

Town of Leeds

Agenda Town of Leeds Planning Commission Wednesday, March 02, 2022

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission **PUBLIC MEETING** scheduled for Wednesday, March 02, 2022 at 7:00 P.M. This meeting will be held at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

If you are interested in participating remotely via Zoom, please contact Town Hall at 879-2447 or email Clerk@LeedsTown.org for the Zoom details.

Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting Minutes of 2/02/2022
6. Announcements:
 - a. Dumpster Days, March 11, 12 & 13, Dumpsters located on Cherry Lane
7. Action Items:
 - a. Discussion and Possible Action for Liquor License Permit for Casa Tequilana
 - b. Discussion and Possible Action for On-Premise Beer Application for Mainly Pizza
8. Discussion Items:

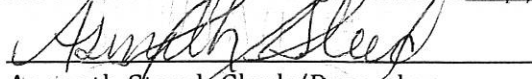
A Discussion regarding Building permit process and adjustments, clarifications, and wording
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Clerk/Recorder does hereby certify that the above notice was posted February 28, 2022, at these public places being **Leeds Town Hall, Leeds Post Office**, the Utah Public Meeting Notice website <http://pmmutah.gov> and the **Town of Leeds website** www.leedstown.org


Aseneth Steed, Clerk/Recorder

Hi Aseneth,

We had previously applied for a beer and wine license because we didn't know we were able to get approved for a full-service restaurant license.

But we had the DABC inspect the restaurant today, to see if we were compliant to their regulations; and we passed!

Our inspector, Abe Kader told us we could actually get a liquor license because they have 45 licenses available for the state of Utah. And we would love to be able to get a full-service license.

They took us off their agenda for the 22nd of this month. To buy us some time for next month's agenda; which is due by March 10th.

Our compliance officer, Mike Bishop also mentioned that if Leeds allows us to use the beer and wine license that has already been issued to us, then he will just update it in the DABC system.

Or present a new license, if required by Leeds.

Please let me know what we need to move forward.

Thank you so much for all your help,

Anahi Jaramillo
(435) 705-3575

Ordinance No. 04-04

LEEDS ALCOHOLIC BEVERAGE CONTROL ORDINANCE

WHEREAS, in 1984 the Town of Leeds adopted an ordinance entitled "Leeds Beer Ordinance #84 – 1" ("Beer Ordinance") which provided for the retail sale of alcoholic beverages on an "off-premises" basis only.

WHEREAS, the Leeds Town Council and the Leeds Town Planning Commission have reviewed and studied the impact and effect of said Beer Ordinance upon the health, safety and general welfare of the citizens and businesses of the Town.

WHEREAS, the Leeds Town Council, upon recommendation from the Leeds Planning Commission, have determined that it is in the best interest of the Town and its citizens to allow for the "on-premise" in addition to the "off-premise" sale of alcohol on a limited, yet regulated basis within the Town's municipal boundaries.

WHEREAS, the Leeds Town Council now wishes to enact an all encompassing alcoholic beverage control ordinance which regulates the sale of alcoholic beverages, both "on" and "off" premises, within the Town's municipal boundaries.

WHEREAS, the Leeds Town council desires that said all encompassing alcoholic beverage control ordinance be adopted and known as the "Leeds Alcoholic Beverage Control Ordinance" ("Ordinance") and supercede the Leeds Beer Ordinance #84 - 1.

WHEREAS, the Leeds Town council desires that, pursuant to the Ordinance, all definitions, sales and service of alcoholic beverages shall be in accordance with Utah State Law, Utah Department of Alcoholic Beverage Control, the Act and the Rules of the Commission.

WHEREAS, the Leeds Town Planning Commission has recommended approval of this Ordinance.

WHEREAS, a public hearing was held on August 25, 2004 with appropriate notices being properly posted for the public,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS AS FOLLOWS:

combinations of liquids, whether drinkable or not, to create alcohol in an amount greater than the amount prescribed in this definition. "Alcoholic products" does not include common extracts, vinegars, ciders, essences, tinctures, food preparations, or over the counter drugs and medicines that otherwise come within this definition.

4. BEER, LIGHT BEER, MALT LIQUOR OR MALTED BEVERAGES: All products that contain sixty three one-hundredths of one percent (0.63%) of alcohol by volume or one-half of one percent (0.5%) of alcohol by weight, but not more than four percent (4%) of alcohol by volume or three point two percent (3.2%) by weight, and are obtained by fermentation, infusion or decoction of any malted grain. Beer may or may not contain hops or other vegetable products.

5. CLASS OF LICENSE: ~~Glass A:~~ ON-PREMISE Retail Beer License.
~~Glass B:~~ ON-PREMISE Retail Beer and Wine License.
~~Glass C:~~ OFF-PREMISE Retail Beer License.

5. CHURCH: A building set apart primarily for the purpose of worship in which religious services are held and with which clergy is associated, and the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose, and which is tax exempt under the laws of the state of Utah.

6. LEEDS AREA: The areas encompassed by the latest Leeds Master Annexation Plan.

7. LICENSEE: Any person issued a license by the Town to sell, store or allow consumption of alcoholic beverages on premises owned or controlled by the person.

8. LICENSE OFFICER: This responsibility lies with the Town Clerk until such time that a duly authorized LICENSE OFFICER position is established and filled.

9. LIQUOR: Alcohol, or any alcoholic, spirituous, vinous, fermented, malt or other liquid, or combination of liquids, a part of which is spirituous, vinous or fermented, and all other drinks or drinkable liquids that contain more than one-half of one percent (0.5%) of alcohol by volume and is suitable to use for beverage purposes. "Liquor" does not include any beverage defined as beer, malt liquor or malted beverage that has an alcohol content of less than four percent (4%) alcohol by volume.

10. LOW ALCOHOL BEER OR NONALCOHOLIC BEER: Any product containing alcohol in an amount less than one-half of one percent (0.5%) by weight and obtained by fermentation, infusion or decoction of malted grain. Low alcohol or nonalcoholic beer may or may not contain hops or other vegetable products.

3. Population for determining the number of licenses shall be by the most recent decennial or special census or by other population determination made by the United States Government or the State of Utah or an agency deemed reliable by the Mayor and Town Council of the Town of Leeds.

E. PROXIMITY LIMITATIONS:

1. Specified: No licensee's premises may be established within three hundred feet (300') of any public or private school, church, public library, public playground or park, as measured from the nearest entrance of the outlet by following the shortest route of either ordinary pedestrian traffic, or where applicable, vehicular travel along public thoroughfares, whichever is the closer, to the property boundary of the public or private school, church, public library, public playground or park.

F. APPLICATION FOR LICENSE:

1. Required: An application for a license under this chapter shall be made in writing, under oath, and on a form provided by the LICENSE OFFICER, and containing at a minimum the applicant's name, social security number, date of birth and residence address; the location of the proposed licensed premises, the CLASS OF LICENSE desired, any convictions for crimes which could disqualify the applicant as a licensee, and a space for the applicant to sign, under penalty of law, certifying that the applicant has complied with all requirements and possesses all qualifications for issuance of a license, and that all information contained in the application is true. If the applicant is a partnership, corporation, Limited Liability Company or other entity, the names and addresses of all partners, officers, directors, members, joint ventures, trustees and shareholders must be stated. Applications by a partnership, Limited Liability Company or joint venture must be subscribed and sworn to as set out above by all partners or members. Applications by a corporation must be subscribed and sworn to as set out above by the president and secretary and/or a majority of the Board of Directors. Applications shall include the following:

- a. An issuance fee as prescribed, which is non-refundable if a license is not issued;
- b. A copy of the applicant's current business license or application thereof. The applicant and business license holder must be one and the same;
- c. A certificate of at least three (3) residents of the Town stating that each of the three (3) persons personally knows the applicant, that the applicant is

or of the act. Upon the death, resignation or discharge of its agent, a partnership, limited liability company, corporation or other entity shall, within fifteen (15) days, appoint another agent to qualify for and hold the license. Failure to designate a substitute agent within the time required shall be grounds for suspension, revocation or refusal to renew the license.

2. No license shall be issued to any person who has violated any provision of this chapter, this title or the act, or who has violated any provision of a license to sell ALCOHOLIC PRODUCTS issued by the town or any other governmental agency within the state, or who has had such a license revoked. No license shall be issued to any person who has been convicted of a felony or of any violation of any law or ordinance relating to ALCOHOLIC PRODUCTS, driving under the influence, keeping a gambling or disorderly house, or any law or ordinance involving moral turpitude, or who has pleaded guilty to or forfeited bail on a charge of having committed a felony or of having violated any such law or ordinance. No partnership, limited liability company, corporation or other entity shall be issued a license or have its license renewed unless it has on file with the LICENSE OFFICER a list of its partners, members, trustees, officers, directors and shareholders. Any change in partners, members, trustees, officers, directors or shareholders of a partnership, limited liability company, corporation or other entity which occurs after the issuance of a license under this chapter shall be immediately reported to the LICENSE OFFICER. No partnership, limited liability company, corporation or other entity shall be issued a license or have its license renewed if any of its partners, members, trustees, officers, directors or shareholders have been convicted of a felony or any violation of any law or ordinance relating to ALCOHOLIC PRODUCTS, driving under the influence, keeping a gambling or disorderly house, or any law or ordinance involving moral turpitude, or have pleaded guilty to or forfeited bail on a charge of having committed a felony or of having violated any such law or ordinance.

H. FEES:

1. A non-refundable fee as identified in the Leeds Consolidated Fee Schedule shall accompany the original license application.
2. The ON-PREMISE RETAILER and OFF-PREMISE RETAILER Licenses shall be paid annually prior to June 30th. The annual license fee is referred to in the Leeds Consolidated Fee Schedule.
3. If a license is issued after December 30th in any year, one-half (½) of the annual fee will be charged.

3. For a LICENSEE or other person to sell, furnish, dispose of or give away ALCOHOLIC PRODUCTS, or to cause or allow any ALCOHOLIC PRODUCT to be sold, furnished, disposed of or given to any person under the age of twenty one (21) years, or for any person under the age of twenty one (21) years to purchase, possess or consume any alcoholic beverage.
4. For any person under the age of twenty one (21) years to purchase, possess or consume any ALCOHOLIC PRODUCTS, or for any person under the age of twenty one (21) years to have any detectable amount of alcohol in the blood or system as a result of having consumed any ALCOHOLIC PRODUCTS, and as determined from a totality of the circumstances, including any breath or blood test or the administration of field sobriety tests.
5. For an OFF-PREMISE RETAILER to employ a person under the age of eighteen (18) years to sell or dispose of any ALCOHOLIC PRODUCTS.
6. For an ON-PREMISE RETAILER to employ a person under the age of twenty-one (21) years to sell or serve any ALCOHOLIC PRODUCTS.
7. For a LICENSEE or its employee, when engaged in waiting on or serving customers, to consume ALCOHOLIC PRODUCTS, or to remain on or about the premises while in an intoxicated or disorderly condition.
8. For a LICENSEE or its employee, during that employee's working hours or in connection with such employment or the operation of the licensee's business, to give to or purchase for any other person, accept a gift of, purchase for himself or consume any ALCOHOLIC PRODUCTS.
9. For a LICENSEE, its employee or other person to serve, sell or furnish any alcoholic beverage to an interdicted, intoxicated or disorderly person, or for a LICENSEE, its employee or other person to allow or permit an interdicted, intoxicated or disorderly person to come into or remain on or about the licensed premises.
10. For an OFF-PREMISE RETAILER to sell beer except in the original container, or to permit beer to be consumed on the premises.
11. For a person to advertise the sale of beer and/or wine, except as may be expressly permitted by the UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL and/or the ACT, and except for the placement of a license issued under this chapter in a location in or about the licensed premises where it will be visible to the public.

LICENSE OFFICER may cause a complaint and notice of hearing to be directed to the licensee setting forth the violations alleged against the LICENSEE, and requesting the LICENSEE, within ten (10) days after service of the complaint and notice of hearing, to appear by filing with the LICENSE OFFICER an answer to the complaint. Failure of the LICENSEE to answer is deemed an admission by him of his commission of the act charged in the complaint. The LICENSE OFFICER or the Town Council may then immediately begin disciplinary proceedings. The LICENSE OFFICER may set a hearing before the Town Council on any of the grounds set forth in subsection (1) of this section. In carrying out the duties under this section, the Town Clerk and investigating officers shall have all those rights and duties set forth in the act or the rules of the UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL. The complaint and notice of hearing provided herein shall be sufficient if it conforms to the rules of the UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL.

3. Conduct Of Hearing; Record: A hearing shall conform to the requirements of the rules of the UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL. The Town Council shall conduct a hearing and may accept any relevant and material evidence and testimony and apply any evidentiary rules set forth in the rules of the UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL. The Town shall prepare an official record of the hearing, including all testimony tape-recorded and all exhibits introduced. The Town is not required to transcribe such record except pursuant to an appeal, except that, upon written request and receipt of a reasonable fee for transcribing such record, the department may transcribe the record or allow for its transcription by the person requesting it.

4. Decision: If the hearing is conducted by the Town Council, the Town Council shall issue a decision no later than ten (10) days following the hearing. Such decision may be in writing or entered upon the record of the hearing. Such decision shall then be final for purposes of appeal.

5. Open Hearing; Rules Of Evidence Not Applicable: Hearings before the Town Council are open to the public and are informal with technical rules of evidence not applying to the proceedings. The licensee involved and any person requesting a hearing may be present and cross-examine witnesses and give evidence before the Town Council at the hearing.

L. PENALTY:

1. In addition to the denial, suspension, revocation or refusal to renew a license, the licensee and any person who shall violate the provisions of this chapter shall be guilty of a class B misdemeanor and, upon conviction, subject to penalty. Each day or incident of violation shall constitute a separate offense hereunder.

**TOWN OF LEEDS
BEER BUSINESS LICENSE**

County of Washington, State of Utah

THIS CERTIFIES

Casa Tequilana LLC

Has paid the required license fee and is hereby authorized to carry on business in the
Town of Leeds, Utah, for the period ending

June 30, 2022

In witness whereof, I have hereunto set my hand and affixed the

Corporate Seal of the Town of Leeds, Utah, this 27th day of December 2021

Not valid without Corporate Seal of the Town of Leeds, Utah

Aseneth Steed

Aseneth Steed, Clerk/Recorder

License Number 2022-02

TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879

LEEDS, UT 84746-0879

PHONE: 435-879-2447 FAX: 435-879-6905

E-mail: clerk@leedstown.org// Website: www.leedstown.org

\$200.00 Application Fee

Date paid _____

Received by: _____

APPLICATION FOR LICENSE TO SELL BEER OFF-PREMISE CONSUMPTION

A new application is required for a License renewal by June 30 of each year

Applicant Information:

Applicant's Name ANAHÍ TARAMILLO
Applicant's Street Address 387 N 3380 W HURRICANE, UT 84737
Applicant's Date of Birth 10/27/1991 Social Security No. 646-964838
Phone: (435) 705-3575 Cell Phone: " Email: "

Have you or any of your employees had any drug or alcohol related citations or convictions during the past 12 months? Yes No ☒

If a Corporation, attach names and addresses of all Officers and Directors. If a Partnership, LLC or Joint Venture, attach names and addresses of all Partners and/or Shareholders.

Business Information:

Name of Business CASA TEDULIAN, LLC
Street Address of Business 545 N MAIN ST STE #9
Mailing Address of Business P.O. BOX 461299
Type of Business: RESTAURANT
Has your business structure and/or officers/shareholders changed during the past 12 months? yes no ☒
If yes, please explain: _____

Person who will manage, and operate, the business:

Name ANAHÍ TARAMILLO
Address 387 N 3380 W HURRICANE, UT 84737
Home Phone _____ Business Phone (435) 703-6204
Cell Phone (435) 705-3575 Birth Date 10/27/1991
Social Security 646-96-4838 Driver's License 176186655
Previous Addresses if less than five years _____

Other Information:

Owner's Previous Address (if other than Manager) _____

Distance in feet to nearest:

School N/A Church 3168 Library N/A Public Playground/Park 2112

Note: Proof of Distance must be provided and attached to this application.

Applicant's Signature Anahi Taramillo
Date 12/9/2021

Utah State Code Section 62A-15-401 requires all employees complete a Training and Education Seminar in order to sell beer. Please attach a copy of the certificate for each employee with your application.

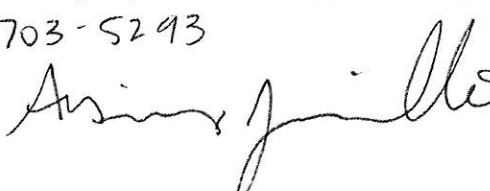
OWNERS / APPLICANTS

Name- Salvador Romero
Address 387 N 3380 W
Hurricane, Utah 84737 20%
Cell (435) 218-3856 SSN 647-08-3496
Email- charv2x@gmail.com
Signature: 

NAME - MARTHA JARAMILLO 20%
ADDRESS - 387 N 3380 W
HURRICANE, UTAH 84737
CELL # (435) 210-8131
SIGNATURE: Martha J.

NAME: ADRIAN JARAMILLO 20%
ADDRESS: 387 N 3380 W
HURRICANE, UTAH 84737
CELL # (435) 319-9758
SIGNATURE: 

NAME: ANAHI JARAMILLO 20%
ADDRESS: 387 N 3380 W
HURRICANE, UTAH 84737
CELL # (435) 705-3575
SIGNATURE: 

NAME: ARSIRY JARAMILLO
ADDRESS: 387 N 3380 W HURRICANE UT. 84737
CELL #: (435) 703-5293
SIGNATURE 

Google Maps

Casa Tequilana Mexican Cuisine to 75 North Main
Street, Leeds, UT 84746

Drive 0.6 mile, 1 min

Casa Tequilana Mexican Cuisine

545 N Main St #9, Leeds, UT 84746

- ↑ 1. Head southwest on N Main St toward E Roundy
Mountain Rd

0.6 mi

- ↱ 2. Turn right at 100 N/E Cherry Ln

ⓘ Destination will be on the left

187 ft

75 N Main St

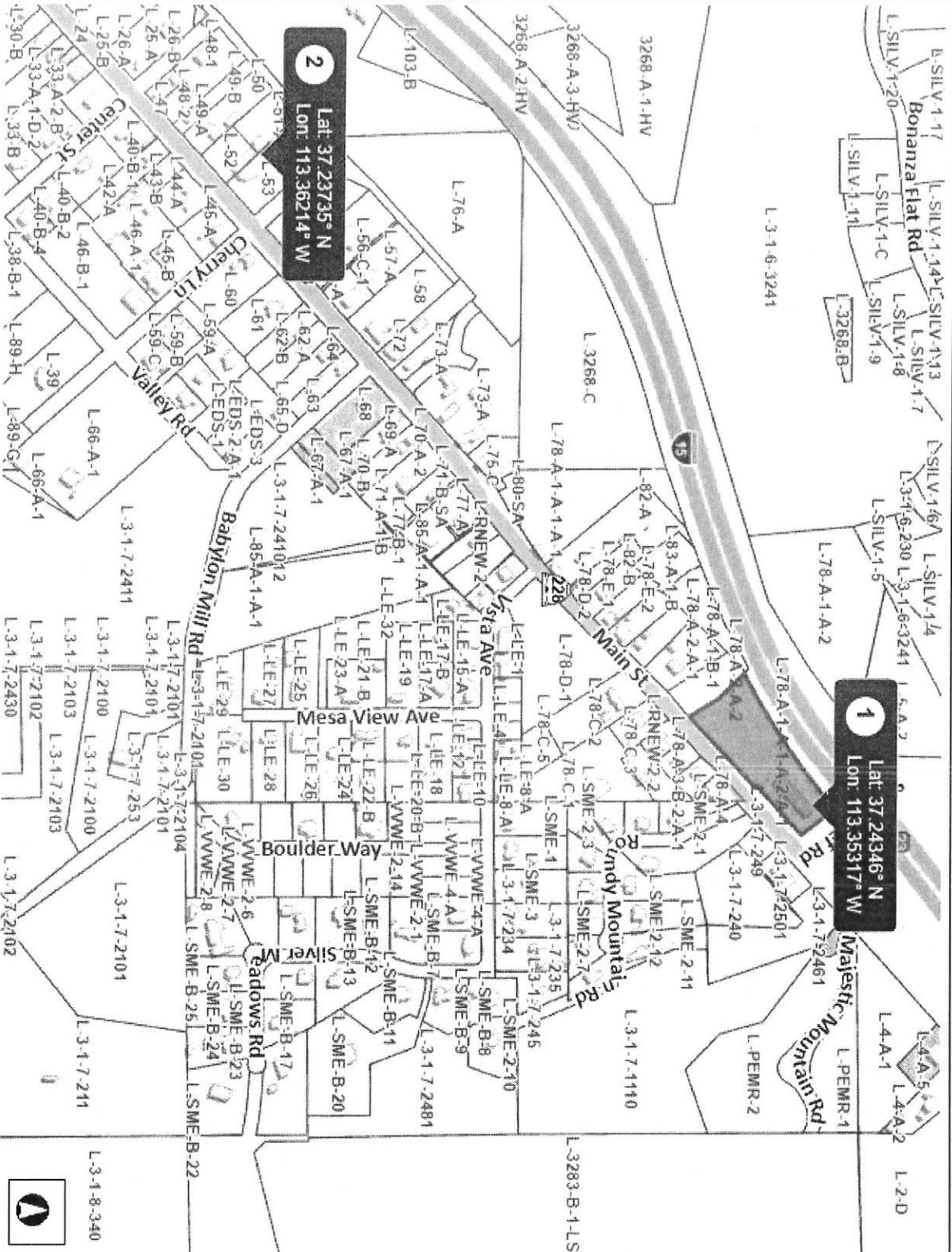
Hurricane, UT 84737

Church

These directions are for planning purposes only.
You may find that construction projects, traffic,
weather, or other events may cause conditions to
differ from the map results, and you should plan
your route accordingly. You must obey all signs or
notices regarding your route.



Title



Legend

- ☐ Parcels
- ☐ County Boundary Outline
- ☐ CountyMask
- ☐ Building Outlines
- ☐ Roads
 - Interstate
 - State Route
 - Major
 - Minor
 - Dirt
- ☐ Waterbodies
- ☐ Watercourses
 - <all other values>
 - Santa Clara River
 - Virgin River
- ☐ Hillshade
 - Low : 4
 - High : 238
- ☐ Ownership
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wildlife
 - National Park Service
 - Shivwits Reservation

Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

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LIMITED SERVICE RESTAURANT LIQUOR LICENSE
Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant.

AUTHORITY: Utah Code 32B-1-202; 32B-5-201, 203, 205 and 206

TOWN OF LEEDS
P.O. Box 488870
Leeds, Utah 84748-8870

Local business license authority

☐ City

☒ Town

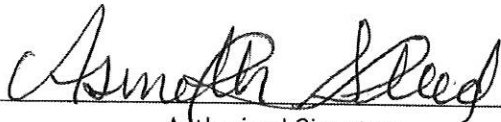
☐ County

hereby grants its consent to the issuance of a limited-service restaurant liquor license to:

Business Name (DBA): CASA TEQUILANA

Entity Name (or owner's name if sole proprietor): CASA TEQUILANA, LLC

Location Address: 545 N MAIN ST. UNIT #9 LEEDS UT. 84746



Authorized Signature

Clerk/Recorder

Name/Title

12-27-2021

Date

This is a suggested format. A locally produced city, town, or county form is also acceptable.
The local consent must be submitted to the DABC by the applicant as part of a complete application.



Utah Department of
Alcoholic Beverage Control
1625 South 900 West
Salt Lake City, UT

DABC RESTAURANT APPLICATION CHECKLIST

Website: www.abc.utah.gov
Phone 801-977-6800
Fax 801-977-6889

All items in the checklist below (except the business license) must be completed before an application will be accepted by DABC. We will attempt to complete investigations for applications received by the 10th of the month for commission review that same month. However, an investigation may take up to three months to complete. You may also be asked to supply additional documentation as needed for the investigation. Applications can be approved as "conditional" 9 to 12 months prior to opening. Therefore, we encourage you to apply early to allow for adequate time for investigation and processing.

1. _____ Completed Application Form: ☐ Signed
2. _____ A **non-refundable** application fee: ☐ \$330 for all restaurant types
3. _____ Licensing fees: ☐ \$2,200 Full Restaurant ☐ \$1,275 Limited Restaurant ☐ \$825 Beer Only Restaurant,
4. _____ Criminal history background documents:
 - ☐ Electronic fingerprints or fingerprint card(s). Electronic fingerprinting (Live Scan) is available at DABC by appointment, at BCI, or other FBI electronic fingerprint provider locations. (See instructions).
 - ☐ Signed 'Informed Consent and Waiver' form
 - ☐ FBI Background fees (see background instructions) for all owners and persons employed to act in a supervisory/managerial capacity.
5. _____ Exemption Certificate form TC-721- (does not apply to 'beer only' establishments)
6. _____ Ownership entity / organizational documents filed with Utah Department of Commerce
 - ☐ Individual / Sole Proprietor
 - ☐ If a Corporation, submit a copy of the Articles of Incorporation
 - ☐ If a Partnership, submit a copy of the written partnership agreement
 - ☐ If a Limited Liability Company, submit a copy of the Articles of Organization
7. _____ 'Local Consent Form' from the city where the business is located
8. _____ Copy of current local business licenses (all that apply): ☐ Business ☐ Liquor ☐ Beer
* (Applications may be considered "conditional" without submitting a business license)
9. _____ Signed Surety Bond or Cash Bond:
 - ☐ \$10,000 for Full Restaurants
 - ☐ \$5,000 for Beer Only or Limited Restaurants
 - ☐ Licensed entity listed as the Principal
 - ☐ Business name listed as 'Doing Business As' (DBA)
10. _____ Certificate of insurance for public liability and liquor liability 'dram shop' coverage (template attached)
 - ☐ Minimum liquor coverage of \$1,000,000 per occurrence/\$2,000,000 in the aggregate.
 - ☐ Address of licensed premises must appear on the certificate of insurance
 - ☐ Department of Alcoholic Beverage Control listed as the certificate holder
11. _____ Projected profit and loss statement (template attached)
12. _____ Scaled floor plan (8 1/2" x 11") of premises highlighting areas for storage, sale & consumption of alcohol
13. _____ Menus: ☐ Food menu with prices ☐ Alcoholic beverage menu with prices
14. _____ Lease Agreement (signed) ☐ or Premises owned by the applicant ☐
15. _____ Responsible Alcohol Service Plan (RASP) ☐ Manager Training Scheduled ☐ _____

14. Proximity: List any private or public schools, churches, public libraries, public playgrounds, parks, or educational facilities (nursery school, infant daycare center or trade / technical school) located within 300 feet pedestrian travel or 200 feet straight line.

15. Ownership / Management

List all individuals, partners, managers, officers, directors, or members. Percentage owned must = 100%. Also list employees appointed to manage or direct operations of the business. Anyone owning at least 20% of an entity and all employees/managers must submit fingerprints for a background check. All individuals listed MUST be at least 21 years or older. If not a U.S. Citizen, provide residency status in section 16. Use additional sheets if necessary. For complex corporate structures, please include an organizational chart showing ownership interests of all parent companies until all individual person percentages are disclosed.

Name	Complete home address (include city, state, zip code)	POSITION HELD	Date of Birth Month / Day Year	Percent Owned	US Citizen Y/N

16. Residency status (list and attach proof of residency status for all individuals in section 15 who are not US citizens): _____

17. Criminal Offenses: List all criminal offenses other than minor traffic offenses of which you or any person listed in section 15 have been convicted or pending criminal charges (name, criminal offense, date of conviction – use additional sheets if necessary)

18. Are you an industry member; or do you own or have interest in a brewery, winery or distillery?

Yes ____ No ____ if Yes explain below (use additional sheets as necessary) _____

DO YOU HAVE A VIOLATION HISTORY

32B-5-203 Commission and department duties before issuing a retail license.

... Before issuing a retail license, the commission shall consider operational factors such as considering the person's ability to manage and operate a retail license and consider any other factor the commission considers necessary.

The Commission and department are required, before issuing a retail license, to conduct an investigation as to whether a retail license should be issued. The Commission has determined that one of those factors that will affect their decision to grant a license is whether or not an applicant has had a violation history. Commission Policy States:

- Any applicant which has had a violation history will NOT be considered for a new license for THREE MONTHS after the final commission order for any serious or grave violations.
- All applicants with a violation of serious or grave in the last four months to a year will be required to appear before the commission to address whether a new license should be granted.
- The commission will consider the number of violations and all mitigating and aggravating factors in determining when, if at all, to grant a license.
- For the purpose of this policy, violation history applies to all licenses where there is common ownership of 20% or more.
- DABC staff has been instructed to inform applicants with a pending violation or a violation history in the last three months to apply *after* the prescribed periods.

Please check with DABC to determine if or when a violation was adjudicated

Any Violations ☐ No ☐ Yes

If Yes, fill in the information below:

Violation _____	☐ Serious ☐ Grave	Date Adjudicated _____
Violation _____	☐ Serious ☐ Grave	Date Adjudicated _____
Violation _____	☐ Serious ☐ Grave	Date Adjudicated _____
Violation _____	☐ Serious ☐ Grave	Date Adjudicated _____

Date the application may be considered by the Commission _____

DABC LICENSEE & MANAGER BACKGROUND CHECK INFORMED CONSENT AND WAIVER

Print - Name of Applicant (First, Middle, Last)

Date of Birth (Month, Day, Year)

Name of Employer

Employer Address

Job Title

Phone Number of the Applicant

(The above information to be verified by valid identification document(s) prior to background check request per Section 1028 of Title 18, United States Code)

APPLICANT NOTIFICATION AND PURPOSE:

In accordance with Utah Code 32B-1-303-307, your fingerprints will be used to **continuously check** the criminal history records of local and national (FBI) background check databases to determine whether an applicable individual has been:

- Convicted of a felony under federal or state law;
- Convicted of a violation of federal law, state law, or local ordinance concerning the sale, manufacture, distribution, warehousing, or transportation of an alcoholic beverage;
- Convicted of a crime involving moral turpitude;
- Convicted on two or more occasions within the previous five years, driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug.

RECORD CHALLENGE:

If it is determined that a criminal history record contains a disqualifying offense, the applicable person must be notified of the reason for disqualification and given an opportunity to respond to the disqualification. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification records are set forth in Title 28, CFR, 16.34. Procedures for challenging the State of Utah records if Utah has records that the FBI does not (UCA 53-10-108) can be found on the BCI website at <https://bci.utah.gov/wp-content/uploads/sites/15/2018/01/Challenge-Application-12-5-2017.pdf>

WAIVER: (initial each attestation below)

_____ I hereby authorize the Department of Alcoholic Beverage Control (DABC) to investigate my criminal history records and acknowledge that a background check will be conducted and maintained by the State Bureau of Criminal Identification and my fingerprints continuously checked against local and national (FBI) background check databases for so long as I maintain an employment or regulatory relationship with the DABC.

_____ My personal information and fingerprints may be retained for ongoing monitoring and comparison against future submissions to the state, regional or federal database and latent fingerprint inquiries. DABC will establish procedures to ensure removal of my fingerprints from applicable state and federal databases when I am no longer under their purview. I will provide a list of all criminal convictions which contains a description of the crimes and the particulars of the convictions.

_____ I have read the attached Privacy Statement and understand my rights according to this statement.

_____ I agree by signing below to notify the DABC if I cease this relationship and wish my fingerprints to be removed from the notification system.

Signature

Date

Utah Department of Alcohol Beverage Control

LIVE SCAN AUTHORIZATION FORM

Billable to DABC

Agency Billing Code: B1664 (DABC – WIN/FBI)

Type of Background Check Required: WIN/FBI Check: NFUF

Use this form if NOT doing fingerprinting services at DABC. Any qualified 'Live Scan' provider that can provide the services may do so using the DABC billing code. They may or may not charge a fee for their services. Call Ahead!

Date: _____

Applicant Name: _____

Applicant DOB: _____ Applicant SSN: _____

DABC Authorization Signature: _____ Angela Micklos

NOTE: THIS FORM STAYS WITH THE 'LIVE SCAN' PROVIDER

Regardless of any additional fees paid to the 'Live Scan' provider for their fingerprinting services, in accordance with Utah Code 32B-1-303-307, **fees of \$33.25 must be submitted to DABC** for all owners and persons employed to act in a supervisory or managerial capacity for a package agency, licensee or permittee. If the owner is a partnership, corporation, or limited liability company, a criminal history background check is required for all partners, managing agents, managers, officers, directors, or any stockholder who holds at least 20% of the total issued and outstanding stock of the corporation, or a member who owns at least 20% of the limited liability company

FULL-SERVICE RESTAURANT LIQUOR LICENSE

Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant.

AUTHORITY: Utah Code 32B-1-202; 32B-5-201, 203, 205 and 206

_____, ☐ City ☐ Town ☐ County
Local business license authority

hereby grants its consent to the issuance of a full-service restaurant liquor license to:

Business Name (DBA): _____

Entity Name (or owner's name if sole proprietor): _____

Location Address: _____

Authorized Signature

Name/Title

Date

This is a suggested format. A locally produced city, town, or county form is also acceptable.
The local consent must be submitted to the DABC by the applicant as part of a complete application.

STATUTORY AFFIDAVIT FOR CORPORATE SURETY

STATE OF: _____

COUNTY OF: _____

On the _____ day of _____, 20_____, personally appeared before me, _____, who, being by me duly sworn, did say that he / she is the attorney in fact of _____, Surety, and that said instrument was signed in behalf of said surety by authority, and acknowledged to me that he / she as such attorney in fact executed the same.

Notary Public Signature & Seal

Note: Corporate surety's own affidavit also acceptable

PRO FORMA INCOME STATEMENT

Annual Estimated Income and Expenses

Business Name: _____

REVENUE:

Food \$ _____

Alcohol (spirits, wine, beer and heavy beer) \$ _____

Other Revenue \$ _____

Total Sales Revenue: \$ _____

Total Percentage Food Sales: % _____

COSTS OF GOODS SOLD:

Food \$ _____

Alcohol (spirits, wine, beer and heavy beer) \$ _____

Other \$ _____

Total Costs of Goods Sold: \$ _____

GROSS PROFIT: \$ _____

EXPENSES:

Variable Costs

➤ Salaries & wages \$ _____

➤ Employee Benefits \$ _____

Other Operating Expenses

➤ Janitorial \$ _____

➤ Advertising \$ _____

➤ Entertainment \$ _____

➤ Utilities \$ _____

➤ Telephone \$ _____

Total Variable Expenses: \$ _____

Fixed costs:

➤ Mortgage/Rent \$ _____

➤ Insurance \$ _____

➤ Interest \$ _____

➤ Depreciation \$ _____

Total Fixed Expenses: \$ _____

TOTAL OPERATING EXPENSES: \$ _____

Net Profit (or loss) before taxes \$ _____

➤ Taxes \$ _____

NET PROFIT (OR LOSS) AFTER TAXES \$ _____

REQUIRED MANAGER TRAINING CLASSES

Effective January 2018

EVERY MANAGER working in a DABC retail licensed business must complete a Manager Training Program.

"Retail manager" means an individual who (a) manages operations or (b) supervises the furnishing of an alcoholic product at a premises that is licensed under 32B Alcoholic Beverage Control Act.

NOTE: A "manager" includes owners, assistant managers, supervisors, team leads, etc. if they meet the definition above.



ALL NEW DABC APPLICANTS are required to obtain management training prior to obtaining a license. Please sign up as part of your application process.

MANAGER TRAINING DATES:

Trainings will be conducted at the DABC (*unless otherwise noted on the website*) at 1625 South 900 West in Salt Lake City. The cost is \$25 per manager. Call ahead and register as seating is limited. Remember that the last date to complete the training for new applicants is prior to obtaining licensing.

Visit our website for training days and times at:

<https://abc.utah.gov/new/documents/MandatoryManagerTrainingSchedule.pdf>



REMEMBER! . . . ANY NEW MANAGER being added to your license must complete the manager training program and have their background check completed within 30 days of hire as a manager.

TOWN OF LEEDS

CONSOLIDATED FEE SCHEDULE

Revised by Ordinance 2016-08

Effective Date: December 15, 2016

3. BUILDING PERMITS AND IMPACT FEES

a. Building Permit

- 1) Application & Packet \$5.00
- 2) Building Permit Filing Fee \$100.00
- 3) Building Permit Fee Based on Valuation
- 4) Building Permit Extension Fee 1% of valuation of home

b. Excavation Permit based on volume of earth removed

c. Excavation Plan Review based on volume of earth removed

d. Impact Fees

- 1) Park Impact Fee \$1,300.00
- 2) Road Impact Fee \$3,295.00

4. CEMETERY

a. Cemetery Plot

- 1) Leeds Resident \$400.00
- 2) Non-Resident \$800.00

b. Exhumation \$500.00

c. Internment \$550.00

d. Moving Headstones Actual Cost to Town

e. Sale of Plot back to the Town \$100.00

5. CIVIL PENALTIES FOR VIOLATION OF ORDINANCES

a. Abatement Costs

- 1) Removal of noxious weeds; garbage, refuse, deleterious objects or structures,
Including staff time \$50.00 per hour

b. Penalties (Civil Penalties assessed for multiple offenses for previously cited violations within a twelve (12) month period shall be in addition to the civil penalties assessed on the prior citations for the same offense.)

- 1) First Offense \$100.00
- 2) Second Offense – Same within twelve (12) months \$250.00
- 3) Third or More Offense – Same within twelve (12) months \$500.00

6. LICENSES

a. Alcohol License

- 1) On & Off Premise, Beer Only \$200.00
- 2) On Premise, Restaurant Wine and Beer \$200.00

b. Animal Licenses

- 1) Dog, each license, up to 4 dogs \$5.00 each
- 2) Kennel License, for over 4 dogs \$25.00, plus each dog license
- 3) Commercial Kennel License CUP Category fee plus Business License Fee
- 4) Late Fee, beginning February 1 \$5.00 per month/per dog

c. Business License

- 1) General Commercial Only \$50.00
- 2) Home Occupation Only \$50.00
- 3) Late Fee, beginning February 1 \$10% of License Fee

TOWN OF LEEDS

218 NORTH MAIN STREET

PO BOX 460879

LEEDS, UT 84746-0879

PHONE: 435-879-2447 FAX: 435-879-6905

E-mail: clerk@leedstown.org // Website: www.leedstown.org

Affidavit in Support of Application for License to Sell Beer (ON-Premise Consumption)

STATE OF UTAH)
(ss.
County of Washington)

Rossano Lloyd, being first duly sworn, on his/her oath deposes and says:

1. I am the owner (managing agent) of the applicant business.
2. The application fully discloses all others having interest in said business.
3. I am a bona fide citizen of the United States, or a legal resident alien.
4. In the event I sell my interest in the business, or become associated with another owner not listed on the Application, I will immediately notify the Town Recorder.
5. I have never had a license for the sale of any alcoholic beverage revoked by the issuing authority at any time prior hereto.
6. I have violated no provisions of the laws or ordinances of the State of Utah, or Town of Leeds, regulating alcoholic beverages during a period of one year prior to the application herein.
7. I have not been convicted of a felony within five (5) years prior to this application.
8. The business for which application is made either has, or will, obtain a Town of Leeds business license before commencing operations.
9. I am not indebted to the Town of Leeds for the payment of any charge, or fee that is now due.
10. I and all employees, presently and in the future, engaged in the retail sale of beer to public patrons have completed the required Utah State Code Section 62A-15-401, Alcohol Training and Education Seminar and have included copies of the Certificates with this Application.
11. I will not employ anyone in a sales capacity unless they comply with the following Utah State Code Sections: 32B, Alcoholic Beverage Control Act.
12. I am agreeable to provide the Leeds Police (or County Sheriff) with fingerprints at any time that they request.
13. I have read and am willing to comply with all laws and ordinances of the State of Utah and Town of Leeds Ordinance Number 04-04, pertaining to the sale of alcoholic beverages.

Dated 2/22/22

On the 22nd day of Feb., 200 22, personally appeared before me,
Aseneth Steed, the signer of the above affidavit who duly
acknowledged to me that he/she has read all the statements contained in the above affidavit, understands
same, and knows the same to be true.



Aseneth Steed
Notary Public, State of Utah
Commission # 722723
My Commission Expires
01/31/2026

Aseneth Steed
Notary Public

My commission expires: 1-31-2026, Residing in Utah.

TOWN OF LEEDS

218 NORTH MAIN STREET

PO BOX 460879

LEEDS, UT 84746-0879

PHONE: 435-879-2447 FAX: 435-879-6905

E-mail: clerk@leedstown.org // Website: www.leedstown.org

CERTIFICATE

First time applicants only:

The undersigned, not members of the same immediate family, and each the owner of property within Washington County, Utah, hereby state that they are personally acquainted with the applicant(s) _____,

for the issuance by the Town of Leeds of a license for Class A On-Premise-Consumption Sale of Beer, and do attest of their knowledge to the fact that said person(s) is/are of good moral character and fit and proper person(s) to be granted a license to sell beer for on-premise consumption in this community.

Minimum of three (3) signatures required.

1. Name: Les Endrody Signature: [Signature]
Address: P.O. Box 460696 Leeds UT 84746 Date: 2-18-22
2. Name: ERIC FRANZOL Signature: [Signature]
Address: Box 460504 Date: 2-18-22
3. Name: Denise Worley Signature: [Signature]
Address: PO Box 460504 Leeds UT 84746 Date: 2/18/22
4. Name: Rag Wan Signature: [Signature]
Address: 5 Hidden Valley RD Date: 2-18-22

9.7.6.1 **Fugitive Dust**

As defined by the State of Utah: Fugitive dust is particles of soil, ash, coal, minerals, etc., which becomes airborne because of wind or mechanical disturbance. Fugitive dust can be generated from natural causes such as wind or from man-made causes such as unpaved haul roads and operational areas, storage, hauling and handling of aggregate materials, construction activities and demolition activities. Fugitive dust contributes particulate matter (PM) emissions to the atmosphere. PM emissions must be minimized in order to meet National Ambient Air Quality Standards (NAAQS). Information source is the Utah Department Environmental Division of Air Quality.

Quality

Utah Administrative Code R307-205-5 2(a) Fugitive Dust, requires the that anyone engaging in clearing or leveling of land greater than one-quarter acre in size, earth moving, excavation, or movement of trucks or construction equipment over cleared land greater than one quarter acre or access haul roads shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization of potential fugitive dust sources or other equivalent methods or techniques. Additionally, the owner or operator of any land area greater than one-quarter acre that has been cleared or excavated shall take measures to prevent particulate matter from becoming airborne.

All persons undertaking construction activities, that meet the threshold identified in the above paragraph shall be required to submit an Air Quality Permit Application as a condition for receiving a building permit. and horticultural activities are exempt from this

Agricultural
requirement.

Additionally, anyone demolishing homes, buildings or other structures shall be required to minimize fugitive dust. This shall also apply to the removal of paving material from roads or parking areas.

An Air Quality Permit Application, including a Blasting Addendum, shall be included in the Building Permit Application packet available from the town office or from the town web site.