

**MOTORIZED STREET VENDOR BUSINESS LICENSE  
APPLICATION  
HEBER CITY CORPORATION  
BUSINESS LICENSE DIVISION**



- New Application**
- Amended Application**

Administrative Use Only	
Date of Application	_____
NAICS Code	_____
License #	_____
Business Type	_____
<b>Commercial Liability Insurance</b>	
License fee	\$110.00
Total	\$110.00

Motorized Street Vendor Business License Application

**SECTION I: Business Information – Please type or print**

Applicant's Name (Driver):						
Applicant's Address:					Applicant's Phone No.	
Business Name:			Business Owner:		Business Manager:	
Business Location:			Mailing Address:		No. of Employees:	
Business Phone No.:			Business Fax No.:		Business Email:	
Federal ID No.:				Utah Corporation/LP/LLC or DbA No.:		
<input type="checkbox"/> SSN <input type="checkbox"/> EIN						
9Sole Proprietorship	9General Partnership	9Limited Partnership	9Limited Liability Co.	9Profit Corp.	9Non-Profit Corp.	9DbA
State Tax: Withholding No.:		State Sales & Use Tax No.:		Are you over age 18? <input type="checkbox"/> yes <input type="checkbox"/> no		
Has license fee of \$110.00 been paid? <input type="checkbox"/> yes <input type="checkbox"/> no				Has application been made within 48 hours prior to the operation of the business? <input type="checkbox"/> yes <input type="checkbox"/> no		
Do you have a valid Drivers License? <input type="checkbox"/> yes <input type="checkbox"/> no				Brief Description of Business:		
Have you attached your background investigation? <input type="checkbox"/> yes <input type="checkbox"/> no						
Has the vehicle intended for motorized street vendor sales been approved by the Heber City Police Dept.? <input type="checkbox"/> yes <input type="checkbox"/> no				Have you provided evidence of general liability insurance in an amount not less than \$500,000 and submitted a certificate of insurance that provides that the policy cannot be canceled prior to giving the City at least 10 days written notice of cancellations? <input type="checkbox"/> yes <input type="checkbox"/> no		

**Office Use Only**

Has a Background Investigation been performed? <input type="checkbox"/> yes <input type="checkbox"/> no	What are the results of the Background Investigation?
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<input type="checkbox"/> Police Department _____	Date: _____
<input type="checkbox"/> Land/Use/Zoning _____	Date: _____
<input type="checkbox"/> Wasatch County Health Dept _____	Date: _____
<input type="checkbox"/> Business License Dept _____	Date: _____

**SECTION IV: Verification of Accuracy - Acknowledgment of Responsibility**

Under penalty of perjury, I hereby certify that the information provided for this entire application is complete and accurate. I further certify that updated information will be provided in writing or on a new application, as required, to Heber City Corporation Business License Department within 30 days of any change to the business, name, organization, or location. I certify that I am over the age of 18, I possess a valid driver’s license, have had a background investigation performed, and have not been convicted of a felony or served a sentence for a felony conviction within five (5) years, or a misdemeanor within the last three years involving controlled substances, alcohol, sex crimes, contributing to the delinquency of a minor, theft, possession of stolen property or any other criminal act which might relate to the operation of the business and understand that the City may deny, suspend, or revoke the license if the applicant or licensee has violated any provision of City ordinance or the business license requirements. I hereby acknowledge that illegal or fraudulent business practices are grounds for revocation of the business license. This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various departments and approval is given by the Business License Office. Heber City shall not be held responsible for delays in processing an incomplete application, or for property improvements and other business expenditures occurring before the license applicant received final approval. To open and/or operate a business without final approval is a Class “B” misdemeanor and is subject to a \$1,000 fine and/or a six month jail sentence. It is the responsibility of the licensee to be familiar with the ordinance under which the license is applied for. All application of business licenses are to be renewed yearly. The application and fees provided for herein shall be due and payable on the 31<sup>st</sup> of December of each year, or before commencing a new business, trade, service, or profession. All license fees paid after January 31<sup>st</sup> shall thereafter be considered delinquent and shall be subject to a 50% penalty. Any fees not paid by March 1<sup>st</sup> will be grounds for Business License revocation. Failure to receive a renewal notice does not excuse this responsibility.

Applicant \_\_\_\_\_ Date \_\_\_\_\_

**SECTION V: Registered Agent (for Corporations, Limited Liability Companies, or Limited Partnerships only)**

Registered Agent \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_

Living At \_\_\_\_\_  
Street \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_  
Zip \_\_\_\_\_

**SECTION VI: This section must be completed for each owner, partner corporate officer and local manager**

*A police background check may be conducted for each owner/officer and local manager as part of the application approval process. List all owners, officers and the local manager - if additional entries are required, this page may be photocopied.*

OWNER/PARTNER/PRESIDENT \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_

Living At \_\_\_\_\_

SSN \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License No. \_\_\_\_\_

Corporate Title \_\_\_\_\_  U.S. Citizen  Valid U.S. Work Authorization \_\_\_\_\_

PARTNER/CORP. OFFICER \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_

Living At \_\_\_\_\_

SSN \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License No. \_\_\_\_\_

Corporate Title \_\_\_\_\_  U.S. Citizen  Valid U.S. Work Authorization \_\_\_\_\_

PARTNER/CORP. OFFICER \_\_\_\_\_ Home Phone (\_\_\_\_) \_\_\_\_\_

Living At \_\_\_\_\_

SSN \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License No. \_\_\_\_\_

Corporate Title \_\_\_\_\_  U.S. Citizen  Valid U.S. Work Authorization \_\_\_\_\_

## **Regulations for Motorized Street Vendors:**

- It shall be unlawful for any person under the age of eighteen to engage in a motorized street vendor business.
- The City may deny, suspend, or revoke a license if the applicant or licensee:
  - Has violated any provision of this Title or the business license requirements;
  - Has been convicted of a felony or has served a sentence for a felony conviction within five years, or a misdemeanor within the last three years involving controlled substances, alcohol, sex crimes, contributing to the delinquency of a minor, theft, possession of stolen property or, any other criminal act with might relate to the operation of the business.
- Hours of operation shall be between 10:00 a.m. and sunset. Sunrise and sunset shall be determined on any particular day by the times listed that day in any major newspaper circulated in Wasatch County.
- The operator of the motorized vehicle shall not sell to any person standing in the roadway.
- The operator of the motorized vehicle shall sell, offer to sell or display for sale retail merchandise only when the vehicle is completely stopped and lawfully parked, and shall sell only from the rear or side of the vehicle nearest to the curb or edge of the roadway.
- To reach a point of sale, the motorized vehicle shall not be moved backwards in order to sell, offer to sell or display for sale retail merchandise.
- Sales on Private property: Sales on private property shall be made only with the permission of the property owner or occupant.

I certify that I have read the above and agree to abide by all the rules, regulations and requirements of Section 5.04.160 Motorized Street Vendors.

\_\_\_\_\_

\_\_\_\_\_

Business Name: \_\_\_\_\_

Applicant: \_\_\_\_\_

VIN # or Plate #: \_\_\_\_\_

## Motorized Street Vendors Inspection

Conditions and Requirements for Motorized Street Vendors: Motorized Street Vendors shall comply with the following:

- | Approve                  | Denied                   |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Have a clearly-audible backup warning device that activates whenever the vehicle is shifted into reverse gear.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Have a convex mirror mounted on the front of the vehicle so that the driver, in a normal driving position, can see the area in front of the vehicle that is obscured by the hood.                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Have a flashing yellow beacon on the roof of the vehicle that is visible from all sides of the vehicle. This beacon shall be activated whenever the merchandise is being sold, offered for sale or displayed for sale. |
| <input type="checkbox"/> | <input type="checkbox"/> | Be prohibited from pulling any type of trailer during business operation.  |
| <input type="checkbox"/> | <input type="checkbox"/> | The volume of any audio equipment used to advertise for the business must be approved by the Heber City Police Department. (Volume pre-set per State Regulation)   |
| <input type="checkbox"/> | <input type="checkbox"/> | Applicants for said license will possess a valid drivers license.<br>Drivers License No.: _____<br>Proof of Insurance: _____   |

I understand that the business license must be displayed in a conspicuous location at the point of sale on the lower left (driver) side of the windshield of the vehicle and verify that I will comply with this requirement:

\_\_\_\_\_

### Inspection has been:

Approved                       Denied

\_\_\_\_\_ Date \_\_\_\_\_

Police Department

**Section 5.04.160 Motorized Street Vendors**

A. Definitions: The selling of merchandise or solicitation for sales primarily from a motorized vehicle parked in the public street. These vendors carry merchandise, goods, and services for sale and consumption immediately from the vehicle. Examples include ice cream vendors, both individual servings and packaged servings, frozen goods vendors, produce, dairy products, hot food sales, yard care services, and health services.

1. License required: No person shall sell merchandise from a motorized vehicle without obtaining a motorized street vendor business license. It shall be unlawful for any person under the age of eighteen to engage in a motorized street vendor business. Each person selling, offering to sell, or displaying of sale retail merchandise from or on motorized vehicles on public streets or private property shall obtain a Heber City business license prior to beginning operation. Applicants for said license will be subject to a background investigation and possess a valid drivers license. Each party engaged in such a business shall display the business license in a conspicuous location at the point of sale on the lower left (driver) side of the windshield of the vehicle. The City may deny, suspend, or revoke a license if the applicant or licensee:

- a. Has violated any provision of this Title or the business license requirements;
- b. Has been convicted of a felony or has served a sentence for a felony conviction within five years, or a misdemeanor within the last three years involving controlled substances, alcohol, sex crimes, contributing to the delinquency of a minor, theft, possession of stolen property or, any other criminal act with might relate to the operation of the business.

2. Application: Application must be made at least 48 hours prior to operation of the business.

B. License: The license shall be for a one year period and renewed annually. The license shall run from January 1st of the year to December 31st.

C. License Fees: The fee shall be \$110.00 annually.

D. Conditions and Requirements for Motorized Street Vendors: Motorized Street Vendors shall comply with the following:

- 1. Have a clearly-audible backup warning device that activates whenever the vehicle is shifted into reverse gear.
- 2. Have a convex mirror mounted on the front of the vehicle so that the driver, in a normal driving position, can see the area in front of the vehicle that is obscured by the hood.
- 3. Have a flashing yellow beacon on the roof of the vehicle that is visible from all sides of the vehicle. This beacon shall be activated whenever the merchandise is being sold, offered for sale or displayed for sale.
- 4. Be prohibited from pulling any type of trailer during business operation.
- 5. The vehicle shall be inspected by the health department if the merchandise includes any item intended for human consumption.
- 6. Hours of operation shall be between 10:00 a.m. and sunset. Sunrise and sunset shall be determined on any particular day by the times listed that day in any major newspaper circulated in Wasatch County.
- 7. The operator of the motorized vehicle shall not sell to any person standing in the roadway.

8. The operator of the motorized vehicle shall sell, offer to sell or display for sale retail merchandise only when the vehicle is completely stopped and lawfully parked, and shall sell only from the rear or side of the vehicle nearest to the curb or edge of the roadway.

9. To reach a point of sale, the motorized vehicle shall not be moved backwards in order to sell, offer to sell or display for sale retail merchandise.

10. Each applicant for a license or renewal under this Section shall submit with its application evidence of general liability insurance in an amount not less than \$500,000. The applicant must submit to the City a certificate of insurance that provides that the policy cannot be canceled prior to giving the City at least 10 days written notice of cancellations.

11. The motorized vehicle and operator must comply with all other requirements of this Chapter and any other requirements of ordinance or statute that may be applicable.

12. The volume of any audio equipment used to advertise for the business must be approved by the Heber City Police Department.

13. Applicant shall provide a sales tax license number.

E. Lawful Advertising and Business Markings - Exception: The prohibitions of this Section shall not be construed to prohibit vehicles from carrying business markings or advertising not otherwise prohibited by law, nor shall they prohibit delivery of merchandise which was not sold or purchased on public streets.

F. Sales on Private property: Sales on private property shall be made only with the permission of the property owner or occupant.

G. Severability: If any provision of this ordinance is declared invalid by the court of competent jurisdiction, the remainder shall not be affected thereby. (Ord. 2003-01, 2003)  
(2003-01, Added, 02/06/2003)