

32B-12-205 Duties of commission and department before issuing liquor warehousing license.

- (1)
 - (a) Before the commission may issue a warehousing license, the department shall conduct an investigation and may hold public hearings to gather information and make recommendations to the commission as to whether a liquor warehousing license should be issued.
 - (b) The department shall forward the information and recommendations described in Subsection (1)(a) to the commission to aid in the commission's determination.
- (2) Before issuing a liquor warehousing license, the commission shall:
 - (a) determine that the person filed a complete application and has complied with Sections 32B-12-202 and 32B-12-204;
 - (b) determine that the person is not disqualified under Section 32B-1-304;
 - (c) consider the physical characteristics of the premises where it is proposed that liquor be warehoused, such as:
 - (i) location;
 - (ii) proximity to transportation; and
 - (iii) condition, size, and security of the licensed premises;
 - (d) consider the person's ability to properly use the liquor warehousing license within the requirements of this title and the commission rules including:
 - (i) the types of products other than liquor that the person is warehousing;
 - (ii) the brands of liquor the person intends to warehouse; and
 - (iii) the means the person intends to use to distribute the liquor; and
 - (e) consider any other factor the commission considers necessary.

Enacted by Chapter 276, 2010 General Session