

MILLCREEK, UTAH
ORDINANCE NO. 20-16

**AN ORDINANCE NOTIFYING THE PUBLIC OF A PENDING ORDINANCE
REGARDING ESTABLISHING GENERAL STANDARDS AND REQUIREMENTS FOR
RESIDENTIAL SHORT-TERM RENTALS WHICH MAY INCLUDE BUT NOT BE
LIMITED TO REQUIRING A SPECIAL USE PERMIT, LIMITING MAXIMUM
RENTER OCCUPANCY DURING RENTAL PERIODS, AND LIMITING MAXIMUM
NUMBER OF RESIDENTIAL SHORT-TERM RENTALS FOR EACH COMMUNITY
DISTRICT**

WHEREAS, the Millcreek Council (the “Council”) met in regular session on April 13, 2020, to consider, among other things, approving an ordinance notifying the public of a pending ordinance regarding establishing general standards and requirements for residential short-term rentals which may include but not be limited to requiring a special use permit, limiting maximum renter occupancy during rental periods, and limiting maximum number of residential short-term rentals for each community district; and

WHEREAS, City staff and other interested persons have recommended revisions to the Millcreek Zoning Ordinance to establish general standards and requirements for residential short-term rentals which may include but not limited to requiring a special use permit, limiting maximum renter occupancy during rental periods, and limiting maximum number of residential short-term rentals for each community; and

WHEREAS, Bonneville Research has presented a report (“Report”) to the Council that states that a Short-Term-Rental operating in the R-1-10 with up to 25 guests does not accomplish the public purposes of Millcreek, a Utah Municipal Corporation, in the areas of economic development, job creation, job preservation, or to enhance the safety, health, prosperity, moral wellbeing, peace, order, comfort, or the convenience of the inhabitants of Millcreek, and therefore Millcreek, a Utah Municipal Corporation; and

WHEREAS, the Council is authorized by Utah Code Ann.§10-9a-509(1)(a)(ii)(B) to initiate proceedings to amend its ordinances in a manner provided by local ordinance and before the application is submitted, the municipality has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted; and

WHEREAS, Utah Code Ann.§10-9a-509(1)(e) provides that the City shall process an application without regard to proceedings initiated to amend the municipality's ordinances as provided in Utah Code Ann.§10-9a-509(1)(a)(ii)(B) if 180 days have passed since the proceedings were initiated and the proceedings have not resulted in an enactment that prohibits approval of the application as submitted; and

WHEREAS, the Council has determined that based on staff recommendation and the Report that an ordinance establishing general standards and requirements for residential short-term rentals is needed; and

WHEREAS, the period needed to review and implement an ordinance establishing general standards and requirements for residential short-term rentals is within a period of one hundred eighty (180) days; and

WHEREAS, after careful consideration, the Council has determined to initiate proceedings to amend the Zoning Ordinance to establish general standards and requirements for residential short-term rentals which may include but not limited to requiring a special use permit, limiting maximum renter occupancy during rental periods, and limiting maximum number of residential short-term rentals for each community district; and

WHEREAS the Council finds that this Ordinance constitutes formally initiated proceedings that satisfies the requirements Utah Code Ann. §10-9a-509 (1)(a)(ii)(B) and further finds that this Ordinance is in the best interest of the health, safety, and welfare of the City's residents.

NOW, THEREFORE, BE IT ORDAINED by the Council that the staff and Planning Commission initiate proceedings to amend the Zoning Ordinances to establish general standards and requirements for residential short-term rentals which may include but not limited to requiring a special use permit, limiting maximum renter occupancy during rental periods, and limiting maximum number of residential short-term rentals for each community district.

BE IT FURTHER ORDAINED that to protect the public health, safety, and welfare and to implement the planning and zoning objectives of the City, the Council hereby invokes the pending ordinance doctrine and/or Utah Code Ann. §10-9a-509 (1)(a)(ii)(B) and expressly formalizes its intentions to consider enactment of such ordinances and comprehensive amendments to the Zoning Ordinances to establish general standards and requirements for residential short-term rentals which may include but not be limited to requiring a special use permit, limiting maximum renter occupancy during rental periods, and limiting maximum number of residential short-term rentals for each community district.

BE IT FURTHER ORDAINED that except as provided below this ordinance prohibits or regulates land use approvals, erection, construction, reconstruction, extension, expansion, alteration, or operation of any residential short-term rental that as of _____ does not have a current business license issued by the City to operate a residential short-term rental; and

BE IT FURTHER ORDAINED that maintenance and/or repair to existing unlicensed residential short-term rentals is exempt from the prohibition and regulation provided herein.

PASSED AND APPROVED this 13th day of April 2020.

MILLCREEK

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:		
Silvestrini	Yes	No
Marchant	Yes	No
Jackson	Yes	No
Catten	Yes	No
Uipi	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
**ORDINANCE 20-16: AN ORDINANCE NOTIFYING THE PUBLIC OF A PENDING
ORDINANCE REGARDING ESTABLISHING GENERAL STANDARDS AND
REQUIREMENTS FOR RESIDENTIAL SHORT-TERM RENTALS WHICH MAY INCLUDE
BUT NOT BE LIMITED TO REQUIRING A SPECIAL USE PERMIT, LIMITING
MAXIMUM RENTER OCCUPANCY DURING RENTAL PERIODS, AND LIMITING
MAXIMUM NUMBER OF RESIDENTIAL SHORT-TERM RENTALS FOR EACH
COMMUNITY DISTRICT**
was passed and adopted the 13th day of April, 2020 and certifies that a summary was published
in the Deseret News and Salt Lake Tribune the __ day of April, 2020.

Elyse Sullivan, City Recorder



Bonneville Research

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Suite 201A

Salt Lake City, UT 84103

801-673-9021

April 13, 2020

Millcreek City Council

City Hall

3300S. 1300 E

Millcreek, Utah 84106

John Brems, Millcreek City Attorney requested Bonneville Research to prepare a report on a property located at 4501 S Abinadi Rd. in Millcreek City.

Findings:

1. The property is in a R-1-10 residential neighborhood of Single-Family Detached Residences on a 0.31-acre lot.
2. The neighboring properties are similarly zoned R-1-10 Single-Family Detached Residences on similarly sized 1/3rd-acre lots.
3. The property is currently being actively used as a “as a Short-Term Rental property”.
4. The property is being actively marketed as providing “living spaces allow for up to 25 guests to entertain and relax”, a “Fantastic place for a big group”, and a “Spring Break Blast”.
5. The property is currently paying property taxes at the 45% Discounted rate as an “Owner Occupied-Primary Home” even though the owner lives in California. Additionally, as a “Primary Home” the owner is also not paying any Personal Property Taxes on the furniture and furnishings in the home.

Conclusions:

1. Millcreek City's R-1-10 residential zone does not provide for "a Short-Term Rental property" as a conditional use.
2. A property currently being used as providing "living spaces allow for up to 25 guests to entertain and relax", a "Fantastic place for a big group", and a "Spring Break Blast" is not consistent with a R-1-10 residential neighborhood of owner-occupied single-family detached homes.
3. Neighboring single-family detached residences also on 1/3 acre lots will likely suffer the intrusions of increased traffic, noise, the influx of non-residents, and the resultant erosion of property values.

Therefore, a Short-Term-Rental operating in the R-1-10 Abinadi Road residential neighborhood **does not** accomplish the public purposes of Millcreek, a Utah Municipal Corporation, as provided for in Utah Code 10-9a-102 in the areas of:

- (a) providing for the health, safety, and welfare,
- (b) promoting the prosperity,
- (c) improving the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses,
- (d) protecting the tax base,
- (e) securing economy in governmental expenditures,
- (g) protecting both urban and nonurban development,
- (i) providing fundamental fairness in land use regulation,
- (j) facilitating orderly growth, and
- (k) protecting property values.

And further, to accomplish the above purposes, Millcreek, a Utah Municipal Corporation may enact ordinances, of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:

- (a) uses,
- (b) density,
- (c) open spaces,



- (d) structures,
- (e) buildings,
- (g) light and air,
- (h) air quality,
- (j) infrastructure,
- (n) fundamental fairness in land use regulation; and
- (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

Robert Springmeyer

Robert Springmeyer

Bonneville Research

Mr. Springmeyer is actively involved in redevelopment and other economic impact projects. He has provided independent financial and redevelopment analysis for numerous urban renewal agencies within the State and completed "Fair Value Analyses" for Holladay and South Salt Lake Cities. Mr. Springmeyer is the Chairman of Bonneville Research. He has directed the Economic Analysis/Tax Studies completed for the Downtown Alliance, the Utah State Tax Review Commission, Salt Lake County, Brigham City, Salt Lake, Sandy, Bountiful and South Jordan Cities, including the Urban Renewal Agencies of Salt Lake, Taylorsville, Holladay, South Salt Lake, Draper, West Jordan, Ogden, South Jordan, Sandy, and Murray. He is educated in Political Science, Economics, and Business Management, and has consulted with local governments for over 40 years. He has been listed in Who's Who in Finance, and Who's Who in the West.

Property Description:



Address: 4501 S Abinadi Rd
City: Millcreek City
District: Olympus Cove
Zoning: R-1-10
Type: Single Family Detached Residence
Size: 0.31 Acre, 13,504 sq ft

Ownership: Mark H & Marianne J, Egan JT
PO Box 6046
San Ramon, CA 94586

Market Value 2019:

Bldg Value \$975,200
Land Value \$378,200
Total Value \$1,353,400

Assessment: Primary
Owner Occupied

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Structure:

Total Number of Rooms 21
Main Floor Area 3,478 sq ft
Upper Floor Area 1,571 sq ft
Basement Area 4,287 sq ft
Bedrooms 8
Full Baths 6
Year Built 2008
Effective Year Built 2013
Garage Area 732 sq ft (Snug 3 Car)



Neighboring Homes:

4493 S Abinadi Rd
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.31 Acre
\$653,000 Total Value

4509 S Abinadi Rd
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.30 Acre
\$711,400 Total Value

4504 S Abinadi Rd
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.34 Acre
\$1,104,700 Total Value

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4496 S Abinadi Rd
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.36 Acre
\$1,583,300 Total Value

4496 S Zarahemla Dr
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.33 Acre
\$1,174,100 Total Value

4504 S Zarahemla Dr
Single Family Detached Residence
Owner Occupied
R-1-10 Zone
0.33 Acre
\$817,400 Total Value



Utah's Best Vacation Rentals Website:

<https://www.utahsbestvacationrentals.com/utah-vacation-rentals/majesty-cove-mansion-salt-lake-mountain-and-valley-views>

Description:

Located on Millcreek's upper East bench in Olympus Cove (Mount Olympus), this 9 bedroom luxury estate is 2 minutes to shopping, 10 minutes to downtown Salt Lake Convention Center, 20 minutes to Cottonwood Canyon Ski Resorts and 30 minutes to Park City.

Perched on a mountainside bluff, encompassed by the towering majestic peaks of Salt Lake's beloved Mount Olympus, sits this custom-built, west-facing luxury vacation home fit for royalty. The sweeping panoramic view of the city and mountains triggers an immediate sense of triumph from life's problems, making you feel like you've left the world below and can finally relax and recharge. At sunrise and sunset, the illuminated backdrop of the mountain cliff face leaves you with a sense of awe-struck wonderment.

Upon entering the over-sized iron forged front door, you'll enjoy a palatial ambiance of beautiful custom stone, marble, and woodwork with 30-foot expansive vaulted ceilings in an open-concept, 10,000 sq. ft. floor plan. Enjoy a stunning gourmet kitchen, separate basement apartment, large 3-tier movie theater, game room with billiards, ping pong, foosball, and private kitchenette. Multiple living spaces allow for up to 25 guests to entertain and relax, and the bedrooms provide million dollar views of the Salt Lake valley. During winter months for skiers and snowboarders, this is the perfect luxury ski vacation home, where you can access Snowbird, Alta, Solitude, and Brighton ski areas within 20 minutes.

Features

- * Private hot tub
- * Theater room
- * Incredible views
- * Game room; Billiards, Ping pong, Foosball
- * Large gourmet kitchen (Viking gas range)
- * 2nd Kitchenette downstairs
- * 6 fireplaces (2 in master)
- * 5 large 43 in. Smart TV's
- * 55 in. Smart TV in Master Bedroom
- * 3-car garage (4-5 cars max, No street parking)
- * Gas BBQ
- * WIFI



ACCOMMODATION:

2-level Grand Master (main floor): King Bed (sleeps 2)
Master Loft: Full Bed w/ Twin Trundle (sleeps 2-3)
Master Bathroom Loft: 2 Twin Beds (sleeps 2)
Bedroom #2 (main floor): King Bed (sleeps 2)
Bedroom #3 (2nd floor): 3 Sets of Twin over Twin Bunk Beds (sleeps 6)
Bedroom #4 (2nd floor): King Bed (sleeps 2)
Jr. Master #5 (2nd floor): King Bed (sleeps 2)
Bedroom #6 (basement): 2 Queen Beds (sleeps 4)
Bedroom #7 (basement): 2 Full Beds, and 1 Full over Full Bunk Bed (sleeps 4)
Bedroom #8 (basement): King bed (sleeps 2)
Bedroom #9 (basement): King Bed (sleeps 2-4)
Total Capacity: Sleeps 25 Comfortably
Total Individual Beds: 22 (including trundles)

AMENITIES:

KITCHEN

- Full Kitchen
- Kitchenette
- Refrigerator
- Coffee Maker
- Ice Maker
- Microwave
- Toaster
- Cookware
- Blender
- cutting board
- Roasting Pan
- Tea Kettle
- Muffin Pan
- Crock Pot
- Spices (salt & pepper)
- Pizza Pan
- Cookie Sheets
- Stock Pot
- Dishwasher
- Hand Mixer
- 2nd Refrigerator
- 2nd Kitchen (Basement Apt)

LIVING

- Central Air
- Air Conditioning
- Ceiling Fans
- Linens
- Washer & Dryer
- Ironing Board
- Jacuzzi Tub
- High Speed Internet
- No Phone
- Fireplace
- TV's
- Hot Tub
- Pack and Play

ENTERTAINMENT

- Cable TV
- Satellite TV
- DVD Player
- Games



- Pool Table
- Foosball Table
- Ping Pong Table
- Theater

OUTDOOR

- Deck
- Patio
- BBQ Grill
- Gas Grill
- Hot Tub
- Patio Furniture
- Fire Pit

Note: All the Amenities would likely be subject to Personal Property Taxes upon receiving a Business License

Reviews:

We took a group of east coast high school students to Salt Lake City for a epic week of skiing. The house and Rental company were fantastic and more than surpassed our expectations.

Reviewed on 2020-03-23 by Ivan (Airbnb Review)

Updated on 2020-03-23

Great place for large groups! Close proximity to both Snowbird and Park City and in a quiet residential neighborhood. We would definitely come back for another stay!

Great house and entertainment; appliances need updating

Reviewed on 2020-02-06 by Tim H. from Terrace Park, OH United States

Updated on 2020-02-06

Not many homes allow 15 grown men to sleep in their own bed, let alone 5 in their own BR. Awesome space to spread out and relax after days on the slopes. The the UBVR employees we worked with were fantastic and responsive. The entertainment value in the basement is wonderful. The only down side to our stay was appliance related - main floor fridge is much smaller than the large one that had been there a few years ago and the ice maker doesn't work. We cook a lot and the stove vent made a funny sound and we could smell something burning up in the unit. The gas tank in the grill was empty....but so were the 2 extras in the garage. The coffee maker in the main kitchen did not really brew so we brought the one up from downstairs. We notified them and I'm sure they will take care of each of these things! We will definitely stay there again ...like we have the past many!!

Fantastic place for a big group

Reviewed on 2020-01-22 by Lance B. from Emeryville, CA United States

Updated on 2020-01-22



Unbelievably massive house. We had a group of 17 and still had tons of room to spare. Well stocked (lots of plates, cutlery, towels, blankets etc) and we were even able to extend checkout for a small fee. Great location a few mins from cottonwood canyons. Would definitely stay again!

A fun week in the snow

Reviewed on 2020-01-05 by from Gulf Breeze, FL US

Updated on 2020-01-05

We had a great time in SLC and the surrounding ski areas with a large well equipped home to enjoy our family time together. Our only issue involved having multiple vehicles that had to be parked off the street and the property did not have a garage to house them all, During the winter, the snow makes the somewhat steep driveway tricky for us Floridians and the snow accumulation on the sides and top of the driveway decreased the available space in which to maneuver for parking. Upon request, UBVR really showed up and helped us with the snow removal process so that we could go and come as needed. Very responsive to our concerns and much appreciated. The house has numerous fireplaces but even using only one at a time, the flames were barely visible. Not sure why, but not such a big deal that it warranted a complaint but a recommendation to have them looked at for others that may spend more time inside than we did. We skied at Brighton and found the drive very manageable and the conditions there were great.

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Spring Break Blast

Reviewed on 2019-04-05 by Beverly Harpold

Updated on 2019-04-05

This is our third consecutive annual trip to Salt Lake City from Florida to ski over spring break. Weve been a large group, five or six families. I have found UBVRs Service and home options to be first-rate. This is a great house for a large group. This year, we were six families (20 people). The layout of bedrooms and bathrooms was excellent and allowed for most couples to have a bathroom that they did not have to share with any other family. The house is in excellent condition and well appointed.



Issues:

1) Zoning:

a. R-1-10 Zone

- i. Minimum Lot Area 10,000 sq ft
- ii. Front Yard 30 ft
- iii. Side Yards 10 ft on each side
- iv. Rear Yard 15 ft
- v. Allowed Conditional Uses
 1. Cemetery
 2. Day care/preschool center, subject to MKZ 19.76.260
 3. Golf course
 4. Home day care/preschool, subject to MKZ 19.04.293
 5. Planned unit development
 6. Private educational institutions having an academic curriculum similar to that ordinarily given in public schools
 7. Private nonprofit recreational grounds and facilities
 8. Public and quasi-public uses
 9. Residential facility for elderly persons
 10. Temporary buildings for uses incidental to construction work, which building must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work or thirty days after notice, the building will be removed by the City at the expense of the owner.
 11. Nursery and greenhouse, provided that there is no retail sales

2) Owner Occupied Primary Valuation

a. Valuation

b. Penalties

3) Potential Building, Fire and Other Code Issues

a. Short Term Rental

i. Code Requirements

- 1. Sprinklers**
- 2. Smoke alarms**
- 3. Other**

b. Hotel/Motel

i. Code Requirements

1. Sprinklers
2. Smoke alarms
3. Other

c. Group Home

i. Code Requirements

1. Sprinklers
2. Smoke alarms
3. Other

d. Commercial

i. Code Requirements

1. Sprinklers
2. Smoke alarms
3. Other

4) Potential Law Enforcement Issues/Calls for Service

a. Parking

b. Noise

c. Other Nuisance

5) Business License

a. Short Term Rental

- i. "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days or a residential unit or any portion of a residential unit or that is actually used for accommodations or lodging of guests for a period of less than thirty consecutive days.
- ii. It is unlawful to conduct or operate a short-term rental without having obtained a license therefor.
- iii. Applications shall contain the following information:
 1. The location of the short-term rental,
 2. The number of rooms therein contained,
 3. The number of persons the short-term rental will accommodate,
 4. The name of a property manager,

5. A sales tax collection and accounting number,
 6. The name, address and telephone number of a local responsible party who is available by telephone twenty-four hours per day, and
 7. Such other information as the license official shall from time to time require.
- iv. The application shall include a statement by the applicant affirming that the applicant is currently in compliance with all legal requirements and has paid all applicable taxes, fees and other charges, including but not limited to the transient room tax.
- v. **5.19.040 License; Application; Investigation**
1. Applications shall be referred by the license official to the local fire agency and Salt Lake County Health Department or such other agency as the license official may deem appropriate to make or cause to be made an investigation of the short-term rental premises, the applicant and other relevant matters. Agency recommendation as to the issuance or denial of the license, based on the above inspections, shall then be referred to the Director for approval or to recommend denial in accordance with the provisions of MKC 5.02.010 through MKC 5.02.140.
 2. A license that has been granted may be suspended or revoked for any violation of the provisions of this chapter, or for any of the reasons as contained in MKC 5.07.020.
 3. Any appeal of a decision to deny, suspend or revoke a license shall be heard in accordance with those procedures established by MKC 5.02.140 through MKC 5.02.180.
- vi. **5.19.050 License; Fee**
1. The annual fee for a license under this chapter shall be the same as the general business license fee, as defined in MKC 5.08.040. A license with applicable fee is required for each separate short-term rental property.
- vii. **5.19.060 Inspections For Compliance**
1. After a license has been granted, the license official may make periodic inspections of a short-term rental to ensure compliance with this chapter and all other applicable law.
- viii. **5.19.070 Maintenance; Structures And Grounds; Other Requirements And Limitations**

1. A short-term rental shall be maintained to the following minimum standards:
 2. Periodic housekeeping service shall be provided by the owner, including removal of trash to the nearest collection point, on at least a weekly basis.
 3. Short-term rentals may not be used for any of the following:
 4. Commercial purposes not otherwise permitted in the zone;
 5. Distribution of retail products or personal services to invitees for marketing or similar purposes; or
 6. The outdoor display of goods and merchandise for sale.
- ix. Required parking areas and access to parking areas shall be maintained and available for use at all times. Parking for this use shall include a minimum of two parking spaces for each dwelling unit, shall be contained on the site, and shall not be allowed on the public rights-of-way. The use of a dwelling as a short-term rental shall not change the appearance of the dwelling or property for residential purposes.
- x. The access to the short-term rental unit and the layout of the short-term rental shall be designed so that noise and physical trespass from the short-term rental unit is not likely to be a substantial intrusion on adjoining properties. If the short-term rental unit is a single family home, duplex, condominium or other dwelling place and shares an access, hallway, common wall, or driveway with another dwelling, written consent of the owner of the other dwelling is required.
- xi. Responsible Party.
1. The licensee must designate a responsible party who is an individual or property management company residing or maintaining an office in Salt Lake County.
 2. The responsible party is personally liable for failure to properly manage the short-term rental.
 3. The responsible party must be available by telephone, or otherwise, twenty-four hours per day and must be able to respond to inquiries within twenty minutes of receipt of an inquiry.
 4. The licensee must have a sales tax collection and sales tax accounting number for the rental operation and the sales tax number must be included on the short-term rental application. All applicable taxes, charges and fees, including the transient room tax, must be paid in full during the period of licensure.

xii. 5.19.080 Nameplate Sign

1. One nameplate sign shall be permanently attached to the building in a conspicuous location near the front entrance of the short-term rental. The nameplate sign shall:
2. Provide the name and telephone number of at least one responsible individual located within Salt Lake County that can be contacted twenty-four hours a day,
3. Contain the occupant load of the building as allowed by the International Building Code,
4. Be made of durable, weather resistant material,
5. Not exceed three inches by five inches in dimension, and
6. Contain no advertising.

xiii. 5.19.090 Separate Violations

1. For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

xiv. 5.02.140 License; Application; Denial Conditions; Appeals

1. After receiving a recommendation from the Director, the mayor may deny a license or a license renewal if the applicant has within five years immediately preceding the date of application:
2. Been convicted of a felony or any crime involving moral turpitude;
3. Obtained a license by fraud or deceit;
4. Failed to pay personal property taxes, Utah state sales taxes, or other required fees;
5. Violated the laws of the state, the United States Government, the ordinances of the city, or the rules and regulations of any local government or Utah state agency governing operation of the business holding the license or permit; or
6. An outstanding warrant for his or her arrest.