

UBLA 2009 SPRING CONFERENCE

Business Ethics and Questions Laura Woolsey, UBLA President

Laura presented the UBLA Code of Ethics and answered questions regarding the Code of Ethics. The UBLA adopted a standard for professional conduct that is known as the Code of Ethics, as proposed by the NBBLO. We have seen many professionals in the state that have been terminated due to unethical conduct. As Professional Business Licensing Officials, we are dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that we may merit the respect and confidence of citizens, elected officials and everyone that we come in contact with.

Securities, Broker Dealer, Investment Advisor Regulations George Robinson, Director of Securities Licensing Division www.utah.gov

The Utah Division of Securities is charged with the responsibility of enforcing Utah's securities laws. George Robinson, presented information regarding the state requirements to license Securities businesses. Any one wishing to offer or sell securities must be licensed with the Division prior offering their service.

Cottage Food Compliance, Department of Agriculture Rebecca Nielsen, Cottage Food Program Coordinator www.utah.gov

Rebecca presented the group information regarding Cottage Food Businesses. Cottage food production operation means a person, who in the person's home, produces a food product that is not a potentially hazardous food or a food that requires time/temperature controls for safety. Individuals wishing to make jams at home must be registered with Department of Agriculture prior to commencing business. Visit the Department of Agriculture's Web site for more information www.ag.utah.gov

Pest Control Applicator Regulations, Department of Agriculture
Cody James, Compliance Specialist
www.utah.gov

Cody presented the group with information regarding the application of pesticides on lawns. Landscape maintenance, yard care, and lawn care businesses are required to apply with the Agriculture Department and obtain an applicators permit, when they plan on spraying lawns for weeds and pests. Cody conducts inspections all over the State of Utah and has found that a lot of lawn care business spray for weeds; yet they do not have a permit from the Department of Agriculture. Please refer any business that may require a permit to the Department of Agriculture to obtain an applicators permit. Your assistance in helping Cody bring those businesses into compliance with the State is appreciated.

Child Care Licensing
Donna Thomas, Program Manager Central Region
& Teresa Whiting Bureau Director
<http://health.utha.gov/licensing/>

Child care is regulated by the State of Utah Department of Health Bureau of Child Care Licensing. The Bureau licenses Child Care Centers, Hourly Child Care Centers, Out of School Time Programs and Home Child Care Providers. A state license is required when a person receives paid compensation for providing care for a child in lieu of care provided by a parent for over four children. If someone cares for no more than four children, the state does not require a license.

Child Care Centers and Family Providers are required to obtain an inspection from the local Health Department and local Fire Department. They are also required to obtain a City and County Business License.

Most Municipalities will not issue a business license until the individual applying for the license, shows proof of the state license issued by the Department of Health; however, the Department of Health requires that the local Municipality issue a business license prior to their division issuing a license to ensure that the individual has complied with Zoning and Building laws and any other applicable laws the Municipality may require of the applicant.

Temporary sale Tax, Utah State Tax Commission
Gaylin Ford, Supervisor
specialevent@utah.gov

Utah law requires that a Temporary Sales Tax License be obtained if individuals are participating in a Special Event. Every person or business participating at an event must file a return and pay the taxes collected. They must file even if no sales are made, taxes collected or if they are a display only booth. Gaylin Ford and her staff (very small staff) often travel to events, and may be in the office to answer phone calls. Please leave a message for them in case they are not available, they will return your call when they return.

Please refer individuals to the Special Event Unit to obtain temporary sales tax numbers when holding a Special Event in your Municipality.

Business License Enforcement
Jim Benton, Salt Lake City & Aaron Lyman, Orem City

Jim and Aaron presented the group with information on how to locate unlicensed businesses in our communities and enforcement issues. They provided the group with tips on how to bring businesses into compliance.

Interstate Commerce
Gary Kulmann, of Gary G. Kulmann & Associates, PC

Gary Kulmann, presented the group with information on regulating Interstate Commerce and the Constitutional provisions governing Interstate Commerce.

Better Business Bureau
Jane Driggs, Director
www.bbb.org

Jane Driggs presented to the group information regarding the Better Business Bureau of Utah.

The BBB can help solve consumer/business problems. As private non-profit organizations, however, they cannot force a solution on parties to resolve a dispute. Most BBBs do offer mediation and arbitration to help resolve consumer disputes, which can save both businesses and consumers the time and expense of going to court. They do a lot more than help settle disputes. Through the support of their accredited businesses, the BBB works for an ethical marketplace by maintaining standards for truthful advertising, investigating and exposing fraud against consumers and businesses and providing information to consumers *before* they purchase products and services.

Bureau of Alcohol, Tobacco, and Firearms Regulations Matthew Shears, Senior Investigator

Matthew Shears, presented to the group information on licensing Firearms Dealers and Firearms Manufactures. There are 740 Firearms Licensed Dealers in the State of Utah. 500 licensed for Explosives. Manufactures and Dealers must comply with all local, and state laws prior to the Bureau issuing a license. The Bureau does not regulate the sale of ammunition.

Case Law
Leonard Carson, of Richard Brandt Miller Nelson Law Firm

Leonard Carson, presented an overview of Constitutional Law and Case Law. He provided information on current Utah business license cases that have gone before the courts and information on Due Process.

Internal Revenue Services
Debra B. Mardanlou, Government Liaison, Utah

Debra B. Mardanlou, presented information regarding the Internal Revenue Services and her position with the division.

Thank you!