

## **Chapter 10**

### **Business Allowing Consumption of Liquor on Premises**

#### **11-10-1 Business license required -- Authorization for issuance, denial, suspension, or revocation by local authority.**

(1) As used in this chapter, the following have the meaning set forth in Section 32B-1-102:

- (a) "alcoholic product";
- (b) "club license";
- (c) "local authority"; and
- (d) "restaurant."

(2) A person may not operate an association, a restaurant, a business similar to a business operated under a club license, or other similar business that allows a person to possess or consume an alcoholic product on the premises of the association, restaurant, club, or similar business premises without a business license.

- (3)
- (a) A local authority may issue a business license to a person who owns or operates an association, restaurant, club, or similar business that allows a person to hold, store, possess, or consume an alcoholic product on the premises.
  - (b) A business license issued under this Subsection (3) does not permit a person to hold, store, possess, or consume an alcoholic product on the premises other than as provided in Title 32B, Alcoholic Beverage Control Act.
- (4) A local authority may suspend or revoke a business license for a violation of Title 32B, Alcoholic Beverage Control Act.
- (5) A local authority shall set policy by written rules that establish criteria and procedures for granting, denying, suspending, or revoking a business license issued under this chapter.
- (6) A business license issued under this section does not constitute written consent of the local authority within the meaning of Title 32B, Alcoholic Beverage Control Act.

Amended by Chapter 276, 2010 General Session

#### **11-10-2 Qualifications of licensee.**

- (1) A license may not be granted:
- (a) unless the licensee is of good moral character, over the age of 21 years, and a citizen of the United States;
  - (b) to anyone who has been convicted of a felony or misdemeanor involving moral turpitude;
  - (c) to any partnership or association, any member of which lacks any of the qualifications set out in this section; or
  - (d) to any corporation, if any of its directors or officers lacks any qualification set out in this section.
- (2) The local authority shall, before issuing licenses, satisfy itself by written evidence executed by the applicant that the applicant meets the standards set forth.

Amended by Chapter 23, 1990 General Session

#### **11-10-3 License fee.**

The license fee may not exceed \$300.

Amended by Chapter 23, 1990 General Session

**11-10-4 Ordinances making it unlawful to operate without license.**

Each local authority granting licenses under this chapter may adopt ordinances making it unlawful to operate such establishments without being licensed.

Amended by Chapter 23, 1990 General Session