

Farmington City – 160 S Main, PO Box 160, Farmington UT 84025
ON-PREMISE BEER RETAILER- RESTAURANT APPLICATION

BUSINESS INFORMATION

| | |
|--|--|
| Farmington City Licensing Division Application Number: | |
| Business name: | |
| Entity Type: | <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Corporation |
| DBA: (assumed name of business) | |
| Business Address: Street, City, State ZIP | |
| Mailing Address (if different): | |
| Business E-mail Address: | |
| Business Phone Number: | |
| | |

BUSINESS OWNER/MANAGER INFORMATION

| | |
|---------------------------------|--|
| Owner Name: | |
| Owner Address: City, State, ZIP | |
| Owner Phone Number: | |
| Owner Email Address: | |
| Manager's Name: | |
| Manager's Phone Number: | |
| After Hours Contact Name: | |
| After Hours Contact Phone: | |

Other alcoholic beverage license currently or previously held by applicant/entity/principals:

| | |
|---|--|
| Date opened for business: | |
| Days/hours of operation: | |
| Business tax, withholding, ID #'s | Utah Sales Tax: _____ Federal Taxpayer ID: _____ |
| Square Footage: | |
| Seating/dining capacity: | |
| # of parking stalls: | |
| Owner of real property & building (lease holder): | Name: _____ Address: _____ Phone: _____ City, State, Zip: _____ |
| Proximity: | List any private or public schools, churches, public libraries, public playgrounds, parks or educational facilities (nursery school, infant daycare center or trade/technical school) located within 600 feet pedestrian travel or 200 feet straight line. |
| | |
| | |

Ownership / Management: List individuals; managers; partners; corporate officers; any stockholder owning 20% of the corporation; employees appointed to manage or direct operations

A criminal history background check must be submitted on each person listed. See instructions for list of documents required. US Citizen – if “no” provide residency status in Section “Residency Status” below. Use additional sheets if necessary.

| NAME | COMPLETE HOME ADDRESS (include city, state, zip code) | POSITION (Social Security Number) | BIRTH DATE | PERCENT OWNED | US CITIZEN Y/N |
|------|--|--------------------------------------|------------|---------------|----------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Residency Status: (list and attach proof of residency status for all individuals from “Ownership/Management” section, who are NOT US Citizens

Criminal Offenses: (list all criminal offenses other than minor traffic offenses of which you or any person listed in “Ownership/Management” section have been convicted or pending criminal charges (name criminal offense, date of conviction – use additional sheets if necessary)

LICENSE FEES

If mailing in a check, please make check payable to Farmington City

| | |
|---|-----------------------------------|
| Beer License Fee: | <input type="checkbox"/> \$300.00 |
| Small Commercial Business License Fee: (under 10,000 sq. ft. including outdoor sales area) | <input type="checkbox"/> \$125.00 |
| Medium Commercial Business License Fee: (10,000 to 40,000 sq. ft. including outdoor area) | <input type="checkbox"/> \$200.00 |
| Large Commercial Business License Fee: (over 40,000 sq. ft. including outdoor sales area) | <input type="checkbox"/> \$300.00 |

AGREEMENT

Applicant qualification requirements for the issuance of a beer license from the City shall be the same as the applicant requirements set forth in Utah Code Ann. 32B-1-304, as amended, regarding applicant requirements for the issuance of a State license. The City shall not issue a beer license to any person who has been convicted of any of the crimes enumerated therein or fails to meet the qualifications set forth by ordinance. The City may immediately suspend or revoke a beer license in accordance with the provision, procedures and grounds set forth in Section 32B-1-304, as amended. All applicants for a beer license shall also meet the age restrictions set forth in Utah Code Ann. 32B-1-304, as amended, prohibiting the issuance of a license to a minor

By Signing below, the applicant attests that the information contained in this application is true and correct.

SIGNATURES

| | |
|------------------------------|--|
| Authorized Signature: | |
| Date: | |
| Applicant/Owner of Business: | |
| Title/Position: | |

State of _____
 County of _____
 Subscribed and sworn before me this day _____ of _____, 20____

 Notary Public

**ON-PREMISE BEER RETAILER- RESTAURANT
RIGHT TO ENTER PREMISES**

AUTHORITY: Farmington City Municipal Code 6-05-040 (h)(3)

Licensee shall permit any authorized representative of the Commission, City, Law enforcement or health department unrestricted right to enter the premises of the licensee.

Applicant Entity or Business Owner:

Hereby grants it consent to any authorized representative of the Commission, City law enforcements or health department unrestricted right to enter the premises of the following:

Business Name (DBA):

Business Address: City, State ZIP

SIGNATURES

Authorized Signature:

Date:

Name/Title:

Please read and acknowledge by signature below

6-05-090. On-Premise Beer Retailer – Restaurant

- (a) On-Premise Beer Retailer – Restaurant. The City is authorized to license and regulate the retail sale of beer for on-premise consumption in accordance with and subject to the restrictions of the Utah Alcoholic Beverage Control Act, including, but not limited to, *Utah Code Ann.* §§ 32B-6-704, et seq., as amended. An On-Premise Beer Retailer – Restaurant license issued by the City shall authorize the licensee to sell beer on the licensed premises for on-premise consumption, in accordance with applicable provisions of this Chapter and State law. Only bona fide restaurants shall be entitled to an On-Premise Beer Retailer – Restaurant licenses.
- (b) State and Local License Required. Before a restaurant may sell beer at retail for on-premises consumption, it must first obtain an On-Premise Beer Retailer – Restaurant license from the City and the required State license from the Utah Alcoholic Beverage Control Commission. Issuance of the On-Premise Beer Retailer – Restaurant license by the City shall be deemed local consent for the issuance of a State Beer – Only Restaurant License. Pursuant to *Utah Code Ann.* § 32B-6-704, as amended, the suspension or revocation of a licensee’s State license shall automatically prohibit the licensee from continuing to operate under the City license.
- (c) Operational Restrictions. An On-Premise Beer Retailer – Restaurant licenses shall comply with the general provisions and restrictions set forth in *Utah Code Ann.* § 32B-6-901, et seq., as amended, regarding licensing and operational requirements for beer-only restaurant licenses, and applicable provisions of *Utah Code Ann.* § 32B-5-301, et seq., regarding operational requirements for on-premise retailer licensees. A person granted an On-Premise Beer Retailer – Restaurant license from the City and staff of the licensee shall comply with all of the conditions and requirements set forth herein. The provisions of State law referenced in this Section are adopted by reference as if fully set forth herein.
- (d) Location Restrictions. Except as otherwise provided in Subsection (e), the premises of an on-premise beer retailer license may not be located within six hundred (600) feet of a community location as measured from the nearest entrance of the outlet by following the shortest route of ordinary pedestrian travel to the property boundary of community location or within two hundred (200) feet of community location measured in straight line from the nearest entrance of the proposed beer retailer premises to the nearest property boundary of the community location.
- (e) Variance. The City Council may approve or give written consent to the Commission to authorize a variance to reduce the proximity requirements of Subsection (d) in accordance with the procedures and criteria set forth in *Utah Code Ann.* § 32B-1-202, as amended.
- (f) Alcohol Training Education. The following persons shall be required to have a valid record that the individual completed an alcohol training and education seminar in accordance with the provisions of *Utah Code Ann.* § 32B-5-403, as amended: any individual who manages operations at the licensed premises for consumption on the licensed premises; any individual who supervises the furnishing of beer to a patron for consumption on the licensed premises; or any individual who serves a beer to a patron for consumption on the licensed premises. The City may immediately suspend the license of an On-Premise Beer Retailer – Restaurant licensee if any of the individual set forth herein fail to complete an alcohol training seminar as required by law.
- (g) Container Restrictions. An on-Premise Beer Retailer – Restaurant licensee shall not sell, offer for sale, or furnish beer for an on-premise consumption in a size of container that exceed two (2) liters or to an individual patron in a size of container that exceeds one (1) liter.
- (h) Hours of Sales. Hours for beer sale for on-premise beer retailers is governed by State Law, pursuant to which the hours of sale are from 11:30 a.m. until 1:00 a.m.
- (i) Total Business Sales. An On-Premise Beer Retailer – Restaurant license shall maintain at least seventy percent (70%) of its total restaurant business from the sale of food, exclusive of service charge.
- (j) Records. All holders of an On-Premise Beer Retailer – Restaurant license shall maintain records separately showing quarterly expenditures and sales for beer and food. Each licensee shall retain all invoices, vouchers, sales slips, receipts and other records disclosing all expenditures and purchases from all suppliers. Such records shall be maintained in accordance with provisions of *Utah Code Ann.* § 32B-5-302, regarding on-premise beer retailer record requirements. Such records shall be available for inspection and audit by the City or its representatives and maintained for a period of three (3) years. Failure to properly maintain such records for inspection and audit shall be cause for revocation of the On-Premise Beer Retailer – Restaurant license.
- (k) Restaurant Business Percentages. If any inspection or audit discloses that the sales of food are less than seventy percent (70%) for any quarterly period, the City shall immediately put the licensee on a probationary status and closely monitor the licensee’s food sales during the next quarterly period to determine that the licensee is able to prove to the satisfaction of the City that the sales of food meet or exceed seventy percent (70%). Failure of the licensee to provide satisfactory proof of the required food percentage within the probationary period shall result in issuance of an order to show cause by the City to determine why the license should not be revoked by the City.
- (l) Compliance. Each person granted an Off-Premise Beer Retailer – Restaurant license and the staff of such licensee shall abide by the conditions and requirements set forth in this Chapter and State law requirements. Failure to comply may, in addition to criminal or civil penalties, result in suspension or revocation of the license or other disciplinary action taken against individual staff.

SIGNATURES

| | | |
|-----------------------|--|-------|
| SIGNATURES | | |
| Authorized Signature: | | |
| Name/Title: | | Date: |