



## **COMMUNITY DEVELOPMENT**

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# **FOOD TRUCK BUSINESS LICENSE APPLICATION**

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20 North Main Street, P.O. Box 1005, Brigham City, Utah 84302

Phone 435-734-6617

## GENERAL LICENSE INFORMATION AND CONTACT LIST

Brigham City welcomes and encourages commercial and home occupation businesses. There are many benefits to the City and its residents from the presence of a variety of business types.

**Brigham City requires licensing of all businesses** which engage in any activity resulting in compensation or other consideration derived from carrying on any business, trade, profession, craft, occupation, commerce or sales of tangible personal property or services, or both. Licenses are required for all occupations based at locations within Brigham City limits or which carry on business here.

**All applicable City, County, State and Federal laws must be complied with concurrently while licensed by Brigham City.**

**State Requirements:** Certain types of occupations and professions require a State regulatory license in addition to the local business license. To find out if a State license is required, call *The Division of Occupational and Professional Licensing* at **(801) 530-6628**.

**Federal Requirements:** Businesses may also be regulated by the Federal Government, such as those dealing in alcohol, tobacco, firearms, hazardous materials or waste, radio, satellite and television communications, etc., and the appropriate Federal offices should be contacted for assistance, if applicable.

**Information Requirements:** The *Business Licensing Division of Brigham City* cannot accept a business license application until certain key requirements have been satisfied, including acquisition of government identification numbers. We have provided a brief outline of those basic requirements and how to complete them on the following pages along with a *Contact List* of key agencies and people available to help you with your business structure needs. The City Business License office also provides several resources of information, designed to help get you going in the right direction while establishing or relocating your business to our community.

We look forward to helping you and wish you the best with your business endeavors.

## **Business Structure Outline:**

1. **Establish your business structure.** Sole proprietorships and general partnerships need only register the DBA, as identified under #3 below. All other business structures, including limited partnerships, limited liability companies and corporations of any kind establish their business structures by filing required paperwork with the *Division of Corporations and Commercial Code*. Business structures originating outside Utah must register their structure in Utah, as well.

If you need both State and Federal numbers, the fastest method is to go in person to the State Tax Commission office in Salt Lake City. If only State numbers are needed, they can be obtained at any *State Tax Commission* location and at the *Department of Commerce*. The basic forms (TC-69, DBA and SS-4) are available in our office or you can call the offices directly to have the forms mailed to you within a few days. If you submit the completed forms by mail, the turnaround time is 6-8 weeks, so you are encouraged to take them in, or fax/email them.

To file the SS-4 only (IRS):

**Phone:** 1-800-829-1040  
**Mail:** Entity Control  
Mail Stop 6271  
PO Box 9941  
Ogden, UT 84201  
**Fax:** (801) 620-7115

Re: DBA/business structure:

**Department of Commerce**  
**Phone:** (801) 530-4849  
**Toll Free:** 1-877-526-3994  
**Fax:** 801-530-6438  
160 East 300 South, 2<sup>nd</sup> Floor  
SLC, UT 84111(in the Heber Wells Bldg)  
[www.corporations.utah.gov](http://www.corporations.utah.gov)  
**EMAIL:** [corpucc@utah.gov](mailto:corpucc@utah.gov)

To file TC-69 and other forms:

**Utah State Tax Commission**  
**Phone:** 1-800-662-4335 (SLC)  
**Ogden Office**  
2540 Washington Blvd, 6<sup>th</sup> Floor  
Ogden Regional Center  
Ogden, UT 84401  
**Phone:** 801-626-3460  
**Fax:** 801-626-3446

**Or**

**SLC Office**  
210 North 1950 West  
SLC, UT 84134  
**Phone:** 801-297-2200  
**Fax:** 801-297-7699  
[www.tax.utah.gov](http://www.tax.utah.gov)

2. **Obtain your Federal Employer Identification Number (FEIN or EIN).** Businesses must have a Federal Identification Number *unless* owned by a sole proprietor with no employees. The **SS-4** form is necessary to acquire this number. You will need to apply for and receive the FEIN before submitting the TC-69 to the State. Your FEIN should be on your business license application unless you are a sole proprietor with no employees.
3. **Register your business.** A sole proprietor using only his or her complete legal personal name is exempt from State registration. Each business name or **DBA** ("Doing Business As") of a sole proprietor or general partnership must be registered. The name of any corporation, limited partnership or limited liability company is registered with the filing of the business structure documentation. If a name is used other than the one filed, each other business name must be registered as a DBA of the established entity. For assistance or to verify that the name is available for your use, call the *Utah Division of Corporations and Commercial Code* at (801) 530-4849 or **use the Division's OneStop online business registration feature.**

To access **OneStop**, go to [www.corporations.utah.gov](http://www.corporations.utah.gov). Click on the *OneStop* logo in the bottom center of the page. The program will guide you through the steps. The associated fees must be paid by card during the process.

If online access is unavailable, use the **TC-69** form or the **Business Name Registration/DBA Application form**. The form may be faxed, emailed, or brought to the *Department of Commerce* in person.

4. **Acquire State Tax Commission numbers.** Businesses must obtain a **Sales & Use Tax** number to collect and remit to the State taxes on the rental or retail sale of items, taxable services and various out-of-state purchases. Businesses which have employees and certain business structures must obtain a **State Withholding number**. Use the **TC-69 form** to acquire those numbers. Contact the *Utah State Tax Commission* at 1-800-662-4335 for assistance. If required for your business operation, these numbers must be on the business license application when submitted.
5. **Health Department permits.** If your business incorporates the manufacturing, preparation and sale of food items, or is identified as an eating place such as a restaurant, you will need to contact the appropriate divisions of the *Health Department* and complete their requirements. A sign off from the *Health Department* will be required on the business license application, if applicable to your business.
6. **Department of Agriculture and Food (UDAF) permits.** All businesses selling pre-packaged foods must contact The *Department of Agriculture* for a permit. Among those businesses requiring a *UDAF* permit are grocery stores, convenience stores, and businesses selling pre-packaged foods. Plant nurseries, home cottage businesses that prepare and package food, bee hive/honey production businesses, farmers markets, and food labeling also must obtain permits from UDAF.

## **Contact List:**

### **Brigham City Contacts:**

Carolann Chalfant, Business License Specialist  
(435) 734-6617  
[cchalfant@brighamcity.utah.gov](mailto:cchalfant@brighamcity.utah.gov)

Mark Bradley, City Planner  
(435) 734-6616  
[mbradley@brighamcity.utah.gov](mailto:mbradley@brighamcity.utah.gov)

Michael Young, Fire Marshall  
(435) 226-1411  
[myoung@brighamcity.utah.gov](mailto:myoung@brighamcity.utah.gov)

Tony Ekins, Associate City Planner  
(435) 734-6619  
[tekins@brighamcity.utah.gov](mailto:tekins@brighamcity.utah.gov)

**Box Elder County Contacts:**

Scott Lyons, Box Elder County Planner  
(435) 734-3316  
[scottlyons@boxeldercounty.org](mailto:scottlyons@boxeldercounty.org)

Carlos Linares, Director  
Weber State Small Business Development Center  
2314 Washington Blvd, Rm. 211, Ogden, UT 84401  
(801) 626-7232  
[carloslinares@weber.edu](mailto:carloslinares@weber.edu)

Wendy English, Director  
Box Elder Small Business Development Center  
Utah State University Brigham City Campus  
195 West 1100 South, Rm. 170 E, Brigham City, UT 84302  
(435) 919-1296  
[wendy.english@usu.edu](mailto:wendy.english@usu.edu)

Heidi Flansberg  
Bear River Health Department  
992 South 800 West, Brigham City, UT 84302  
(435) 734-0845 / (435) 695-2061  
[hflansberg@brhd.org](mailto:hflansberg@brhd.org)

**Brigham City Chamber of Commerce:**

Monica Holdaway, Executive Director  
(435) 723-3931  
[monica@boxelderchamber.com](mailto:monica@boxelderchamber.com)

**State and Federal Contacts:**

Utah State Tax Commission  
210 North 1950 West  
Salt Lake City, UT 84134  
(801) 530-4849, (800) 662-4335  
[www.tax.utah.gov](http://www.tax.utah.gov)

Utah State Tax Commission  
Sales Tax Office 7<sup>th</sup> Floor  
2447 Lincoln Ave.  
Ogden, UT 84401-1305  
(801) 626-3460

Department of Commerce  
Heber M. Wells Building  
160 East 300 South, 1<sup>st</sup> Floor  
Salt Lake City, UT 84111  
(801) 530-4849  
[www.commerce.utah.gov](http://www.commerce.utah.gov)

Utah Department of Workforce Services  
138 West 990 South  
Brigham City, UT 84302  
(866) 435-7414  
(888) 848-0688 Unemployment Ins.  
[www.dws.state.ut.us](http://www.dws.state.ut.us)

Worker's Compensation Fund  
392 East 6400 South  
Salt Lake City, UT 84107  
(800) 446-2667  
[www.wcf-utah.com](http://www.wcf-utah.com)

Utah Department of Agriculture and Food  
Inspector: Blake Millett @ (801) 706-9202  
Home Cottage: Rebecca Nielson @ (801) 538-7152  
Nurseries: Ron Larsen @ (801) 538-7152  
[www.ag.utah.gov](http://www.ag.utah.gov)



**BUSINESS LICENSE APPLICATION**  
**FOOD TRUCK ANNUAL LICENSE**

<b>FOR OFFICE USE ONLY</b>	
Issued _____	Approved _____
Business License # _____	Date Rec'd _____
Review Fee <b>(Non Refundable)</b> \$ <b>20.00</b>	Receipt# _____
License Fee .....\$ _____	Receipt# _____
Other Fees.....\$ _____	Receipt# _____
Total Fee .....\$ _____	Receipt# _____
<input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Card	Business Code _____
Zoning District _____	CUP # _____

**1. Business Information** - Please type or print clearly     ORIGINAL APP.    CHANGE OF:  ADDRESS     OWNERSHIP     BUSINESS NAME

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

Business Address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

Bus. Phone (    ) \_\_\_\_\_ Business Start Date \_\_\_\_\_

Email Address \_\_\_\_\_

Federal ID:  SSN \_\_\_\_\_  FEIN \_\_\_\_\_

Sales Tax # \_\_\_\_\_ Utah Corp, LP or LLC #: \_\_\_\_\_

Property Owners Name \_\_\_\_\_ Phone (    ) \_\_\_\_\_

Property Owners Address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

Business Organization:  Independent/Sole Proprietor     Corporation     Partnership     Limited Partnership  
 Limited Liability Company     Profit Corporation     Non-Profit Corporation

Has Brigham City ever licensed the applicant(s)/owner(s)?  Yes  No, If yes, when? \_\_\_\_\_

Under what business name? \_\_\_\_\_

Describe Business: (Add additional pages as needed)

\_\_\_\_\_

\_\_\_\_\_

**2. Required Documents** – Pertinent to Food Truck operations

Primary Business License (if applicable): Municipality \_\_\_\_\_ No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Annual Fire Inspection report: Municipality \_\_\_\_\_ No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Health Dept Primary Permit: Jurisdiction \_\_\_\_\_ No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Health Dept Secondary Permit (if applicable): Jurisdiction \_\_\_\_\_ No \_\_\_\_\_ Exp \_\_\_\_\_

Liability Insurance for each mobile food unit with Brigham City named as the additional insured \_\_\_\_\_

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### **3. Business Owner or Agent Information**

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Business Owner's Name \_\_\_\_\_ Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_

Or Registered Agent \_\_\_\_\_  
(For Corporation, Limited Partnership, & Limited Liability Company Only)

Drivers License# \_\_\_\_\_ St \_\_\_\_\_ Home Phone ( ) \_\_\_\_\_

Home Address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

State License Type (if applicable) \_\_\_\_\_ Lic. # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Alternate Contact \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Email \_\_\_\_\_

Office Manager (if applicable) \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Email \_\_\_\_\_

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### **4. Verification of Accuracy - Acknowledgment of Responsibility**

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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 the Brigham City Business License Division within 30 days of any change to the business, name, organization, or location. I hereby acknowledge that illegal or fraudulent business practices are grounds for revocation of the business license. I (we) further agree to not conduct said business until the license has been approved.

\_\_\_\_\_  
Signature of Authorized Agent/Owner

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Agent/Owner

Date \_\_\_\_\_

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### **5. License Fee Calculations**

Note: A list of Licensing Fees and Bond Requirements is available upon request from the Business Licensing Department.

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### **6. Standards, Regulations of Operation** – See Brigham City Business License Code 14.09 Mobile Food Vendors

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Food Truck vendors must operate in compliance with the Brigham City Code. See Exhibit A. The standards, regulations, and location requirements are covered under sections 14.09.080 and 14.09.090. Daily operations must comply with the requirements in the Brigham City Mobile Food Vendors code.

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## 7. For Office Use Only

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### Zoning:

Approved by \_\_\_\_\_ Date \_\_\_\_\_

Temporary License (12 Month) \_\_\_\_\_ Date(s) \_\_\_\_\_

Land Use \_\_\_\_\_ Date \_\_\_\_\_

Bonding \_\_\_\_\_ Date \_\_\_\_\_

Sign Permit \_\_\_\_\_ Date \_\_\_\_\_

### Life/Safety:

Temporary (60 Day):

Inspection \_\_\_\_\_ Date \_\_\_\_\_

Fire Marshal \_\_\_\_\_ Date: \_\_\_\_\_ Date: From \_\_\_\_\_ To \_\_\_\_\_

Permanent License:

Inspection \_\_\_\_\_ Date \_\_\_\_\_

Fire Marshal \_\_\_\_\_ Date: \_\_\_\_\_

### Bear River Health Dept:

Inspected by: \_\_\_\_\_ Date \_\_\_\_\_

### Police Dept:

Inspected by: \_\_\_\_\_ Date \_\_\_\_\_

**Other (specify department):** \_\_\_\_\_

Inspected by: \_\_\_\_\_ Date \_\_\_\_\_

**Other (specify department):** \_\_\_\_\_

Inspected by: \_\_\_\_\_ Date \_\_\_\_\_

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# LETTER OF INTENT

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

**Please describe business in detail below (Including storage of equipment)**

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**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **Exhibit 'A'**

### **Mobile Food Vendors**

#### **Chapter 14.09. Mobile Food Vendors. <sup>22</sup>**

##### **14.09.010. Definitions.**

Mobile Food Vendor. A business that serves food or nonalcoholic beverages from a self-contained unit either motorized or in a trailer on wheels, which conducts its operations on premises other than its own and shall be readily moveable, without disassembling, for transport to another location. The term "Mobile Food Vendors" shall not include Mobile Food Cart Vendors or Ice Cream Vendors (see Chapter 14.06, Seasonal and Temporary Licenses).

##### **14.09.020. License Required, Display.**

A. It shall be unlawful for any person, business, or entity to conduct or operate as a Mobile Food Vendor without first securing a Brigham City business license. A current Brigham City business license is required for all Mobile Food Vendors.

B. A Mobile Food Vendor shall obtain an annual or temporary Brigham City business license.

C. The licensee shall conspicuously display their business license at a location visible to the public.

##### **14.09.030. License Fees.**

The fee for licenses required by this Chapter shall be established in accordance with Section 14.020.080, and all matters relating to fee payments, renewals, etc., shall be governed by resolution.

##### **14.09.040. License Period.**

A Mobile Food Vendor may obtain an annual or a temporary Brigham City business license.

A. Annual. An annual Brigham City business license is valid for twelve (12) months from the day of issuance and in accordance with Section 14.02.110, License Term and Renewal Procedure.

B. Temporary. A temporary Brigham City business license is valid for a single event or a special event, which special event may include multiple days at different times of the season or year.

##### **14.09.050. Separate Applications.**

Separate business license applications may be required for Mobile Food Vendors. Separate business license fees shall be required for each Mobile Food Vendor unit operating under one business license.

##### **14.09.060. Insurance.**

An applicant shall present to Brigham City prior to the issuance of a business license a copy of their insurance for each mobile food unit (truck or trailer) in use which provides a \$1,000,000 minimum coverage for injury to or death of one person, and \$1,000,000 for each accident and \$2,000,000 aggregate with Brigham City named as the additional insured. Each policy shall require a notice of cancellation to Brigham City thirty (30) days prior to termination.

##### **14.09.070. Health Department Approval.**

Each vendor must be approved by the Bear River Health Department and comply with their requirements.

##### **14.09.080. Location.**

A. Private Property. A Mobile Food Vendor licensed with Brigham City may be permitted to operate on a private property parking lot or an improved portion of an occupied business property other than required landscape within the commercial or industrial zoning districts provided:

1. Written consent is given by the private property owner.

2. Parking shall be adequate to serve existing property use and the proposed Mobile Food Vendor.

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<sup>22</sup> Chapter 14.09 added with Ordinance No. 15-18, 11/3/16

3. Have access to a permanent bathroom facility during the occupied business property hours of operation.

B. Public Property. A licensed Mobile Food Vendor with Brigham City may be permitted on publicly owned property through a Brigham City special event permit. The location of the vendor is determined by the special event coordinator and not allowed to be in the public right-of-way unless the public right-of-way is closed to the public for the special event.

**14.09.090. Standards, Regulations.**

The following standards shall be adhered to:

A. A Mobile Food Vendor unit, whether vehicle or trailer shall be properly registered and licensed for use.

B. Placement of vending unit shall be on the private property, unless approved as part of Brigham City special event permit on public property, and located at least ten (10) feet from a public sidewalk or twenty (20) feet from the street curb if no sidewalk.

C. Parking or placement of vending unit shall be located on an improved portion of the site and not on any park strip or landscape area.

D. The placement of the vending unit shall be located in a manner as not to obstruct, disrupt, or interfere with the vehicle and pedestrian traffic flow into or out of a site and the internal parking lot circulation.

E. Placement of vending unit shall not obstruct the clear view area as described in City Code Section 29.050.200.

\* F. A vendor shall not operate within one hundred feet (100') of the entrance door of a restaurant unless the said restaurant waives the distance requirement for the vendor. The proximity requirement is measured in a straight line from the nearest point of the vending unit to the nearest entrance of the restaurant.

G. Overnight parking is not allowed unless approved as part of a Brigham City special event permit. The business activity of a Mobile Food Vendor at any one site is considered temporary in nature.

H. Hours of operation are between 6:00 a.m. and 10:00 p.m. unless approved as part of a Brigham City special event permit.

I. Food and beverages shall only be sold or offered for sale when the vending unit is completely stopped and parked.

J. Vehicles are not allowed to idle.

K. The vending unit shall not operate as a drive through.

L. Vending units shall be maintained, clean, and kept in good operating condition.

M. The vendor shall provide trash and recycling containers for use of their customers. Containers shall be removed from the site when the vendor leaves the site.

N. All signs are limited to those that are physically attached to the vending unit. Except for one menu sign that shall not exceed three feet (3') by four feet (4') and shall be placed on a hard surface no more than ten feet (10') from the vending unit. The menu sign shall not be placed within the public right-of-way.

O. The vending unit shall not cause noise, light, or glare which adversely impacts surrounding uses. Flashing, scintillating, blinking, or traveling lights are not allowed.

\* NOTE: 14.09.090 (F) is non-applicable. This has been superseded by State Code as of May 9, 2017.