

FILLMORE CITY BUSINESS LICENSING POLICY

(Adopted 09/15/93; Amended 02/05/02, 8/17/10, 10/17/17)

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ARTICLE I. APPLICATION

All applicants must complete the Business License Application form and pay the appropriate fee. Payment of the fee and filing of the application does not constitute the license.

- A. **FIXED LOCATION** – Location shall be specifically noted on the application and may be verified. A business with multiple locations must have a business license for each location. All businesses must comply with zoning regulations.
- B. **WITHOUT FIXED LOCATION** – Applicants for business licenses without a fixed location shall furnish identification, which includes full name, date of birth, residential address, and social security number. A photocopy of identification shall be attached to the license application. The last place of business shall also be listed. Applicants shall also furnish a written, signed permission statement of property owner upon whose property the business will be conducted.

ARTICLE II. PROCESSING

Processing of the applications shall take up to three weeks from the time the form is submitted to the city office. The City Recorder or designee shall verify the information for authenticity and may require the applicant to authorize a background check.

The City Recorder shall approve or deny a business license for issuance after the application has been satisfactorily processed.

ARTICLE III. FEES

(Amended 8/17/2010)

A. BUSINESS LICENSE FEES

The annual licensing fee shall be based on the estimated number of employees of the business. NOTE: The City Recorder has the right to inspect the records of any business to determine the truth about any information that is supplied when good cause is shown to believe that information has been provided falsely.

Employees	Classification	Fees
0 – 3	A	\$ 25.00
4	B	40.00
5 – 6	C	65.00
7 – 8	D	90.00
Over 8	E	125.00
Temporary Business (48 hours)	F	45.00
Temporary Business (up to one year)	G	60.00
Dance (temporary)	H	15.00
Dance (up to one year)	I	60.00
Carnival, Circus, etc.	J	75.00
Rental	K	35.00

B. EXEMPT HOME BUSINESS REGISTRATION FEE

There shall be a \$20.00 annual fee for Business Registration to register a business that is otherwise exempt from the Business Licensing Fee to cover the cost of administering such home businesses and making sure they qualify as exempt under Utah State Law.

C. TRANSFER FEE

Upon change of address, or ownership, notifying the City Office and paying a fee of \$15 may transfer a business license.

D. PENALTY FEE

Any business which fails to renew its business license December 31st, shall be assessed a penalty of 50% of the license fee for each month the account is delinquent.

E. NON-PAYMENT

Any business license that has not been renewed by March 1st shall be revoked for non-payment and the account closed.

F. REINSTATEMENT FEE

The reinstatement fee to open an account closed for non-payment shall be double the regular license fee.

G. OTHER FEES

Other fees may be imposed to cover costs of additional regulation for safety inspections, law enforcement issues, and other services. These fees shall be based on actual cost of the service.

ARTICLE IV. BEER LICENSES

A. FEES

Initial Application Fee Class A, B, C	\$100.00
Initial Application Fee Class D & Seasonal	25.00
Tavern Entertainers (per person)	10.00
Liquor Consumption License	25.00
Class A Beer License	75.00
Class B Beer License	75.00
Class C Beer License	225.00
Class D Beer License (per day)	10.00
Seasonal Beer License (per day)	10.00

B. BEER LICENSE CLASSIFICATIONS

1. Class "A"

A Class "A" beer license shall entitle the licensee to sell on the premises light beer at retail in original containers, for consumption off the premises in accordance with the Liquor Control Act of the State of Utah.

2. Class "B"

A Class "B" license shall entitle the licensee to sell light beer at retail in the original containers for consumption on the premises. A Class B beer license must also acquire a Class II liquor consumption license as defined in 22-2-104. Only bona fide restaurants shall be entitled to Class "B" licenses. All holders of Class "B" licenses shall maintain records which shall disclose the gross sale of beer and gross sale of food served and any other items sold for consumption on or off the premises during the semiannual period ending June 30 and December 31 of each year. Such sales shall be shown separately. Each licensee shall retain all invoices, vouchers, sales slips, receipts and other records of beer and other commodity purchases from all suppliers. Such records shall be available for inspection and audit by the City Auditor at any time following the close of the semiannual period and for eighteen months thereafter. Failure to properly maintain such records of such inspection and audit shall be cause for revocation of the Class "B" license. If any audit or inspection discloses that the sales of beer on the licensed premises are in excess of forty percent of the gross dollar volume of business for any semi-annual period, the Class "B" license shall immediately be suspended and shall not be reinstated until the licensee is able to prove to the satisfaction of the City License Clerk that in the future, the sale of beer on the licensed premises will not exceed forty percent of the gross dollar volume of business.

3. Class "C"

A Class "C" beer license shall entitle the licensee to sell beer on draft for consumption on the premises and to all the privileges granted to Class "B" beer licenses. A Class "C" beer licensee must also acquire a Class II Liquor Consumption License as defined in 22-2-104.

4. Class "D"

A Class "D" license shall entitle the licensee to sell beer at retail in the original containers for consumption on the premises, on publicly-owned recreation facilities; and no person under the age of twenty-one (21) years of age may sell or serve beer. All sales and deliveries under this license

shall be made directly to the consumer. No beer may be sold or dispensed to the public on or within any publicly owned recreation facility by any person, corporation, or organization except by the holder of a Class "D" retail license for such premises. No such Class "D" license shall be issued unless such prospective licensee shall first obtain a concession contract or written permission from the public body owning the recreation facility and submitting such document with their application for the beer license. No Class "D" license shall be valid for a period longer than one year or the term of the concession contract or permission granted by the public body owning the recreation facility, whichever term is the shortest.

5. Seasonal

A seasonal license shall carry the privileges of a Class "C" retail license and shall be valid for a period not to exceed one month. The liquor consumption licenses shall be classified as follows:

- a. Class "I" – A Class "I" liquor consumption license shall entitle the licensee to permit or allow customers, members, guests, or other persons to consume liquor or possess liquor on which the seal has been broken, at such place of business whether or not said liquor was purchased or obtained at said business or otherwise.
- b. Class "II" – A Class "II" liquor consumption license shall entitle the licensee to permit or allow customers, members, guests, or other persons to consume liquor or possess liquor on which the seal has been broken only if said liquor was obtained or purchased on the premises of such place of business.