

**TOWN OF ORO VALLEY
PUBLIC MARKET (PARTICIPANT) LICENSE APPLICATION**

GENERAL INFORMATION

It is the responsibility of the applicant to review all applicable sections of the Oro Valley Town Code, Zoning Code and any other Town regulations that may affect the applicant's business.

The public market license fee is \$20.00 and must be submitted along with the completed application.

The Town accepts cash, checks or credit cards for payment of the fee. Please make checks payable to the Town of Oro Valley.

For questions or additional information, please call 520-229-4700. Return completed application and payment to:
Oro Valley Town Clerk's Office
11000 N. La Canada Dr.
Oro Valley, AZ 85737

APPLICATION INSTRUCTIONS

Section 1

- Public Market means any group of people brought together by a central organizing body at a single event or periodically for the purpose of selling goods or merchandise for profit (see Section 8-2-1(D) of the Oro Valley Town Code).
- If the business address is an Oro Valley residence, a Home Occupation License Application must be completed instead of the public market application.
- Oro Valley has a 2.5% local sales tax in addition to the 6.1% sales tax collected by the State and Pima County. Businesses selling a product or engaging in a service that is subject to tax, must obtain an Arizona Transaction Privilege (Sales) Tax Number. For more information, go to: www.azdor.gov/Business/LicensingGuide.aspx or call the Oro Valley Finance Department at 520-229-4728.
- If the business is selling liquor, a liquor license must be obtained from the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control. Information can be found at www.azliquor.gov
- If the business is food related, a copy of the business' County Health Permit must be provided.
- In addition to the Public Market License, pursuant to Article 8-1 of the Oro Valley Town Code, if employees of the business will be going door-to-door to solicit Oro Valley residents, a Solicitor's License must also be obtained for each solicitor.
- Please be specific when describing the nature of the business and its goods and services.

Section 2

- Please complete Section 2 if renewal and business notices should be sent to a location other than the business location.
- Indicate to whose attention the notices should be sent.

Section 3

- Sole proprietors must complete and submit the attached Licensing Eligibility and Verification Sheet along with a copy of approved identification.



Town of Oro Valley Public Market (Participant) License Application

Section 1: Business Location Information

Business Name (Legal owner and DBA):			
Street Address:			
City:		State:	Zip Code:
Phone No.:	Email:	AZ Transaction Privilege (Sales) Tax No:	
Does business have an AZ Liquor License? Yes Applied for N/A License/Application No.:			
If license is food related, County Health Permit No.:			
Purpose: Farmer's Market Art Show Other		Solicitor/Peddler License: Yes Applied for N/A	
Business Description:			
Number of Employees:		Business Website:	

Section 2: Mailing Address

Name:			
Street Address:		City:	State: Zip Code:

Section 3: Business Ownership

Ownership: Sole Proprietor Corporation LLC Partnership Other:			
Owner or Corporate Officer Name:			Title:
Street Address:			Email:
City:	State:	Zip Code:	Phone No.:

I understand that the issuance of a business license by the Town of Oro Valley does not necessarily mean that my business has complied with all county, state and federal requirements which may apply to my business.

Signature: _____ Date: _____
 Printed Name: _____ Title: _____

For Official Use Only

Corporation Commission: Date Verified _____ State _____ Account #: _____
 Trademarked Name: Yes ___ No ___ Trademark Owner: _____
 Health Permit: Yes ___ No ___ Economic Development Notified: Yes ___ N/A ___
 Start Date: _____ Date Paid: _____ Payment Info: _____



TOWN OF ORO VALLEY LICENSING ELIGIBILITY AND VERIFICATION SHEET

Pursuant to ARS § 41-1080, before issuing a license to an individual, the individual must present specific documentation to the Town of Oro Valley indicating that the individual's presence in the United States is authorized under federal law.

To become or remain eligible for your business license, please complete this form and return it, along with a photocopy showing **BOTH** sides of your identification to the Oro Valley Town Clerk's Office located in the Administration Building at 11000 N. La Canada Dr., Oro Valley, AZ 85737.

Check the box next to the document indicating lawful presence.

	An Arizona driver's license issued after 1996 or an Arizona non-operating identification license.
	A driver's license issued by a state that verifies lawful presence in the United States. (See Overview of States' Driver's License Requirements)
	A birth certificate or delayed birth certificate issued in any state, territory or possession of the United States.
	A United States certificate of birth abroad.
	A United States passport.
	A foreign passport with a United States visa.
	An I-94 form with a photograph.
	A United States citizenship and immigration services employment authorization document or refugee travel document.
	A United States certificate of naturalization.
	A United States certificate of citizenship.
	A tribal certificate of Indian blood.
	A tribal or bureau of Indian affairs affidavit of birth.

This provision does not apply to an individual if **all** of the following apply:

1. The individual is a citizen of a foreign country, or, if at the time of application, the individual resides in a foreign country.
2. The benefits that are related to the license do not require the individual to be present in the United States in order to receive those benefits.

By my signature below, I hereby certify, under penalty of perjury that the copy of the document I am providing is a true and accurate copy of the original document and that I am legally authorized to be present in the United States.

SIGNATURE OF LICENSEE

DATE

SIGNATURE OF TOWN EMPLOYEE

DATE

Oro Valley Tax Information				
Region Code	OR			
County Code	PMA			
Taxable Activity	Business Code	Oro Valley Tax Rate	State & County Tax Rate	Total Tax Rate
Advertising	018	2.50%		2.50%
Amusement	012	2.50%	6.10%	8.60%
Contracting- Prime	015	4.00%	6.10%	10.10%
Contracting- Speculative Builders	016	4.00%		4.00%
Contracting- Owner Builder	037	4.00%		4.00%
Job Printing	010	2.50%	6.10%	8.60%
Manufactured Buildings	027	2.50%		2.50%
Timbering and other Extraction	020	2.50%		2.500%
Severence- Metal Mining	019	0.10%	2.50%	2.60%
Publication and Periodicals Distribution	009	2.50%	6.10%	8.60%
Hotels	044	2.50%	6.05%	8.55%
Hotel/Motel (Additional Tax)	144	6.00%		6.00%
Hotel/Motel (Total Tax)				14.55%
Rental Occupancy	040	2.00%		2.00%
Renting, leasing & Licensing for TPP	214	2.50%	6.10%	8.60%
Restaurant & Bar	011	2.50%	6.10%	8.60%
Retail Sales	017	2.50%	6.10%	8.60%
Transporting for Hire	006	2.50%	6.10%	8.60%
Utility Services	004	4.00%	6.10%	10.10%

Article 8-2
BUSINESS LICENSE TAX

Sections:

- 8-2-1 Definitions
- 8-2-2 License
- 8-2-3 Collection and Payments
- 8-2-4 Officers
- 8-2-5 Penalties
- 8-2-6 Schedule
- 8-2-7 Exemption
- 8-2-8 Repealed

8-2-1 Definitions

In this article unless the context otherwise requires:

- A. "Business" means all activities or acts including any occupation, trade, calling, or profession, whether personal or corporate.
- B. "Peddler" means a person who sells merchandise from a location other than a permanent location whether as a solicitor, peddler, hawker, salesman or vendor of goods, wares, merchandise, magazines or services.
- C. "Transaction of business" means to practice, carry on, engage in, or operate a business with the object of profit, gain, benefit or advantage, either direct or indirect, whether or not profit is actually generated.
- D. "Public market" means any group or groups of persons brought together by a central organizing body at a single event, or periodically, for the purpose of selling or reselling goods or merchandise for profit at a public location including, but not limited to, farmers' markets and other similar events.
(03-39, Amended, 12/03/2003; 95-87, Amended, 01/01/1996)

8-2-2 License

- A. Requirement for License. It shall be unlawful for any person to commence, practice, transact or carry on any business, as set out in this article, without first having procured a license from the Town to do so, or without complying with any and all regulations of such trade, calling, profession, occupation or business. The granting of a license is not to be deemed as evidence or proof that the licensee has complied with the provisions of this chapter or other provisions of the Oro Valley Town Code, nor shall it estop prosecution by the town for any violation of its Town Code.
- B. Issuance by Town Clerk; Contents. It shall be the duty of the Town Clerk, or designated person, to prepare and issue a license under this article for each person required to be licensed hereunder. The license shall contain on its face the license fee, the time period covered, the name of the licensee, the business licensed and the location or the place of business licensed.
- C. Compliance with Article. The license tax shall be as provided hereunder and each license shall be issued for the period of time provided in this article.
- D. Exemptions. License taxes levied by the Town of Oro Valley shall not be presumed to apply to any part of a business which is a part of interstate commerce, or in which such business is conducted as an agency or department of the United States Government for which such government has failed to make provisions allowing states and municipalities to so tax.
- E. Exemptions for Occupations Paying Privilege Tax. This article shall not apply to, or be deemed to impose an occupational license tax from, any person licensed and taxed pursuant to Chapter 8A; provided, however, such exemption shall only apply to that portion of his business activities for which the tax levied pursuant to Chapter 8A

must be paid; and further provided, that such person shall pay an occupational license tax pursuant to this chapter as to any portion of his business activities for which the tax levied pursuant to Chapter 8A is not applicable.

- F. Separate Licenses Required for Separate Places of Business. A separate license must be obtained for each branch establishment or separate place of business. The person licensed shall conduct only the business described in the license and only at the location or place of business therein described.
- G. Licenses To Be Displayed; Exhibition Upon Demand. Every person having a license under the provisions of this article carrying on a business at a fixed place of business shall keep such license posted and exhibited in a conspicuous place within the business. Persons having a license but without a fixed place or location of business shall carry such license at all times while conducting the business for which the license was granted. Licensee shall produce and exhibit the license whenever requested by any police officer or any person authorized to issue, inspect or collect licenses.
- H. When Certificate or Permit from Health Department Required. A license for any business subjected to a certificate of health or sanitary examination will not be issued until the requisite inspection or examination is completed and a certificate or permit has been issued by the Pima County Health Department.
- I. Transferability, Assignability. Licenses are nontransferable and nonassignable; except, the Town Clerk may, upon receipt of a transfer fee of ten dollars (\$10.00) and an updated application, authorize the transfer or assignment of any license to another person by written endorsement thereon, when satisfied that the original applicant sold or otherwise disposed of all interest in the business for which such license was issued and that the transferee or assignee has complied with all other provisions of this article.
- J. Applicability to Business, Occupations Located Outside Town. Persons who conduct an established business, profession, trade or calling outside the Town limits, but solicit, canvass or advertise within the Town and deliver products or perform a service within the Town shall pay a license tax.
- K. Notice of Termination of Business Required. Notification of termination of the licensed business shall be made to the Town in writing no later than ten (10) days after termination of the business.
(O)06-21, Amended, 10/18/2006)

8-2-3 Collection and Payments

- A. Mistake Does Not Prevent Collection of Correct Amount. The Town shall not be prejudiced or estopped from collecting the correct amount of license tax due as provided by this article regardless of whether a mistake occurred by the Town in stating, fixing or collecting the tax.
- B. Time, Place of Payment Generally. All taxes required by this article shall be paid in advance to the Town Clerk at the Oro Valley Town Hall.
- C. When Taxes Due. The license tax shall become due and be collected commencing at the time business begins within the Town limits and thereafter shall be due prior to January 31st of each year.
- D. Prorating Annual Taxes. Annual license taxes shall be diminished by one-twelfth (1/12) of the full annual license tax for each month of the tax period which has fully lapsed at the date of the license application.

8-2-4 Officers

- A. Appointment of License Inspectors; General Duties. The Oro Valley Police Department shall be appointed as license inspectors. It shall be the duty of the license inspectors to inspect all places of business subject to the provisions of this article and report all violations to the Town Clerk.
- B. Right of Entry of Town Clerk, License Inspectors, Police; Arrest Authority. The Town Clerk, license inspectors and police officers shall have and exercise the power to enter free of charge, at any time, any place of business for which

a license is required by this article, and to demand the exhibition of the license for the current term from any person engaged or employed in the transaction of such business.

Denial of right of entry by the licensee, his agents or employees shall be a misdemeanor. Police officers may make arrests in the discharge of their duties for violations of any provisions of this article.

- C. Town Clerk, Inspectors To File Complaints. It shall be the duty of the Town Clerk, license inspectors or others to whom the duty is given, to cause complaints to be filed against all persons violating any of the provisions of this article.
- D. Monthly Report of Town Clerk Required. The Town Clerk shall report the total amount of all licenses collected to the Mayor and Council.
- E. Records. The Town Clerk shall keep such records and accounts as shall be necessary to adequately show separately the taxes collected under each of the classifications and amounts collected from businesses taxed by this article. The Town Clerk shall keep full and accurate records of all monies received and shall preserve all reports and tax returns filed pursuant to the terms hereof for a period of four (4) years.
- F. Rules and Regulations. The Town Clerk is hereby authorized and directed to formulate rules and regulations and prescribe forms and procedures necessary to the efficient enforcement of this article. When approved by the Mayor and Council, such rules and regulations, forms and procedures shall be binding upon and obeyed by all persons taxed by this article, after three (3) copies of any such rules and regulations shall have been filed in the office of the Town Clerk and there kept for the use of any such taxpayer and the public at any time during regular office hours of that office. A printed copy of all rules and regulations shall be furnished to any person taxed by this article upon request.

8-2-5 Penalties

- A. Operating Without a License. It shall be a civil violation to operate a business as defined by this article without a license.
- B. Delinquent License Tax. Any annual license tax unpaid after it is due and payable is delinquent. The Town Clerk shall, on the day the license tax becomes delinquent, add thereto a penalty in the sum of twenty-five percent (25%) of the total unpaid tax. If a delinquent tax remains unpaid for a period of fifteen (15) days, the licensee shall be guilty of the civil violation of operating a business as defined by this article without a license.
- C. Procedure. If a violation of any portion of this article occurs, a complaint shall be filed with the Town Magistrate Court and served upon the defendant by certified mail. At the violation hearing, the Town is required to prove the violation by a preponderance of the evidence. Technical rules of evidence do not apply, except for statutory provisions relating to privileged communications. If the defendant is found to have violated any provision of this article, the Magistrate shall impose a civil penalty of up to two thousand five hundred dollars (\$2,500.00). In the event the defendant should fail to appear, the Town may seek judgment by default. Each day that a violation continues shall constitute a separate offense.
- D. Revocation. Any license issued under the provisions of this article may, for good cause, be revoked.
- E. The conviction and punishment of any person for transacting any business without a license shall not excuse or exempt such person from the payment of any license tax due or unpaid at the time of such conviction.
(O)07-01, Amended, 01/17/2007)

8-2-6 Schedule

The license tax set out in the following schedule is hereby established for businesses and shall be paid by all persons who carry on or engage in any such businesses. The license tax set out herein shall become due and be collected

commencing at the time business begins within the Town limits and thereafter shall be due prior to January 31st of each year. In the event of a Town-sponsored event, the fee shall be waived.

(1) Business License Tax \$80.00

(Any and all businesses, occupations, trades, callings and professions not otherwise specifically listed separately in this schedule)

(2) Liquor License Tax \$80.00

LICENSE REQUIRED: Persons who have been licensed by the State of Arizona to deal in spirituous liquor within the town shall pay to the town an annual license fee.

(2a) Application Processing Fee \$500.00

Applications for liquor licenses, whether for an original or a transfer, shall be made on forms furnished by the State and shall be accompanied by all information furnished to the State with the application to the State Department of Liquor Licensing and Control. Every application shall be accompanied by a five hundred dollar (\$500.00) application processing fee which shall be retained by the Town.

(3) Peddlers License Tax, each \$80.00

Bond required for transient merchants, Section 8-1-12

(4) Public Market License Tax \$80.00
(Operator)

(5) Public Market License Tax \$20.00
(Participant)

((O)11-16, Amended, 06/01/2011; 03-39, Amended, 12/03/2003; 98-06, Amended, 03/04/1998)

8-2-7 Exemption

Persons engaged in any business listed in Section 8-2-6(1) who are subject to an annual license tax shall be exempt from one-half (1/2) of the license tax set out therein if gross income or gross revenue, whichever is greater, derived from the business licensed does not exceed four thousand dollars (\$4,000.00) during the calendar year immediately preceding the year for which the tax is collected. The licensee shall have the burden of applying for the exemption and of establishing the level of gross income or gross revenue, whichever is greater, derived during that year, on forms prescribed by the Town Clerk.

8-2-8 Repealed