CITY OF ATASCADERO

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www.atascadero.org

BUSINESS LICENSE INFORMATION PACKET (Updated 7-25-16)

What: **This form is for a license to operate a business in the City of Atascadero.**
A business license is a requirement for doing business in the City of Atascadero. However, it may not be the only requirement. By itself, it doesn't make your business legal. You may have to secure additional permits that are required by the City as well as meet all zoning requirements.

So… before you make any significant business commitments, sign a lease, purchase inventory or take out an ad in the Yellow Pages, you should check with the Community Development Department. You may find that other permits are needed for your business or that it is not legal at the location you are considering.

Where: City zoning regulations tell where your business may be located. Some types of businesses aren't allowed in certain zones or are only allowed with special City approval in the form of a "Conditional Use Permit." You might also have to meet parking requirements or other City standards. Some, but not all businesses, can be operated from your home. To find out whether you can do what you want to do, or where you want to do it, check with the Community Development Department. The City will review your application and check that all requirements are met. Ask for an OED (Office of Economic Development) site visit by calling (805) 470-3410.

WHAT ELSE SHOULD I KNOW?

Occupancies. You will need to know if you fall into one of the following criteria because the fees collected will be affected by this. Here are some general definitions:

A Occupancy: Assembly (more than 49 people). Examples include churches, larger restaurants, bars, dance halls, or hotel convention centers.

B Occupancy: Examples include offices, professional or service type transactions, including storage of records and accounts. Includes, but not limited to, banks, barbers, beauty shops, etc.

H Occupancy: Hazardous. Examples include automotive repair, welding shops, places where quantities of hazardous material are stored, or places using flammable gases.

M Occupancy: Examples include sale of merchandise and involves the stocks of goods, wares, or merchandise. Includes, but not limited to, department stores, markets, retail, or wholesale stores.

Hoods: Hoods in commercial kitchens to remove hot air/grease and ventilating hoods as in manufacture and assembly processes.

Fire Sprinklers: Fire sprinkler systems required by Atascadero Municipal Code to activate during a fire to "sprinkle" the interior with water before the Fire Department arrives. For more information please see handout.

Note: *If you are unsure of what type of occupancy you fall under, please call us so we may help to answer your question before you submit your application.*

Signs: Generally a new business will need a new sign, and a new sign requires a sign permit. City sign regulations specify what type of sign is allowed for your business. Consulting with a city planner early in the process to help with your new sign will save you valuable time and cost. Applications for sign permits are available at the Community Development Department.

New Construction/Remodeling: Almost any new construction or remodeling, including minor electrical or plumbing work, requires a building permit. Even simple construction, such as fencing or landscaping, can be subject to City codes. Check with the Community Development Department prior to commencing any work. Remember we are here to help you start your new, successful business.

WHAT HAPPENS ONCE I SUBMIT MY APPLICATION?

Important! City staff will review your application. It is important we know how to reach you during this critical period in the event we have any questions. List all phone numbers and specify which one you want us to try first!

Planning Review: A City staff member from the City's Planning Division will review your application initially to see that it complies with applicable zoning and environmental law and ordinances. In fact, Planning Division staff is who you should meet with initially if you are planning to remodel or construct tenant improvements for your business as well.

Building/Fire Review: Once the Planning Division determines you comply with zoning law, your application is reviewed by the Building Division for California Building Code compliance and inform you of any permit requirements for new work, and the Fire Department for the Fire and Life Safety aspects of your proposed business. They will check to see you are compatible with businesses adjacent to you or in the same building as you with respect to fire safety, make sure you have an adequate number of safe exits, etc. Sometimes they will refer the project to the Fire Department for review of those issues more closely related to the Fire Code.

Fire Department Inspection: If you are a new business or have an existing business relocating to a different building or lease space, an inspection of your business must be performed by the Fire Department prior to opening. They will look to see that your business is safe and complies with current Fire regulations.

WHAT DO I NEED TO KNOW ABOUT ADA (AMERICANS FOR DISABILITIES ACT)?

Many new laws have been adopted in recent years having to do with accessibility for physically impaired individuals. Any remodeling or new construction must meet the standards. City staff regularly reviews submittals to see that they comply. Even a business opening in an existing location is required to make modifications deemed "readily achievable". Title III of the Americans for Disabilities Act is federal law and, as described on web site maintained by the federal government, "covers businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities. Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sports stadiums and fitness clubs. Transportation services provided by private entities are also covered by title III." Furthermore, it states, "Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources." For more information on ADA, your best resource is to visit the U.S. Department of Justice's web site at www.usdoj.gov or call their ADA information hotline at 1-800-514-0301 or 1-800-514-0383 (TDD).

When filling out your Application

Applicant: Furnish complete legal name including middle initials.

Contractor License #: Applies to all contractors and subcontractors licensed through the State Contractor's Board (805) 549-3156. Also applies to other professions.

Corporate I.D. #: Issued by the California Secretary of State to all incorporated companies. For information, call (916) 657-5448, or mail to: Secretary of State, 1500 11th Street, Sacramento, CA 95814.

Federal I.D. #: Also referred to as a partnership tax number. This is the Federal number issued to businesses (not the corporation number).

Business Name: Should read as it will appear on your business license and fictitious name statement (if applicable). A "Fictitious Name Statement" is a document that is filed with the County Clerk's office and is required when a business name does not contain the owner's last name. Forms are available at any newspaper location in the County. **The County Clerk's office in Atascadero is located at 6555 Capistrano Ave. in the new Library building. (461-6041).**

Owner of Premises: Required for emergency notification purposes and to ensure you have permission to operate your business at the location listed.

Other Application Requirements:

- ✓ Any business selling food or drink items will require proof of Health Department approval in order to deem this application complete. A copy of your current health permit will be required before approving your application. For information contact the San Luis Obispo County Health Department.
- ✓ Some types of businesses will require a Police background check (fingerprinting) to be performed in order to deem this application complete.
- ✓ Signs and Sign Permits: If you plan to erect any new signs for your business, or change the copy of an existing sign, be sure to check with the City's planning staff to see what is allowed at your location. Any new sign will require a sign permit application.

YOU ARE REQUIRED TO NOTIFY THE CITY OF ATASCADERO WHEN YOU ARE NO LONGER IN BUSINESS. WE ASSUME THAT YOU ARE IN BUSINESS UNLESS YOU NOTIFY US OTHERWISE. FAILING TO DO SO, MAY RESULT IN YOU BEING SENT TO A COLLECTION AGENCY.

Application Fees Effective July 25, 2016

PLEASE SEE INDIVIDUAL APPLICATIONS FOR FEE AMOUNTS ON OUR WEBSITE AT WWW.ATASCADERO.ORG.

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SB 1186 (Steinberg). Disability Access.

<u>Chapter 383, Statutes of 2012 (Urgency)</u>

This measure seeks to increase compliance with the state's disability access laws while reducing unwarranted litigation by:

- Prohibiting demand letters from including a request for money;
- Reducing a defendant's liability for statutory damages if certain conditions are met;
- Permitting a defendant to file for a court stay and early evaluation conference under special conditions;
- Requiring commercial property owners to indicate on a lease or rental agreement whether the property has undergone inspection by a certified access specialist; and
- Requiring cities and counties to collect a $1 fee on an applicant for a local business license and dividing that money between the local entity collecting the money (70 percent) and the state (30 percent).
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STATE OF CALIFORNIA Edmund G. Brown, Jr., *Governor*

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Labor Standards Enforcement
P.O. Box 420603
San Francisco, CA 94142
Tel: (415) 703-4810
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Please take a moment to review the following information which is being provided in an effort to assist you in your efforts to begin your new business enterprise:

The State of California, through statutory mandates, requires that certain businesses and/or individuals obtain a license, registration or certification through the Division of Labor Standards Enforcement (DLSE) prior to commencing business and to maintain that license in good standing:

DLSE requires licenses for:

- Farm Labor Contractors
- Talent Agent
- Industrial Homework
  - License to Employ Industrial Homeworkers
  - Permit to Work as an Industrial Homeworker
- Employers, supervisors and transporters of minors working in door-to-door sales

DLSE requires registration of:

- Garment Manufacturers/Contractors
- Car Wash and Polishing businesses

DLSE provides certification of:

- Studio Teachers

DLSE collects bonds for businesses engaging in:

- Fee-Related Talent Services

Finally, please note that an Entertainment Work Permit is required of all minors wishing to work in the entertainment industry and any employer wishing to employ a minor in the entertainment industry is required to complete an Application for Permission to Employ a Minor in the Entertainment Industry.

Information on the licensing requirements and downloadable application forms, instructions and other documentation required to complete your application can be accessed on the DLSE website at http://www.dir.ca.gov/dlse/dlseLicensing.html. In addition, the DLSE provides a network of 18 District Offices which can provide further assistance if necessary. To find the office closest to you, please go the DLSE website at http://www.dir.ca.gov/dlse/DistrictOffices.htm.

GOOD LUCK IN YOUR NEW BUSINESS !!
WE WELCOME THE OPPORTUNITY TO ASSIST YOU !!

Julie Su
Labor Commissioner