

2.13.2 Property Held for Sale

“Tangible personal property present in Utah on January 1, noon, held for sale in the ordinary course of business or for shipping to a final out-of-state destination within 12 months and which constitutes the inventory of any retailer, wholesaler, distributor, processor, warehouseman, manufacturer, farmer, or livestock raiser, is exempt from property taxation.” (Section 59-2-1114 and Utah State Constitution, Article XIII Section 3)

This exemption does not apply to inventory, which is not otherwise exempt from personal property taxation, mines or natural deposits. It also does not apply to a manufactured home or mobile home, which is sited at a location where occupancy could take place. In the case where the dealer’s lot happens also to be a site where the manufactured home is sited for occupancy, the unoccupied manufactured home is not considered to be in inventory and is not exempt from taxation.

Standard 2.14 Consulate and Diplomatic Property Exemptions

The foreign consulate’s office, residence, and personal property is exempt from any fees or property taxes if registered with the Office of Foreign Missions, 555 Battery St. Rm. 313, San Francisco, CA 94111. A diplomat’s motor vehicles must be registered through the Office of Foreign Mission, Diplomatic Motor Vehicles Office, 3507 International Place N.W., Washington D.C. 20008. These exemptions were adopted by the Vienna Convention on Consular Relations and the Vienna Convention on Diplomatic Relations.

Section II.IV Non-Profit Use Exemptions

Standard 2.15 Non-Profit Entities: Religious, Charitable and Educational

2.15.0 Religious, Charitable and Educational

“Property owned by a nonprofit entity which is used exclusively for religious, charitable, or educational purposes” is exempt (59-2-1101 and Utah State Constitution, Article XIII, Section 3). The exemption extends to property used for parking, landscaping, and other property improvements, which are used for the operation of such purposes. Qualification under federal tax law as a “501 (c)(3)” organization however, does not automatically qualify the organization’s real or personal property for exemption from property tax.

2.15.1 Exclusive Use

“The constitutional exemption is to be strictly construed and the charitable use of the property must be exclusive; however, a use of true minor import or a de minimus use will not defeat an exemption. If there is any separate part of the building occupied and used exclusively for charitable purposes, that part qualifies for exemption.” [*Loyal Order of Moose 259 v. Salt Lake County Board of Equalization* (657 P2d 257), 1982]

2.15.2 Partial Exemption

A partial exemption may be granted only where a separately identifiable portion of a property is exclusively used for qualified purposes. A partial exemption may not be granted based upon percentage use of shared or common space or facilities.