



ALCOHOL BEVERAGE LICENSE PROCESS

Before selling and/or serving alcoholic beverages, Utah Department of Alcohol and Beverage (DABC) and Cottonwood Heights Alcohol Beverage Licenses are required. Complete regulations are listed in the Cottonwood Heights Code of Ordinances #5.24. It is the responsibility of the applicant to read and comply with this code.

Off premise beer retailers are not required to obtain a Utah State Alcoholic Beverage License.

For requirements on how to obtain the Utah State Alcoholic Beverage License contact the Utah Division of Alcoholic Beverage Control (DABC) at (801)977-6800 or www.alcbev.state.ut.us:

The DABC meets the last week of each month to approve alcohol license applications.

All applications must be in to the DABC by the 10th of each month in order to be placed on the agenda for approval that month. A Local Consent form from Cottonwood Heights must also be submitted at this time.

All state requirements must be completed prior to your application being submitted to the DABC.

- If you're looking for information on starting a new business please refer to www.business.utah.gov.
- All Federal and State requirements pertaining to your business must be completed before submitting your application to Cottonwood Heights.
- To register a new business you can go to www.business.utah.gov/registration for one stop registration.
- Your business name must be registered with the Utah State Department of Commerce, (unless you are doing business under your own name). Verification must be provided
- If applicable you will need an Employer Identification Number, (Federal Tax ID number) and/or a Utah State Sales Tax Numbers.
- Any applicant, firm, partnership, association, group, or corporation **shall provide a criminal background check (no older than 30 days prior to the date of the application) and complete a Personal History Statement (which is enclosed)** for each applicant, partner, association member or corporate officer, director or member, and local manager.

Background Investigations obtained from: Bureau of Criminal Investigations (BCI)
3888 West 5400 South
(801) 965-4445

- All applications must be filled out completely; missing information may cause a delay in processing the application.
- Licensing Fee: Based on the attached fee schedule.
- Processing time is approximately 2-3 weeks; applications requiring DABC licensing, Conditional Use Permits, and Health Department approval may take longer.
- If you have any questions please contact Business Licensing at (801)944-7067 or businesslicense@ch.utah.gov.

GENERAL ADMINISTRATION FEES

All business licensees are subject to the following general administration fees, which are levied and imposed to cover the city's administrative costs associated with its business licensing activities.

	Base Fee
New Business Fee (Commercial)	\$170.00
Renewal Fee (Commercial)	\$120.00
New / Renewal Home Occupation Fee	\$100.00
New / Renewal Home Occupation Fee (Grossing less than \$1500 per year)	\$ 50.00
Temporary License Fee	\$ 80.00
Special Event License Fee	\$100.00

DISPROPORTIONATE FEES BASED ON SPECIAL REGULATIONS/INSPECTIONS AND DISPROPORTIONATE FEES BASED ON DISPROPORTIONATE CALLS FOR SERVICE

The following business license fees are in addition to the general administration fees specified above, and are charged to recover the city's disproportionate cost of special regulations/inspections and 25% of the disproportionate cost of calls for service from police and fire departments that exceeds the basic level of such services provided in the city. Total business license fees are determined by adding the general administration fee, any applicable disproportionate fees, and any enhanced level of service fees applicable to a business; provided, however, that for the business classifications specified below, such total is restricted to 125% of the average total business license fees paid in 2006 by businesses of the same classification. The business classifications to which the 125% limit applies, and the dollar amount of the limit for each such business classification, is shown below.

	Special Regulation/ Inspection	Disproportionate Calls for Service	125% Limit*
Apartments	\$25 per location		Does not apply
Alcohol	\$443 per location		Does not apply
Assisted Living/Nursing Homes	\$150 per location	\$2.50 per bed	Does not apply
Big Box Retail (40,000, or more sq feet of floor area)	\$265 per location	\$8.75 per employee	Does not apply
Commercial Day Care/Preschool	\$555 per location	\$60 per location	\$297
Home Day Care/Preschool	\$555 per location		\$153
Convenience Store/Service Stations	\$133 per location	\$477 per location	\$980
Financial Services	\$208 per location	\$224 per location	Does not apply
Retail Fireworks	\$38 per location		Does not apply
Food and Grocery Stores	\$265 per location	\$1,615 per location	\$2,417
Medical Services		\$50 per location	Does not apply
Pawn Brokers	\$340 per location	\$410 per location	Does not apply
Pharmacies	\$40 per location		Does not apply
Private Clubs	\$265 per location	\$1,197 per location	\$1,051
Repair and Maintenance (Motor Vehicle)		\$150 per location	\$176
Restaurants (without Alcohol)	\$265 per location	\$195 per location	\$471
Restaurants (with Alcohol)	\$265 per location	\$195 per location	\$1015
Sexually Oriented Businesses		\$1,650 per location	Does not apply
Short Term Rentals – Conditional Use Permit	\$350 per unit		Does not apply
Special Events	\$168 per event		Does not apply
Solicitors	\$25 per solicitor		Does not apply

* This 125% Limit applies to the total aggregate fee which includes all administration fees, regulatory and inspection fees and disproportionate (call for services) fees. For example, a grocery store would have a administrative fee of \$120 an inspection fee of \$265, and if they sell alcohol a regulatory fee of \$443, and if they sell fire works a regulatory fee of \$38 and a fee to cover 25% of disproportionate calls for service of \$1,615, all totaling \$2,480. The \$125 limit would apply and that limit would be \$2,417.

ADDITIONS MADE THAT ARE NOT IN THE CODE

Business License Application



COTTONWOOD HEIGHTS
: BUSINESS LICENSE APPLICATION
 2277 E Bengal Boulevard
 Cottonwood Heights, UT 84121
 p.801.944.7067 f.801.944.7007
 businesslicense@ch.utah.gov

***** OFFICIAL USE ONLY *****

License Number _____

New Application
 Change of Owner/Location
 Other _____

<p style="text-align: center;">Home/Residential Commercial Temporary</p> <p>Ownership: Sole Proprietor Partnership LLC Corporation</p> <p><small>*LLC, Corporations & Partnerships must provide a current list of Corporate Officers, Partners, Members, Directors & Registered Agents.</small></p>	<p>Federal Tax ID# _____</p> <p>Utah Sales Tax # _____</p> <p>State License # & Type (if Applicable) _____</p>
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Business Name _____	Business Phone # _____	# of Employees _____
Business Address (Physical, NO PO Box) _____	Business WEBSITE Address _____	
Mailing Address (other than the Physical location) _____	Business E-mail Address _____	

Description of Business Activities _____	Home Office Only? YES NO	Will Clients/employees visit your home? YES NO	Will you have more than 2 daily deliveries to your home? YES NO
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Emergency Contact _____	Phone _____	Do you want to participate in the Cottonwood Heights Business Association? (Membership is free with your business license.) Yes No
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Enter Below the names of Owners, Partners, or Corporate Officers and a Local Manager							
Name _____	Title _____	Name _____	Title _____				
Home Address _____	Home Address _____						
City _____	State _____	Zip _____	City _____	State _____	Zip _____		
Home Phone _____	Date of Birth _____		Home Phone _____	Date of Birth _____			
Drivers License # _____	Personal E-mail Address _____		Personal E-mail Address _____	_____			

	Fee Amount
Commercial _____	\$ _____
Home _____	_____
Home Office Only _____	No Fee Required
Other _____	_____
Total Fees _____	\$ _____
Credit Card # _____	_____
Exp. Date _____	CVV _____

***** OFFICIAL USE ONLY *****

Approvals _____

Zoning _____

Code Enforcement _____

Fire _____

Police _____

Health _____

The foregoing information is correct to the best of my knowledge. I am aware that this application does not authorize conducting business until approved by Cottonwood Heights and a license has been issued. I also agree to conduct said business strictly in accordance with the laws and ordinances covering such business, and that no other type of business will be conducted other than what has been state above. It is the responsibility of the licensee to renew the license, failure to receive notice does not excuse this responsibility.

Signature _____ Title _____ Date _____

COTTONWOOD HEIGHTS POLICE DEPARTMENT
REGISTRATION and/or LICENSE APPLICATION
INFORMATION PERSONAL STATEMENT HISTORY

ACCEPTABLE FORMS OF IDENTIFICATION

Specify license you are applying for: _____

Name _____ Maiden _____

All Other Names Used: _____ Phone # _____

Home Address: _____ E-mail _____

City _____ State _____ Zip _____ Place of Birth _____

Date of Birth _____ Age _____ Height _____ Weight _____ Eyes _____ Hair _____

Divers License/ID Card # _____ State _____ SS # _____

Male / Female Marital Status _____ Spouse's Name _____

Have you ever been arrested? YES _____ NO _____ If yes, List Charges, Dates & Places:

If you have lived in another state more than 2 years (Except Military) list City, State and number of years there.

State _____ City _____ Number of years _____

Have you previously held a Business License or Permit in Cottonwood Heights? _____

If Yes, What type of license or permit _____

Have you ever had any license suspended or revoked? _____

If yes, state type of license and the reason license was revoked _____

Give the names and addresses of three persons to who we can contact as to your character or in case of emergency.

Name	Address	Phone	Occupation
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Name	Address	Phone	Occupation
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Name	Address	Phone	Occupation
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EMPLOYMENT RECORD

Present Employer _____ Address _____

Supervisor _____ Job Title _____

List last two jobs held: _____
Employer Location Position Dates of employment

Employer	Location	Position	Dates of employment
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Signature	Date
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I, the undersigned, certify the answers and statements are true and correct to the best of my knowledge and belief and being desirous of informing Cottonwood Heights Police Department of my present character and background, do hereby authorize release of any or all information concerning my qualifications for the license applied for. I hereby release Cottonwood Heights Police Department and all other persons from any liability because of furnishing such information. *I realize that ANY false statements in this personal history statement will immediately revoke this license/permit.*

Signature	Date
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DO NOT WRITE BELOW THIS LINE
(Cottonwood Heights Police Use only)

JBMS _____	STATE WARRANTS _____	ENTERED _____
UBI _____	NCIC/NLETS _____	APPROVED _____
FBI _____	_____	DENIED _____
		LAST ACTIVITY _____

Chapter 5.24

ALCOHOLIC BEVERAGE LICENSE

Sections:

- 5.24.010 Adoption of Utah Alcoholic Beverage Control Act.**
- 5.24.020 Definitions.**
- 5.24.030 Sales at wholesale or at retail – License required.**
- 5.24.040 Application for alcoholic beverage license.**
- 5.24.050 Application – Referral for investigation.**
- 5.24.060 Approval.**
- 5.24.070 Renewal of alcoholic beverage license.**
- 5.24.080 Term of alcoholic beverage license.**
- 5.24.090 License – Fees.**
- 5.24.100 Off-premises beer retail license conditions.**
- 5.24.110 Proximity.**
- 5.24.120 Prohibition on issuance of a tavern beer license.**
- 5.24.130 Special rules with respect to entertainment.**

5.24.010 Adoption of Utah Alcoholic Beverage Control Act.

The Alcoholic Beverage Control Act, UTAH CODE ANN. §§ 32B-1-101 *et seq.*, as amended from time to time, is hereby adopted by this reference in its entirety as if set forth in full herein. The Alcoholic Beverage Control Act as adopted herein shall be construed to apply only to the incorporated areas of the city and shall be interpreted and constructed where necessary to carry out the intent of this title.

5.24.020 Definitions.

All words and phrases used in this chapter shall have the same meaning given to them in the Alcoholic Beverage Control Act, UTAH CODE ANN. §§ 32B-1-101 *et seq.*, as amended from time to time. In addition, the following

words and phrases shall have the following additional meanings, unless a different meaning clearly appears from the context:

A. “*Act*” means the Alcoholic Beverage Control Act, UTAH CODE ANN. §§ 32B-1-101 *et seq.*, as amended from time to time.

B. “*Alcoholic beverage license*” means a license issued by the City pursuant to this chapter.

C. “*City*” means the city of Cottonwood Heights.

D. “*Commission*” means the Alcoholic Beverage Control Commission of the state of Utah.

E. “*Current business license*” means an alcoholic beverage business license issued by the city pursuant to this chapter.

F. “*Tavern*” means any business establishment that is engaged primarily in the retail sale of beer to public patrons for consumption on the establishment’s premises and includes a beer parlor, a parlor, a lounge, a cabaret, or a nightclub if the revenue from the sale of beer exceeds the revenue of the sale of food, although food need not be sold in the establishment.

G. “*Written consent*” means written consent of the city.

5.24.030 Sales at wholesale or at retail – License required.

It shall be unlawful for any person to sell an alcoholic beverage at retail or at wholesale or permit the consumption of an alcoholic beverage on any business premises unless such person has received an alcoholic beverage license from the city and, if applicable, a license issued by the Commission. Separate licenses shall be required for each place of business. Each day of non-compliance shall constitute a separate violation.

5.24.040 Application for alcoholic beverage license.

A. A person seeking an alcoholic beverage license shall file a written application

with the city's community development department on a form prescribed by the city. The application shall include, but not be limited to, the following information:

1. The name, current address and telephone number of the applicant.
2. The age and date of birth of the applicant.
3. The social security number of the applicant.
4. The federal employee identification number of the applicant, if applicable, and the state sales tax identification number of the applicant.
5. The place of permanent residency of the applicant.
6. All addresses of the applicant for the previous five years.
7. All names, addresses and the names of the licensing authorities of all businesses previously and presently owned or operated by the applicant.
8. The type of license requested from the Department of Alcoholic Beverage Control.
9. The location of the premises to be licensed.
10. A statement verifying that the applicant meets all the requirements of the Act.
11. Consent for a criminal background check in such form as prescribed by the city.
12. Proof of training approved by the state.
13. An affirmative statement by the applicant that any employees who serve or sell beer shall be at least 21 years of age.
14. A sworn statement signed by the applicant that all the facts included in the application are true.
15. Any other information that the city may require.

B. If the applicant is a firm, partnership, association, group, corporation or a person with any other business interest in receiving a license or written consent hereunder, the above information shall be provided with respect to each partner, association member or corporate officer, director or member provided, however,

that the application need only be signed by a single partner, member, corporate officer or person who is indicated as an applicant on the application.

C. If the business is to be operated by a person other than the applicant, said operator must join in the application and file the same information required of an applicant. It shall be grounds for revocation of the license or written consent for any business required to be licensed by this title, to be operated by any person who has not filed his operators information at the time of renewal of the license, or, if operation is assumed during the license period, at least ten days prior to assuming operation of the business.

D. The application and operator's information must be subscribed by the applicant and operator who shall state under oath that the information contained therein is true.

5.24.050 Application—Referral for investigation.

The city's community development department shall submit copies of the application to the building department, fire department, health department and police department for investigation and approval.

5.24.060 Approval.

The approval referenced in section 5.24.140 shall be in writing and contain the following information:

- A. The person's name to whom the approval relates;
- B. The type of license requested;
- C. The period of the license;
- D. The location of the premises to be licensed;
- E. The results and investigation;
- F. Such other information as may be required by the Act; and
- F. Recommendation to grant and/or deny the license. If the recommendation is to deny

the license, a detailed reason for such recommendation.

5.24.070 Renewal of alcoholic beverage license.

Persons desiring to renew their alcoholic beverage license shall file a renewal application with the city no later than September 30 of each year. Renewal applications shall be in a form and contain such information as prescribed by the city.

5.24.080 Term of alcoholic beverage license.

All alcoholic beverage licenses expire on October 31 of each year, except for temporary-type licenses which shall be issued for a period set forth in the license. Failure to timely meet the renewal requirements shall result in automatic termination and forfeiture of the alcoholic beverage license effective on the date the existing license expired.

5.24.090 License – Fees.

Annual fees, payable in advance, for an alcoholic beverage license shall be as specified in the consolidated fee schedule.

5.24.100 Off-premises beer retail license conditions.

It is unlawful for any off-premises beer retail licensee to:

- A. Sell, furnish or supply beer between the hours of 1:00 a.m. and 7:00 a.m. of any day.
- B. Sell beer in containers that exceed two liters.
- C. Permit a minor to sell beer on the premises except under the supervision of a person 21 years of age or older who is on the premises.

5.24.110 Proximity.

The premises of the licensee may not be established in violation of the proximity requirements under the Act, including, without limitation, under UTAH CODE ANN. §§ 32B-1-

202.

5.24.120 Prohibition on issuance of a tavern beer license.

The city shall not issue any new tavern licenses.

5.24.130 Special rules with respect to entertainment.

All entertainment at a premises of a licensee shall strictly comply with the requirements of chapter 5.82, sexually-oriented businesses and employee licensing.