

FOR YOUR INFORMATION....

MIDVALE CITY CORPORATION
Community and Economic Development, Business License Division
7505 South Holden Street, Midvale, Utah 84047 * 801.567.7213

Midvale City
Information Form

L-4d

Christmas Tree
Sales

ITINERANT MERCHANT – CHRISTMAS TREE SALES

A Christmas tree sales business allows the sale of Christmas trees and related seasonal merchandise from a temporary location. A Christmas tree sales license is valid for up to 8 weeks in the months of November and December. Persons applying for a business license to allow Christmas tree sales shall submit the following information to the license administrator. This information is required pursuant to Chapter 5.14 of the Midvale City Municipal Code and the Midvale City Zoning Ordinance.

Submittal Checklist

- A completed business license application form.
- A valid lease or written permission from the property owner allowing the vendor to conduct business on the property.
- Written permission granting use of an existing restroom facility on or nearby the property (must be within 500 feet of location).
- A signed acknowledgment regarding penalties for violating any applicable part of the Midvale City Municipal Code while conducting business (form attached).
- Proof of business registration through the Utah State Commerce Department (contact information attached).
- A Utah Sales Tax Identification Number (contact information attached).
- A site plan, drawn to scale, showing the property and its existing features (i.e. buildings, parking stalls, drive aisles, sidewalks, fire hydrants); the exact location of the vendor in relation to buildings, sidewalks, roadways, driveways, fire hydrants and other important features on the property; all components of the business with sizes/dimensions (i.e. temporary structures, display area, fences, trash receptacle, parking stalls). Photographs and/or illustrations showing all components of the business (i.e. temporary structures, display area, fences, trash receptacle, signage). The site plan and photographs/illustrations need to include all information necessary to show compliance with the applicable zoning requirements listed below.
- If power is required for the business, an electrical plan showing the power source, how it is connected to the temporary structures, how it is protected from the elements, wire size and location. If this is a new power source, an electrical

permit must be obtained from the Midvale City Building Department. (If you have any questions, please contact the building official at 801.567.7210.)

- If the business includes the sale of food products, Salt Lake Valley Health Department approval. (SLVHD requirements can be found at www.slvhealth.org or call 801.313.6620. The SLVHD review process should be done concurrently with the Midvale City review process.)
- License fee. The license cost is \$447.00 This cost consists of a \$247.00 licensing fee and a \$200.00 bond.

Zoning Requirements

The city shall not issue a business license for a Christmas tree sales business unless all of the following requirements can be demonstrated as part of the business license application:

- The business must be located in the State Street Commercial (SSC), Regional Commercial (RC), Bingham Junction (BJ) – urban subareas only, Riverwalk – retail/office/flex subareas only, The Junction at Midvale – urban subareas only, or Jordan Bluffs – urban subareas only zone district.
- Location on Private Property. The business and any activity associated therewith must be located on private property and only as a secondary use to another primary commercial use. The business shall not be located on public property (including public sidewalks, public streets, public parking areas or other public places as defined by the city) or on vacant or residentially used property, regardless of the zoning district.
- Impervious Surface. The business must be located on a hard surface with no portion of the business located in a landscaped or non-improved area, with the exception of the display/retail area for cut trees (can be located on gravel surface).
- Setbacks. The business must be located a minimum of ten feet behind the inside edge of the public sidewalk (or 15 feet from the edge of the road right-of-way if no sidewalk exists); five feet from combustible walls, roof eave lines, awnings, etc.; ten feet from any building openings (i.e. doors, windows, vents, etc.); and five feet from a fire hydrant, driveway, handicapped parking space and loading area.
- Traffic Safety. The business location shall not impede auto and/or pedestrian traffic or create auto/pedestrian conflicts. Private sidewalk clear widths shall not be reduced below five feet and the itinerant business shall not interfere with the internal parking lot circulation.
- Parking. The site must have adequate parking to accommodate the primary uses(s) on site as well as any area used by the itinerant business. No part of the itinerant merchant business shall occupy required parking stalls for the primary use(s).
- Power. All electrical wiring must be in compliance with the National Electrical Code and approved by the Midvale City Building Department. Extension cords and generators are prohibited.

- ⊖ Temporary Only. All aspects of the business shall be temporary in nature with no permanent facilities constructed on site, with the exception of the required permanent power source.
- Maintenance. The area around the business shall be kept clean and orderly. A trash receptacle shall be provided for patrons. The merchant is responsible to cleanup all trash, litter, spills, etc. within a minimum 20 foot radius of the business.
- Business Conduct. The business may not solicit or conduct business with persons in motor vehicles or use any flashing lights, noise, sound or other motion producing devices to attract attention to its operation.
- Regulatory Compliance. All applicable local and state regulations (i.e., food permit, tax numbers, registration, etc.) shall be met.
- Business License. All requirements of Title 5, Chapter [5.14](#) of the Midvale Municipal Code shall be met.

* * *

- A minimum of five on-site parking stalls are required for a Christmas tree sales use.
- The display/retail area for cut trees may be located on a gravel surface, however, all other aspects of the business must be located on an impervious surface, i.e. parking lot, concrete patio, etc.
- Signage must be attached to an on-site fence and shall not exceed 32 square feet on each side of the Christmas tree lot. No flashing or animated lights or searchlights may be used. No off-site signage is allowed, including within the public right-of-way.
- A portable fire extinguisher, Type 2A-10 BC minimum, must be mounted within easy reach of employees.
- Christmas trees sales can be operated for up to eight weeks in the months of November and December. All aspects of the Christmas tree sales use must be removed by December 31st and cannot be put on the site before November 1st.
- The business shall not be conducted before 10am and after 10pm.

Important Note

Please allow two (2) to three (3) weeks processing time for all licenses. Businesses that involve food products and require inspections by the health department may take longer.

Departmental Contact List

- **DEPARTMENT OF COMMERCE**

All persons or partners doing business in Utah under an assumed business name must register with the Department of Commerce.

Place: Heber Wells Building, 160 East 300 South

Phone: (801) 530-4849 <https://secure.utah.gov/osbr-user/user/welcome.html>

- **FEDERAL EMPLOYER'S TAX I.D. NUMBER**

Every person without a previous tax number who pays wages to one or more employees or is required to file any federal reports must apply for a tax number on Form SS-4 with the IRS.

Place: 50 South 200 East

Phone: 1-800-829-1040 www.irs.ustreas.gov/formspubs/index.html

Contact the IRS for information related to income, excise, self-employment and other federal taxes. The IRS also provides a Business Tax Kit and Tax Seminar for businesses. The seminar will provide you with basic instructions and forms for reporting federal taxes on your business.

Place: 50 South 200 East

Phone: 1-800-829-1040 www.irs.gov

- **STATE TAX INFORMATION**

For information related to income tax, sales and use taxes, and other applicable state taxes as well as information concerning applications for a state tax number contact the Utah State Tax Commission.

Place: 210 North 1950 West

Phone: (801) 297-2200

www.tax.utah.gov

- **HEALTH DEPARTMENT SERVICES**

Place: 788 East Woodoak Lane (5400 South) Environmental Health

Place: 2001 South State Street, S2500 – Administrative Services

Phone: 385-468-3860

<http://slcohealth.org/>

- **UNIFIED FIRE AUTHORITY**

Place: 3380 South 900 West

Area Inspector – Dick Hekker

Phone: 801-205-4072

dhekker@ufa-slco.org

- **MIDVALE CITY BUILDING DEPARTMENT**

Place: 7505 S Holden St (700 West)

Phone: 801-567-7212

kstephens@midvale.com

Applicant must pay all business licensing fees and move into commercial location before calling to schedule inspection.

Business License Fee Schedule

Effective Date: 07/01/2015

Commercial Business	Number	Fee	Total
Base Fee	X	\$137.00	\$
Renewal Fee	X	\$19.00	\$
Solicitor (New App. and Renewal)	X	\$45.00	\$
SOB (Principal, Escort, Driver, Body Guard)	X	\$84.00 each	\$

Booth Rental	Number	Fee	Total
New Application Fee	X	\$68.00	\$
Renewal Fee	X	\$19.00	\$

Home Business	Number	Fee	Total
Base Fee	X	\$94.00	\$
Renewal Fee	X	\$19.00	\$

Good Landlord	# of Units	Fee Per Unit	Total
New Application Base Fee	X	\$143.00	\$
Renewal Base Fee	X	\$102.00	\$
Good Landlord Program Reduction	X	\$7.00	\$
Non-Program Apartments 3+	X	\$33.00	\$
Non-Program Duplex	X	\$42.00	\$
Non-Program Single Family	X	\$80.00	\$

Other Variable Fees:	Number	Fee	Total
Alcohol Establishment	X	\$300.00	\$
Bar/Lounge	X	\$215.00	\$
Big Box Retail	X	\$400.00	\$
Commercial Retail	X	\$110.00	\$
Convenience/Gas	X	\$100.00	\$
Construction/Contractor	X	\$50.00	\$
Education	X	\$500.00	\$
Health	X	\$500.00	\$
Hotels/Motels	X	\$180.00	\$
Pawn Shop	X	\$400.00	\$
Personal Services	X	\$50.00	\$
Professional Services	X	\$30.00	\$
Restaurant/Food Establishment	X	\$300.00	\$
Storage Units	X	\$330.00	\$
Taxi	X	\$60.00 Per Vehicle	\$
Tobacco Specialty Business Fee	X	\$22.00	\$
Vending Carts	X	\$18.00	\$

Bonding Schedule

Christmas tree sales	\$200.00
Auctions and auctioneers	\$1,000.00
Pawn shops, secondhand dealers	\$1,000.00
Public recreation	\$1,000,000.00 bodily injury (per person and per occasion)
	\$1,000,000.00 property damage
Fireworks	\$1,000.00
Sexually oriented businesses	\$2,000.00 (replenishable)



Midvale City

Penalty Acknowledgment

Itinerant Merchants are required to comply with all applicable requirements of the Midvale City Municipal Code, Zoning Ordinance, State and Federal Laws. If an itinerant merchant violates these requirements while conducting business within Midvale City, the business owner shall be penalized as follows:

1. The first offense shall result in a warning and the licensee/business shall within twenty-four hours bring the business into compliance with the Municipal Code or the business license shall be revoked.
2. The second offense shall result in the licensee/business having the business license revoked immediately and the licensee/business shall be prohibited from obtaining a business license in Midvale City for one year from the date of the offense.
3. The third offense shall result in the licensee/business having the business license revoked immediately and the licensee/business shall be prohibited from obtaining a business license in Midvale City.

I, _____ Owner of _____ -----
(Applicant Name) (Business Name)

hereby acknowledge that I understand the requirements under which I must conduct business within Midvale City. I also acknowledge that I understand the above penalties, if I or any of my employees violate the applicable requirements.

Applicant's Signature

Date



Midvale City
7505 S Holden St
801-567-7200

BUSINESS LICENSE APPLICATION

****OFFICIAL USE ONLY****

License Number: 	<input type="checkbox"/> New Application <input type="checkbox"/> Change Owner/Location <input type="checkbox"/> Other	Approvals Building: _____ Date: _____ SVWR: _____ Date: _____ Fire: _____ Date: _____ Zoning: _____ Date: _____ Code Enf.: _____ Date: _____ Parcel ID # _____ Health: _____ Date: _____ Zone: _____
Notes: _____		

License Type: <input type="checkbox"/> Home <input type="checkbox"/> Commercial Is this a new type of Business at this Location: <input type="checkbox"/> Yes <input type="checkbox"/> No Ownership: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> LLC <input type="checkbox"/> Corporation <small>*LLC, Corporations & Partnerships must provide articles of incorporation</small> Hours of Operation: _____	Is Business Name Registered with the State: <input type="checkbox"/> Yes <input type="checkbox"/> No Federal Tax ID#/SS# _____ Utah Sales Tax # _____ Professional License # & Type (if Applicable) _____ EPA Hazardous Materials on Site: <input type="checkbox"/> Yes <input type="checkbox"/> No
Business Name: _____	DBA Name: _____
Business Address: (Physical, no PO Box or Virtual Office)	
Mailing Address (if different):	
Business Phone: _____	E-Mail Address: _____
Description of Business Activities:	
Emergency Contact: _____	Phone: _____
Information of Owner, Partner, or Corporate Officers and a Local Manager	
Name: _____ Title: _____	Name: _____ Title: _____
Home Address	Home Address:
City/State/Zip	City/State/Zip
Drivers License #: _____ Date of Birth: _____	Drivers License #: _____ Date of Birth: _____
Phone: _____ E-Mail: _____	Phone: _____ E-Mail: _____
Property Owner Information	Fee Amount
Name: _____	Base Fee _____
Address: _____	Bond _____
City/State/Zip: _____	Variable Fee(s) _____

	Total _____

The foregoing information is correct to the best of my knowledge. I am aware that this application does not authorize conducting business until approved by Midvale City and a license has been issued. I also agree to conduct said business strictly in accordance with the laws and ordinances covering such business, and that no other type of business will be conducted other than what has been stated above. **It is the responsibility of the licensee to renew the license, failure to receive notice does not excuse this responsibility.**

Signature

Title

Date



Check Cashing Business Prohibited

Under the Midvale Municipal Code, check cashing and deferred deposit loans have been defined as:

“Check cashing” means cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the state pursuant to the Check Cashing Registration Act. The term “check cashing” shall not include fully automated stand-alone services located inside of an existing building, so long as the automated service incorporates no signage in the windows or outside of the building. (Midvale Code 17-2-3)

“Deferred deposit loan” means a transaction where:

- A. A person presents to a check cashing business a check written on that person’s account; and
- B. The check cashing business:
 1. Provides the maker an amount of money that is equal to the face value of the check less any fee or interest charged for the transaction; and
 2. Agrees not to cash the check until a specific date. (Midvale Code 17-2-4)

I, _____, being duly sworn, depose and say that I am the owner of _____ business to be located at _____ in Midvale, Utah. This affidavit verifies that the above business does *not* and will *not* include check cashing services, extending deferred deposit loan, or similar types of service as those defined above and as included in the Check Cashing Registration Act (Utah Code Title 7, Chapter 23).

Business Owner Signature
(MUST BE SIGNED IN PRESENCE OF NOTARY)

Date

Subscribed and sworn to me this _____ day of _____, 20____

Notary

Residing in Salt Lake County,
Utah

My Commission

expires: _____