of supplying space for hire for outdoor advertisement shall pay a license fee of fifty dollars annually, together with a twenty-five dollar fee for each billboard owned or operated within the town, with a maximum fee of four hundred dollars.

3.02.050 - Exhibitions, carnivals and performances.

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- A. Individuals or groups putting on any type of exhibition, carnival or performance, or such other activity for which an admission fee is charged, shall pay a license fee as follows:
1. Exhibitions and Performances. For exhibitions and performances, the license fee shall be fifty dollars for each twenty-four-hour period during which such performance or exhibition is presented.
 2. Carnival, Circus or Parts Thereof.
 - a. The license fee for any type of carnival or circus shall be three hundred dollars for each days performance.
 - b. The license fee for operating mechanical or animal rides shall be twenty-five dollars for the first week in addition to any other fees required herein. Thereafter they shall be licensed in accordance with Section 3.01.070.
- B. A license pursuant to this section shall not be issued until arrangements are made to conduct such activity on property, and until liability insurance acceptable to the town accordance with AM Best Rating is provided in the sum of one million dollars per occurrence, five hundred thousand dollars per person, and two hundred fifty thousand for property damage, which shows on its face the condition to protect and indemnify the town against any loss or liability arising from such activity.

3.02.060 - Bowling alley.

A bowling alley is any establishment consisting of one or more bowling alleys open to the public. The license fee shall be assessed in accordance with Section 3.01.070.

3.02.070 - Dancehall.

A public dancehall is any public space open to public patronage in which a public dance is held and for which there is a charge. A license fee for a public dance shall be one hundred dollars per year, or any part thereof, in addition to any other fee charge.

3.02.080 - Itinerant merchandising of goods or services.

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- A. Itinerant businesses of any type, including merchants, peddlers, solicitors, auctioneers, operators of closing-out sales, hawkers, tradesman, repairman, home improvement contractors, or any others who are deemed by the town license officer to be transients by reason of the nature or type of business in which they engage, or by the period of time in which they intend to engage in such business, shall pay the license fee of one hundred dollars per year or any part thereof during which they engage in such business in the town. In addition, they shall pay a license fee of thirty-five dollars for each employee more than one employed in said business. This section shall apply to salesman and order takers of all types including by telephone, except for salespersons, agents or wholesalers who solicit orders from and sell for resale to retail dealers or to manufacturers, and except bids for public supplies.
- B. Any person who the license officer deems to be an itinerant merchant by reason of transience shall provide upon request of the license officer at the time of application information relative to type and location of previous business experience, moral character and reputation, felony or misdemeanor convictions if any, and such information as may be reasonably required. In addition, the license officer may require applicants to demonstrate origin of goods through bills of sale, purchase receipts or otherwise.

3.02.090 - Junk dealers and junkyards.

- A. Every person buying or selling junk, or any person who maintains or operates a junk yard within the town shall pay a license fee of one hundred fifty dollars per year. Anyone who maintains a lot for purposes of storing used metal material, wood material, cement material, rock, plastic material, auto bodies or parts thereof, or refuse material of any kind for the purpose of reselling all or any part thereof to the public shall be considered to be a junk dealer or operator of a junkyard.
- B. Every person applying for a license as a junk dealer shall be required to post a cash or corporate surety bond to the county in the amount of five thousand dollars acceptable to the license officer conditioned upon faithful observance of all ordinances and laws respecting junk dealers or operators.
- C. Any person engaged in buying or selling junk or any person who maintains or operates a junkyard shall keep a record which shall contain a description of every article they purchase, including serial number if available, the name, age and residence of the vendor, the amount paid, and the date of purchase.

3.02.100 - Fireworks.

Every person engaged in the business of offering fireworks for sale as allowed by town ordinance shall be required to pay a business license fee in amount of two hundred dollars.

3.02.110 - Auctioneers.

- A. The fee for an auctioneer's license shall be one hundred dollars per year or twenty-five dollars per day.

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- B. For the purpose of this section, an "auctioneer" is a person who conducts a public competitive sale of property to the highest bona fide bidder, and an "auction house" is defined as a place where personal property is sold at auction by an auctioneer. The provisions of this section shall not apply to auctions held for charitable purpose, church affair, festival or bazaar, the sale of animals or farm produce, judicial sales, sales by executors or administrators, or sales by the sheriff or constable.
- C. Before any sale is made at auction, the licensee must attach to each article to be sold which has a retail value of five dollars or more a card with an identifying number endorsed thereon, and each licensee shall maintain a list of all articles sold at auction for a retail price of five dollars or more, giving any identifying numbers or marks which may be on the articles, indicating opposite the description of each article whether it is new or used, showing the identifying number assigned to the article, the name and address of the purchaser, and the date of sale. The licensee shall keep said list for a period of one year following the date of sale.
- D. Each licensee shall at the time of selling an article at public auction give the purchaser a receipt which shall contain the name of licensee, date of sale, description of article sold and identifying number assigned to the article.
- E. No person shall act in any sale by auction as a "booster" to bid on behalf of the auctioneer or owner, or to run up the price of the articles to be sold or make any false bids. The licensee, or if a corporation, one of the officers of the licensee, shall remain in continuous attendance during the auction. All persons participating in sales must correctly represent at all times to the public the facts with respect to the quality of the merchandise being sold.
- F. It shall be the duty of the licensed auctioneer to receive all articles which may be offered for sale at auction and give receipts therefor. At the close of any sale, the auctioneer shall deliver a fair account of such sales and pay the amount received for such articles to the person entitled thereto.
- G. A licensee under the provisions of this section shall post a corporate surety bond to the county surety in the sum of ten thousand dollars acceptable to the license officer conditioned upon faithful observance of all laws and ordinances of the county, honest performance of all duties required by this title and for the protection of all persons dealing with such auctioneer against fraud, deception and imposition.

3.02.120 - Non-transient peddlers.

- A. The fee for a permit for a local peddler to carry on the business of peddling shall be in accordance with Section 3.01.070.
- B. For the purpose of this section, a "peddler" is defined as any person who goes from place to place to solicit for the sale of or offers to sell or exchange for retail in the county any garden or farm produce, fruit, butter, eggs, or any goods, wares, tickets, coupons or receipts representing value, works of art or any merchandise whatsoever, or any person keeping produce, goods, wares or merchandise of any description in a private residence and/or soliciting trades therefore in person, by agent or by telephone.
- C. Nothing in this section shall be construed to permit the peddling of fresh or cured meat or fish and the peddling of the same is prohibited. The provisions of this section shall not apply to persons peddling or offering for

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sale at their residence or farm any butter, eggs, fruit, vegetables or poultry raised or produced by such persons.

- D. It is unlawful for any peddler to pursue the business of peddling within a one-block radius of a school building for that period of time fifteen minutes prior to when the schools are in session and continuing through and until fifteen minutes after the school session has ended, or when student activities are in progress, or in public parks or playgrounds. Peddlers are prohibited from displaying their wares outside of their vehicle on public streets and sidewalks within the town.

3.02.130 - Art and craft exhibits.

- A. No fee shall be assessed hereunder if the art and craft exhibit is held on the property of an established business and sponsored by that business. In all other cases, the license fee for an art and craft exhibit shall be one hundred dollars per exhibit, plus an annual fee of thirty-five dollars, with a maximum fee of four hundred dollars.
- B. This subsection shall govern art and craft exhibits for which no entry fee to the public is charged; in the event that an entry fee is charged, refer to Section 3.01.050.
- C. For purposes of this section, an art and craft exhibit shall include group exhibits of three or more, whether resident or nonresident, for which no exemption applies as defined in Section 3.01.040.

3.02.140 - Ambulances.

No license shall be issued for the operation an ambulance or related business within the town, until the operator submits evidence to the license officer that: (1) the vehicle and equipment comply with the ambulance design specifications and other requirements prescribed in the rules promulgated by the state and county boards of health; (2) the vehicles and business operations are covered by the minimum amount of casualty insurance coverage prescribed by the rules and regulations of said boards of health; and (3) each ambulance vehicle is staffed by both an emergency medical technician or paramedic and a driver who is both an emergency medical technician and the holder of a valid commercial driver's license (CDL). No ambulance business shall charge rates in excess of those fixed and approved by the State Board of Health.

3.02.150 - Alarms.

- A. No person shall engage in the business of selling, leasing, monitoring, maintaining, repairing, altering, replacing, removing or installing an alarm system until, in addition to complying with other requirements of this title, the applicant shall have provided to the license officer their I.D. card verifying compliance with the Burglar Alarm Certification Act, Title 13-18-1 through 13-18-19, Utah Code Annotated, 1953, as amended.

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- B. Both users of alarm systems and alarm companies shall comply with all guidelines established by the department of public safety. In addition, a service fee is assessed by the town to the user of said alarm system for response to false alarms as follows:
1. One false alarm per calendar year or any portion thereof, no charge;
 2. Second false alarm per calendar year or any portion thereof, twenty-five dollars;
 3. Third false alarm per calendar year or any portion thereof, fifty dollars;
 4. Any response to subsequent false alarms shall be assessed at one hundred dollars per response.
- C. Any violations of the provisions hereof or any regulations promulgated by the department of public safety may result in a petition to revoke or suspend the right of an individual to use their I.D. card as set forth in Title 13-18-18, Utah Code Annotated, 1953, as amended.

3.02.160 - Restaurants.

No business license shall be issued or renewed to operate a food service establishment until the establishment has been inspected and the applicant issued a valid food service establishment permit as required by the health department. "Food service establishment" means any fixed or mobile restaurant, coffee shop, cafeteria, cafe, grill, tea room, sandwich shop, soda fountain, tavern, bar, cocktail lounge, nightclub, roadside stand, industrial feeding establishment, private, public or nonprofit organization or institution routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for public with or without charge.

3.02.170 - Bonding requirements.

- A. In connection with the issuance of a license to any of those businesses in this section for which the posting of a cash or corporate surety bond is required in addition to the regular license fee, said bond shall be deposited with the town clerk. In the event of a surety bond, the bond shall run to the town with a surety acceptable and approved by the town license officer. Factors to be considered when determining bond requirements are the background of the applicant, the nature of the business, the regulatory duties imposed on town departments, the opportunity to defraud consumers inherent in the type of business, or any combination of these.
- B. The bond shall be conditioned upon the applicant complying with all provisions of ordinance and statute concerning the business, and further will guarantee to any citizen of the town doing business with said entity that the property or services purchased will be delivered and of the quality as represented by the applicant. Action on such bond may be brought in the name of the town for its own benefit or for the benefit an aggrieved citizen. Proof or renewal of such bond, if other than cash, must be presented each time a license is renewed.
- C. Upon surrender or expiration of a license, the bond shall be refunded or exonerated, provided there exist no violations of town, county or state law during the conduct of the business and there are no persons wishing to make a claim against the bond. The town license officer may delay refunding or exonerating of the bond for a period of up to ninety days in order to determine the existence of any violations or of any aggrieved persons. In

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the event of revocation of the license, the license officer shall have the option of retaining all or any part of the bond for purposes herein. Any licensee for whom a bond is required shall set forth on a form prescribed by the license officer the designation of agent for service of process, said agent to be a resident of the town or county.

Chapter 3.03 - LIQUOR SET-UP LICENSE

Sections:

3.03.010 - Place of business defined.

"Place of business" as used in this section means and includes cafes, restaurants, public dining rooms, cafeterias, taverns, cabarets and any other place where the general public is invited for business.

3.03.020 - License—Required.

It is unlawful for any place of business to permit or allow customers or any other person to possess liquor of which the seal has been broken, or to consume liquor in such place of business without first obtaining a license. It is unlawful for any person to consume liquor in an unlicensed place of business.

3.03.030 - License—Application—Fee—Issuance.

- A. Each application for an annual license provided for by this section shall be accompanied with a fee of fifty dollars. Applications for this license shall be an affidavit and shall be sworn to by the applicant. Such affidavit shall show applicant's age, citizenship, moral character and reputation, and shall show any conviction of a felony or misdemeanor involving moral turpitude. If the applicant is a partnership, association or corporation, the same information shall be obtained with respect to each partner, association member, corporate officer or director.
- B. Each licensee must be over twenty-one years of age, of good moral character and a citizen of the United States. No license shall be granted to any applicant who has been convicted of a felony or misdemeanor involving moral turpitude. If the applicant is a partnership, association or corporation, each partner, association member, corporate director or officer shall meet all of the foregoing qualifications.
- C. The town or county sheriff shall make an examination of all applicants and shall make recommendations in writing as to whether said applicant shall be granted a license.

3.03.040 - Storage, possession or consumption of liquor.

It is unlawful for any person to store any liquor in or on any place of business licensed by this section. It is unlawful for any licensee, operator or employee of the licensee to hold, store or possess liquor on the premises as licensed by this section. Persons other than the licensee, operator or employee of the licensee may, with consent of the owner, operator or employee, possess and consume liquor on the licensed premises.

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3.03.050 - Consumption or possession of liquor by persons under twenty-one years of age.

No place of business governed by this section shall permit the consumption of liquor on the premises by a person under the age of twenty-one years of age; nor shall any place of business permit any person on the premises under twenty-one years of age to have liquor in their possession. It shall be the affirmative duty of the place of business to ask the age of each and every person consuming liquor or having liquor in their possession on said premises. In the event of prosecution for allowing violation of this section by a person under twenty-one years of age, said place of business shall be deemed prima facie to have allowed the consumption or possession of liquor as prohibited by this section by a person under the age of twenty-one, unless said place of business has on file a liquor permit identification card as set forth by state law.

Chapter 3.04 - BEER LICENSES

Sections:

3.04.010 - Definitions.

The following words and phrases used in this chapter shall have the following meaning:

"Beer" means and includes beer, light beer, malt liquor, or malted beverages, and all products which contain 63/100 of one percent of alcohol by volume or one-half of one percent of alcohol by weight, but not more than four percent of alcohol by volume or 3.2 percent by weight, and are obtained by fermentation, infusion or decoction of any malted grain. Beer may or may not contain hops or other vegetable products.

"Retailer" means any person engaged in sale or distribution of alcoholic beverages to the consumer.

"Sell," "sale," and "to sell" means any transaction, exchange or barter whereby for any consideration an alcoholic beverage whether directly or indirectly transferred, solicited, ordered, delivered for value, or by any means or under any pretext is promised or obtained; whether done by a principal, proprietor, agent, servant or employee.

"Wholesaler" means any person other than a licensed manufacturer, engaged in the importation for sale, or in the sale of beer, malt liquor or malted beverages in wholesale or jobbing quantities to retailers.

3.04.020 - License—Required.

It is unlawful for any person to engage in the business of selling beer at retail, in bottle or draft, within the limits of the town without first having procured a license from the town as hereinafter provided in this chapter. A separate license shall be required for each place of sale and a license shall at all times be conspicuously displayed. All licenses shall comply with the Alcohol Beverage Control Act of Utah and the regulations of the Alcohol Beverage Control Commission.

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3.04.030 - License—Application.

All applications for license authorized by this chapter shall be verified and filed with the town and shall state the applicant's name, address, status of the entity (i.e., partnership, corporation) names and addresses of all partners, officers, and/or directors, social security number, date of birth, place of residence during the previous five years, any felony or misdemeanor conviction, a statement that applicant has complied with all requirements specified under the Alcohol Beverage Control Act, any such other information as requested by the license officer, and a sworn statement to the effect that all facts set forth in the application are true.

3.04.040 - License—Fees.

- A. Applications provided for in this chapter shall be accompanied by the fees provided in this section, which may be set from time to time by resolution of the town commission:
 - 1. Class A retail license: one hundred fifty dollars per year or any part thereof;
 - 2. Class B retail license: two hundred fifty dollars per year or any part thereof.
- B. Said fee shall be nonrefundable upon approval of the retail license. Prior to approval of said license, the application fee shall be refunded upon request.

3.04.050 - License—Fees—Late penalty.

Any license fee due on July 1st that is paid later than August 15th of the license year shall be considered to be late, and a late penalty of ten dollars shall be assessed for each renewal application submitted after August 15th of a license year.

3.04.060 - License—Term.

All licenses issued hereunder shall expire on the first day of January of each year unless sooner canceled and shall be issued for one year only.

3.04.070 - License—Qualifications of licensee.

No person shall be granted a retail beer license until they show they of are good moral character, are over the age of twenty-one years, a citizen of the United States, and have not been convicted of a felony or misdemeanor involving moral turpitude.

3.04.080 - License—Additional licenses.

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No retail beer license shall be issued until the applicant has first procured all necessary licenses and permits from any state or local health board.

3.04.090 - License—Transfer prohibited.

Licenses issued under this chapter shall not be transferable.

3.04.100 - License—Denial.

The town reserves the right to deny any application for a license hereunder. The town shall further have discretion to either grant or deny a license.

3.04.110 - License—Revocation.

- A. The town shall revoke the license of any licensee when the licensee or employees thereof have been convicted of or pled guilty to selling beer in violation of Section 32A-12-101 et seq., Utah Code Annotated, 1953. Upon the first conviction, the revocation shall be for a period of thirty days. Upon the second conviction, the revocation period shall be for ninety days. Upon the third conviction, revocation shall be permanent.
- B. The county shall revoke the license of any licensee when the licensee or employees thereof allow minors on premises in violation of Section 32A-12-101 et seq., Utah Code Annotated, 1953. Upon the first conviction, the revocation period shall be for seven days. Upon the second conviction, the revocation period shall be for fifteen days. Upon the third conviction, the revocation period shall be for ninety days.
- C. Upon revocation or suspension thereof, the fee paid by the licensee to the county for said license shall be forfeited.

3.04.120 - Retail license classes and privileges.

- A. Retail licenses issued under this chapter shall be of the following classes, and shall carry the following privileges:
 - 1. Class A. Retail license which entitles the licensee to sell beer in original containers for off-premises consumption only in accordance with the Alcohol Beverage Control Act.
 - 2. Class B. Retail license which entitles the licensee to sell beer in original containers or on draft for on-premises consumption or off-premises consumption in accordance with the Alcohol Beverage Control Act.
- B. It is unlawful for any person to purchase or acquire or to have or possess for the purpose of sale or distribution, any beer except that which has been lawfully purchased from a brewer or wholesaler licensed under the privileges of the Alcohol Beverages Control Act.

3.04.130 - Restrictions.

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- A. No licensee under this chapter shall employ any individual under the age of eighteen years of age whose primary duty is to sell alcoholic beverages. All provisions of the Alcohol Beverage Control Act concerning age requirements for sale of alcoholic beverage must be strictly observed.
- B. No person shall sell beer at any public dance, except if otherwise provided by ordinance, or to any person intoxicated. No license shall be granted to sell beer in any dancehall, except as otherwise provided by ordinance, or in the proximity of any church or school. No person shall sell beer to any person under the age of twenty-one years and it is unlawful to sell beer or to consume or to permit any person to consume beer on any licensed premise within the town between one a.m. and seven a.m. of the same day.

3.04.140 - Bond requirement.

If a Class A or B licensee, or any employee of a Class A or B licensee is convicted of selling beer to a minor, the licensee within ten days of receipt of written notice from the county shall post a cash bond of two hundred fifty dollars with the town clerk. This bond shall be forfeited to the town upon any subsequent conviction of the licensee or their employee for selling beer to a minor. Following the forfeiture of the bond, the licensee shall, within ten days of receipt of written notice from the town, again post a cash bond of two hundred fifty dollars to guarantee that none of the licensee's employees shall thereafter be convicted of selling beer to a minor. This bond shall be in addition to any other fees required by the town.

If the licensee is required to post the above-referenced bond and if neither the licensee or the employees illegally sell beer to a minor within one year following the posting of said bond, the bond shall be returned to the licensee. The failure of a licensee to post bond required by this section shall be grounds for revocation of license. The forfeiture within any two-year period of three bonds posted pursuant to this subsection shall be grounds for revocation of the license.

3.04.150 - Mandatory alcohol training and education seminar.

No person shall be granted a license to operate and maintain a trade, profession or business under this chapter if such person operates the establishment which as part of its business serves alcoholic beverages to the public for consumption on or off the premises, unless that person shall show by certificate granted by the Utah Division of Alcohol and Drugs that each employee of the business engaging in the serving, selling or furnishing such alcohol on the premises has completed the Alcohol Training and Education Seminar as required by Utah Code Annotated, 1953, as amended, Title 32A-17-C(1) . Any new employee hired on by a licensee must complete the seminar within six months of commencing employment. Violation of this section shall result in revocation of the license unless compliance is completed within two months from the time the licensee first became aware that such violation occurred.

3.04.160 - Wholesale license.

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It is unlawful for any person to engage in the business of selling beer at wholesale within the town without first obtaining a wholesale license from the Alcohol Beverage Control Commission of Utah. However, any such wholesaler maintaining a premises within the county in connection with their wholesale business must obtain a town business license. It is unlawful for any wholesaler to obtain a retail beer license.

Chapter 3.05 - SINGLE EVENT PERMITS

Sections:

3.05.010 - Commission power to grant—Proximity limitations.

- A. The commission may issue a single event permit to a bona fide corporation, church, political organization, or incorporated association or to a recognized subordinate lodge, chapter or other local unit thereof that is conducting a convention, civic or community enterprise.
- B. The single event permit shall authorize, for a period not to exceed seventy-two consecutive hours, the storage, sale, service and consumption of beer at an event at which this would otherwise be prohibited.
- C. The commission may not issue more than two single event permits in any one calendar year to the same organization.
- D. The six-hundred-foot and two-hundred-foot proximity limitations to educational, religious and recreational facilities that are applicable to state stores, package agencies, and licensees, do not apply to single event permits. Nothing in this chapter however prevents the commission from considering the proximity of any such facility, or any other relevant factor in deciding whether to grant a single event permit.

3.05.020 - Application requirements.

- A. A qualified applicant for a single event permit shall file a written application as prescribed by the town.
- B. The application shall be accompanied by:
 - 1. A single event permit fee of fifty dollars which is refundable if a permit is not granted;
 - 2. A bond as specified in this chapter;
 - 3. The times, dates, location, nature and purpose of the event;
 - 4. A description of the floor plan designating:
 - a. The area in which the applicant proposes that beer be stored,
 - b. The site from which the applicant proposes that beer be sold or served, and
 - c. The area in which the applicant proposes that beer be allowed to be consumed;
 - 5. A statement of the purpose of the organization holding the event;

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6. A statement that the person signing the application or an authorized agent will be present at all times during the single event to insure compliance with subsection (B)(4) of this section;
7. A signed consent form stating that town officials will have unrestricted right to enter the premises during the event for purposes of enforcement;
8. Verification evidencing that the person signing the application is authorized to act on behalf of the association or organization; and
9. Any other information that the town may direct.

3.05.030 - Qualifications.

- A. In order to qualify for a single event permit, the applicant:
 1. May not be the holder of or be affiliated with the holder of any other type of beer license issued pursuant to Chapter 3.16; and
 2. Shall have been in existence as a bona fide organization for at least one year prior to the date of application.
- B.
 1. The commission may not grant a single event permit to any person who has been:
 - a. Convicted of a felony under any federal or state laws;
 - b. Convicted of any violation of any federal or state law, or local ordinance concerning the sale, manufacturing, distribution, warehousing, adulteration, or transportation of alcoholic beverages; or
 - c. Convicted of any crime involving moral turpitude.
 2. In the case of a partnership or corporation, the proscription under subsection (B)(1)(a) of this section applies if any partner, managing agent, officer, director or stockholder who holds at least twenty percent of the total issued and outstanding stock of an applicant corporation has been convicted of any offense as provided in this subsection.
- C. Upon the arrest of any single event permittee on any charge set forth in subsection B of this section, the town may take emergency action by immediately revoking the permit according to procedures set forth in Chapter 46b, Title 63, Utah Code Annotated, 1953 as amended.
- D.
 1. The town may not grant a single event permit to any person or organization who has had any type of beer license, agency or permit revoked within the last three years.
 2. For purposes of a partnership or corporation, the proscription under subsection (D)(1) of this section applies to any partner, managing agent, officer, director or stockholder who holds at least twenty percent of the total issued and outstanding stock of an applicant corporation.
- E. A minor may not be granted a single event permit or be employed by a single event permittee to handle alcoholic beverages.

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3.05.040 - Bond.

- A. Any applicant for a single event permit shall post a cash or corporate surety bond in the penal sum of one thousand dollars payable to the town which the applicant has procured and must maintain for so long as the permit is in effect.
- B. The bond shall be in a form approved by the town, conditioned upon permittee's faithful compliance with this title.
- C. No part of any cash or corporate bond so posted may be withdrawn during the period the permit is in effect. A bond filed by the permittee may be forfeited if the permit is revoked.

3.05.050 - Operational restrictions.

- A. Any organization granted a single event permit shall abide by this title and the special conditions set forth in this chapter. Failure to do so may result in immediate revocation of the permit, forfeiture of the surety bond, immediate seizure of all beer present, and disqualifies the organization from applying for a single event permit for a period of three years from the date of revocation of the permit. Any beer seized under this section shall be returned to the organization after the event if forfeiture proceedings are not instituted under Section 32A-13-103 Utah Code Annotated.
- B. Special conditions and requirements for single event permittee include, but are not limited to, the following:
 - 1. The applicant or an authorized agent shall be present at all times during the single event to insure compliance with all requirements set forth in this chapter.
 - 2. All persons involved in the storage, sale or service of alcoholic beverage at the event do so under the supervision and direction of the permittee.
 - 3. All beer stored, sold, served and consumed at the event shall be purchased by the permittee as required by law, and is considered under the control of permittee during the event. Attenders of the event may not bring any alcoholic beverage other than that furnished by the permittee onto the premises of the event.
 - 4. A permittee may not charge more than the maximum amount set forth in the permit for any alcoholic beverage.
 - 5. Each permittee shall post in a prominent place in the area in which beer is being sold, served and consumed, a copy of the permit, together with a list of the operational restrictions and requirements of a single event permittee set forth in this chapter.
 - 6. Beer purchased for the event may not be stored in any place other than that described in the application and designated on the permit.
 - 7. Beer purchased for the event may not be sold or served in any place other than that described in the application and designated on the permit.
 - 8. Beer purchased for the event may not be consumed in any area other than that described in the application and designated on the permit.
 - 9. Hours of sale, service and consumption shall be in accordance with any local ordinance restrictions.

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- 10. Beer may not be sold, served, delivered or furnished to any:
 - a. Minors;
 - b. Person actually, apparently, or obviously drunk;
 - c. Known habitual drunkard; or
 - d. Known interdicted person.
- 11. Minors may not sell, serve, dispense or handle any alcoholic beverage at the event.
- 12. Public advertising of the event may not include reference to the availability of any alcoholic beverage at the event.
- C. The permittee shall maintain an expense and revenue ledger or record showing:
 - 1. Expenditures made for alcoholic beverages; and
 - 2. The revenue from sale of alcoholic beverages.
- D. Single event permits are not transferrable.

Chapter 3.06 - DANCEHALLS

Sections:

3.06.010 - Hours.

It is unlawful for any dancehall whether open air or enclosed in a building outside of incorporated cities in Iron County, state of Utah, to be or remain open during any of the hours of any day or night after one a.m. and before six a.m., and any proprietor, agent or employee in charge of any such dancehall who shall allow any dance business to be carried on in any such dancehall, whether open air or enclosed in a building after the hour of one a.m. and before the hour of six a.m. or who shall neglect or fail to close any such dancehall at the hour of six a.m. shall be guilty of a misdemeanor.

Action Penalty:

Action Effective Date:

Within ten days or as soon as published on the Cedar Highlands Town Website

Mayors Signature

Date

Town Clerk/Recorder or 2nd Council Member

Date

Printed Name