

32B-10-202 Application for special use permit -- Qualifications.

- (1) To obtain a special use permit, a person shall submit to the department:
 - (a) a written application in a form prescribed by the department;
 - (b) a nonrefundable application fee, if required by the relevant part of this chapter applicable to the type of special use permit for which the person applies;
 - (c) an initial permit fee:
 - (i) if required by the relevant part of this chapter applicable to the type of special use permit for which the person applies; and
 - (ii) that is refundable if a special use permit is not issued;
 - (d) a one-time special use permit fee if required by a section of this chapter:
 - (i) applicable to the type of special use permit for which the person applies; and
 - (ii) that is refundable if a special use permit is not issued;
 - (e) a statement of the purpose for which the person applies for the special use permit;
 - (f) a description of the types of alcoholic product the person intends to use under authority of the special use permit;
 - (g) written consent of the local authority;
 - (h) if required, a bond as provided in Section 32B-10-205;
 - (i) a floor plan of the immediate area within the premises in which the person proposes that an alcoholic product will be used, mixed, stored, sold, or consumed if required by the relevant part of this chapter applicable to the type of special use permit for which the person applies;
 - (j) a signed consent form stating that the special use permittee will permit any authorized representative of the commission, department, or any other law enforcement officer to have unrestricted right to enter the special use permittee's premises;
 - (k) if the person is an entity, proper verification evidencing that a person who signs the application is authorized to sign on behalf of the entity; and
 - (l) any other information the commission or department may require.
- (2)
 - (a) The commission may issue a special use permit only to a person who qualifies as follows:
 - (i) the commission may issue a religious wine use permit to a religious organization;
 - (ii) the commission may issue an industrial or manufacturing use permit to a person engaged in an industrial or manufacturing pursuit;
 - (iii) the commission may issue a scientific or educational use permit to a person engaged in a scientific or educational pursuit; and
 - (iv) the commission may issue a public service permit to an operator of an airline, railroad, or other public conveyance.
 - (b) The commission may not issue a special use permit to a person who is disqualified under Section 32B-1-304.
 - (c) If a person to whom a special use permit is issued no longer possesses the qualifications required by this title for obtaining that special use permit, the commission may suspend or revoke that special use permit.

Enacted by Chapter 276, 2010 General Session