



Midway City
75 North 100 West
Midway, UT 84049

Community Development
435-654-3223 ext. 106
mjones@midwaycityut.gov

Alcoholic Beverage License Application

Fee: \$500

Applicant or Authorized Representative

Business Name: _____ Phone: _____

Business Address: _____ City: _____ State: _____ Zip: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Email: _____

Type of Business (please include a description of your business:

Business Owner: _____ Phone Number: _____

Owner Address: _____ City: _____ State: _____ Zip: _____

Chapter 7.03 Alcoholic Beverages

Section 7.03.010 Application of Utah State Law to Alcoholic Beverages

Section 7.03.020 Licenses to be Issued by the Utah DABC

Section 7.03.030 Consent of Local Authority

Section 7.03.040 Event Permits

Section 7.03.050 License for Retail Sale of Beer for Off-Premise Consumption

Section 7.03.060 Conditional Use Process

Section 7.03.010 Application of Utah State Law to Alcoholic Beverages

The purchase, sale, consumption and use of alcoholic beverages within the Midway City limits shall be governed by, and subject to, the laws of the State of Utah, including, but not necessarily limited to, the Utah Alcoholic Beverage Control Act.

Section 7.03.020 Licenses to be Issued by the Utah DABC

Except as provided in Section 7.03.050, all licenses to sell alcoholic beverages within the Midway City limits shall be issued and regulated by the Utah Department of Alcoholic Beverage Control.

Section 7.03.030 Consent of Local Authority

Except as provided in Section 7.03.040, if the Utah Department of Alcoholic Beverage Control requires an applicant to obtain consent of the local authority in order to be issued a license to sell an alcoholic beverage in Midway City, the Midway City Council shall act as the body to deliberate and decide whether such consent will be granted or denied. Midway City reserves and retains the maximum discretion allowed by law to grant or deny consent of the local authority for any reason or type of reason.

Section 7.03.040 Event Permits

Notwithstanding Section 7.03.030, when consent of the local authority is sought in conjunction with an application for a single event permit or temporary beer event permit, the Midway City Business License Administrator may, in his or her discretion: (a) grant local consent; or (b) refer the application to the City Council for a decision on local consent. Midway City reserves and retains the maximum discretion allowed by law to grant or deny consent of the local authority for any reason or type of reason.

Section 7.03.050 License for Retail Sale of Beer for Off-Premise Consumption

- A. To the extent provided by the Utah Alcoholic Beverage Control Act, Midway City may issue a license for the retail sale of beer for off-premise consumption without the issuance of a state license by the Department of Alcoholic Beverage Control
- B. The decision whether to issue a license for the retail sale of beer for off-premise consumption is governed by the same procedures and standards as contained in Section 7.03.030 regarding consent of the local authority. Midway City reserves and retains the maximum discretion allowed by law to grant or deny an application for a license for the retail sale of beer for off-premise consumption for any reason or type of reason.
- C. A licensee that has received a license from Midway City for retail sale of beer for off-premise consumption is subject to all applicable provisions of Utah law governing the sale of beer for off-premise consumption.

Section 7.03.060 Conditional Use Process

As provided by Title 16 of the Midway City Municipal Code, all alcohol-dispensing establishments are conditional uses in Midway City. Any applicant desiring to operate an alcohol-dispensing establishment shall first obtain the required consent of the local authority. If, and only if, consent of the local authority is granted, the applicant's application for a conditional use permit will then be considered. During the conditional use permit consideration process, the City may impose upon a prospective alcohol-dispensing establishment any conditions allowed by law for conditional uses, notwithstanding the fact that the City has already made the decision to grant consent of the local authority to the applicant for the sale of alcoholic beverages.

(2013-08 Entire Section of 7.03 Replaced, eff. 8/14/13)