

Superseded 5/12/2015

32B-8-102 Definitions.

As used in this chapter:

- (1) "Boundary of a resort building" means the physical boundary of the land reasonably related to a resort building and any structure or improvement to that land as determined by the commission.
- (2) "Dwelling" means a portion of a resort building:
 - (a) owned by one or more individuals;
 - (b) that is used or designated for use as a residence by one or more persons; and
 - (c) that may be rented, loaned, leased, or hired out for a period of no longer than 30 consecutive days by a person who uses it for a residence.
- (3) "Engaged in the management of the resort" may be defined by the commission by rule.
- (4) "Invitee" means an individual who in accordance with Subsection 32B-8-304(12) is authorized to use a resort spa by a host who is:
 - (a) a resident; or
 - (b) a public customer.
- (5) "Provisions applicable to a sublicense" means:
 - (a) for a full-service restaurant sublicense, Chapter 6, Part 2, Full-Service Restaurant License;
 - (b) for a limited-service restaurant sublicense, Chapter 6, Part 3, Limited-Service Restaurant License;
 - (c) for a club sublicense, Chapter 6, Part 4, Club License;
 - (d) for an on-premise banquet sublicense, Chapter 6, Part 6, On-Premise Banquet License;
 - (e) for an on-premise beer retailer sublicense, Chapter 6, Part 7, On-Premise Beer Retailer License; and
 - (f) for a resort spa sublicense, Part 3, Resort Spa Sublicense.
- (6) "Public customer" means an individual who holds a customer card in accordance with Subsection 32B-8-304(13).
- (7) "Resident" means an individual who:
 - (a) owns a dwelling located within a resort building; or
 - (b) rents lodging accommodations for 30 consecutive days or less from:
 - (i) an owner of a dwelling described in Subsection (7)(a); or
 - (ii) the resort licensee.
- (8) "Resort" means a location:
 - (a) on which is located one resort building; and
 - (b) that is affiliated with a ski area that physically touches the boundary of the resort building.
- (9) "Resort building" means a building:
 - (a) that is primarily operated to provide dwellings or lodging accommodations;
 - (b) that has at least 150 units that consist of a dwelling or lodging accommodations;
 - (c) that consists of at least 400,000 square feet:
 - (i) including only the building itself; and
 - (ii) not including areas such as above ground surface parking; and
 - (d) of which at least 50% of the units described in Subsection (9)(b) consist of dwellings owned by a person other than the resort licensee.
- (10) "Resort spa" means a spa, as defined by rule by the commission, that is within the boundary of a resort building.
- (11) "Sublicense" means:
 - (a) a full-service restaurant sublicense;
 - (b) a limited-service restaurant sublicense;
 - (c) a club sublicense;

- (d) an on-premise banquet sublicense;
 - (e) an on-premise beer retailer sublicense; and
 - (f) a resort spa sublicense.
- (12) "Sublicense premises" means a building, enclosure, or room used pursuant to a sublicense in connection with the storage, sale, furnishing, or consumption of an alcoholic product, unless otherwise defined in this title or in the rules made by the commission.