



PEDDLERS, SOLICITORS & TRANSIENT MERCHANTS INFORMATION SHEET

- Applications are available in the Licensing Office at 55 N. Center Street, Mesa.
- Application Fee \$ 10.00
Investigation Fee \$ 25.00
Licensing Fee \$ 30.00 quarterly /100.00 annually
Renewal Fee \$ 30.00 quarterly /100.00 annually
- Completed applications must be submitted to the Licensing Office by 5:30 p.m. Monday through Thursday, along with the required fees and the following documentation:
 - Check/money order made payable to the CITY OF MESA.
 - Copy of driver's license or picture ID
 - License Eligibility Form
 - For adults:
 - Completed fingerprint card. (Suggested place to obtain prints)
Secureone Livescan Fingerprinting
132 W. Pepper Pl.
Mesa, AZ 85201
Office hours: Monday through Friday 9:00 am – 5:00pm
Phone (480) 500-7309
- For minors:
 - Completed, signed and notarized Parental Consent form. The parent/legal guardian must show proof (birth certificate of minor, guardianship papers, etc.)
- Prior to issuance of your license the application must be approved by the following departments:
 - Police Department (background check on all applicants)
 - Tax Audit and Collections
- Renewal fees must be paid on or before the expiration date of the license.
- If you are engaging any activity subject to the City's Privilege Taxes, within the boundaries of the City of Mesa, you must apply for a Transaction Privilege Tax (TPT) License.

ALL FEES ARE NON-REFUNDABLE

**INCOMPLETE APPLICATIONS OR THOSE RECEIVED WITHOUT REQUIRED SUPPLEMENTAL
INFORMATION WILL NOT BE PROCESSED.**

55 North Center Street
PO Box 1466
Mesa Arizona 85211-1466
(480) 644-2316 Tel (480) 644-3999 Fax
website: www.mesaaz.gov/salestax
Office Hours: Monday – Thursday 7:00 a.m. – 6:00 p.m.

Licensing and Application Requirements House Bill 2212

The City wishes to notify all applicants of certain rights the applicant has related to the issuance of a license. The City shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition. Unless specifically authorized, the City shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable, however this does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes. The City shall not request or initiate discussions with a person about waiving that person's rights provided to them under Arizona Revised Statutes Title 9, Chapter 7, Article 4. The requirements of A.R.S. § 9-834 may be enforced in a private civil action and relief may be awarded against the City and the court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in such an action against a municipality. A City employee may not intentionally or knowingly violate A.R.S. § 9-834 and a violation of the statute is cause for disciplinary action or dismissal pursuant to City policy. The requirements of A.R.S. § 9-834 do not abrogate the immunity provided to the City or its employees by A.R.S. § 12-820.01 or § 12-820.02.

A.R.S. § 9-834. PROHIBITED ACTS BY MUNICIPALITIES AND EMPLOYEES; ENFORCEMENT; NOTICE

- A. A MUNICIPALITY SHALL NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON A LICENSING REQUIREMENT OR CONDITION THAT IS NOT SPECIFICALLY AUTHORIZED BY STATUTE, RULE, ORDINANCE OR CODE. A GENERAL GRANT OF AUTHORITY DOES NOT CONSTITUTE A BASIS FOR IMPOSING A LICENSING REQUIREMENT OR CONDITION UNLESS THE AUTHORITY SPECIFICALLY AUTHORIZES THE REQUIREMENT OR CONDITION.
- B. UNLESS SPECIFICALLY AUTHORIZED, A MUNICIPALITY SHALL AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND SHALL AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE.
- C. THIS SECTION DOES NOT PROHIBIT MUNICIPAL FLEXIBILITY TO ISSUE LICENSES OR ADOPT ORDINANCES OR CODES.
- D. A MUNICIPALITY SHALL NOT REQUEST OR INITIATE DISCUSSIONS WITH A PERSON ABOUT WAIVING THAT PERSON'S RIGHTS.
- E. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST A MUNICIPALITY. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST A MUNICIPALITY FOR A VIOLATION OF THIS SECTION.
- F. A MUNICIPAL EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE MUNICIPALITY'S ADOPTED PERSONNEL POLICY.
- G. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.
- H. A MUNICIPALITY SHALL PROMINENTLY PRINT THE PROVISIONS OF SUBSECTIONS A, B, C, D, E, F AND G OF THIS SECTION ON ALL LICENSE APPLICATIONS.
- I. THE LICENSING APPLICATION MAY BE IN EITHER PRINT OR ELECTRONIC FORMAT.

PEDDLER & TRANSIENT MERCHANT SALES ZONING & SIGN REGULATIONS

- ❖ Exterior display of signs and/or merchandise is subject to the same restrictions as permanent commercial land uses.
- ❖ Public right-of-way cannot be obstructed nor can it be used for the stationary display of signs or merchandise.
- ❖ Portable signs (e.g. “A” frame), inflatable signs, balloons, streamers, pennants, and banners are prohibited.
- ❖ Sign permits are required for the display of all lawful signs.
- ❖ Signs may not be attached to utility poles, traffic control devices, street lights, or similar structures in the public right-of-way.
- ❖ Outdoor display of merchandise is permitted on the private property (not in the public right-of-way) that is developed and improved, with the owner’s permission. Such outdoor display is permitted only in the following zoning districts:
 - GI, General Industrial
 - LI, Limited Industrial (display must be accessory to an existing primary permitted use)
 - GC, General Commercial (only allowed if outdoor display has been established as a legal non-conforming use)
 - DB2, Town Center Business 2 (subject to a Special Use Permit, and only when in conjunction with a permitted use)
 - DC, Town Center Core (subject to a Special Use Permit, and only when in conjunction with a Special Event)
- ❖ All Peddler and Transient Merchant sales are subject to applicable licensing and enforcement procedures of the City of Mesa.

For more information please contact the Development & Sustainability Department:

Planning Division (480) 644-2385
Building Safety Division (480) 644-4273

Planning Policies & Guidelines: www.mesaaz.gov/Planning/PoliciesAndGuidelines.aspx

Planning Division
Email: Planning.Info@Mesaaz.gov
www.mesaaz.gov/Planning
55 N. Center Street - PO Box 1466 - Mesa Arizona 85211-1466
(480) 644-2385 Tel - (480) 644-2757 Fax

Types of Businesses in Mesa *

Type	Example	Method of Operation	Zone	Development Requirements	Permits	Licenses**	Enforcement**
Permanent Merchant	Convenience store, shopping mall, restaurant.	Fixed base of operation with permanent structure.	DB-1, DB-2, DC, NC, LC, GC, LI, GI as appropriate.	Full on-site & off-site improvements (curb, sidewalk, landscaping, paving, etc.); Design Review requirements.	Construction, electrical, plumbing, sign, Certificate of Occupancy.	Sales Tax, Pawn, Second Hand, as applicable	Building Safety, Code Compliance, Tax & Licensing
Transient Merchant	Seat covers, pictures & ornament, stuffed toy vendors.	Display & sales of products from vehicle temporarily parked on lot. Removed daily with vehicle.	DB-2 (accessory to a permitted use with Special Use Permit), LI & GI (open land use districts).	Must be on developed lot, as an accessory to a primary permitted use, with permission of property owner.	None.	Sales Tax, Peddlers & Solicitors.	Code Compliance, Tax & Licensing.
Street Peddler	Flower vendors, hot dog carts, ice cream truck.	Door to door sales or direct sale from public right-of-way.	N/A (All sales done from right-of-way or door to door).	None. (No permanent sales locations. Cannot block sidewalk or otherwise hinder pedestrian or vehicular traffic.	None.	Sales Tax, Peddlers & Solicitors.	Police, Tax & Licensing.
Kiosk Sales	Photo finishing, key maker, snow cones.	Sales from prefabricated structure permanently placed on private property.	DB-1, DB-2, NC, LC, GC, LI, GI.	Full on-site improvements adjacent to Kiosk and related activities; Design Review requirements.	Construction, electrical, plumbing, sign.	Sales Tax.	Code Compliance, Tax & Licensing.
Mechanical Vendors	Bottled water, can crusher.	Items placed into or dispensed from prefabricated unoccupied structure placed on private property.	DB-1, DB-2, LC, GC, LI, GI.	Screened from street view, and/of appropriately landscaped and placed in a designated area as an integral part of the project.	Construction, electrical, sign.	Sales Tax.	Code Compliance, Tax & Licensing.

* This chart represents a summary of City of mesa requirements and therefore, contains only basic information. Additional Ordinance provisions may apply. Please refer to Mesa City Code for complete details (www.mesaaz.gov), or call:

Planning Division	(480) 644-2385
Building Permits	(480) 644-4273
Tax & Licensing	(480) 644-2316

** Does not include County or State licensing or enforcement provisions.



Please take a moment to read the following information provided by the City of Mesa Transportation Department. Each year a number of children are injured or killed in accidents with vehicles that operate as a business. These could be avoided by following a few safety tips.

- Remember that children are unpredictable and have little sense of danger. They are small in stature and are hard for all drivers to see. Also, young children cannot judge the speed or distance of a moving vehicle.
- Before stopping to sell, look for an area that has a clear view of oncoming traffic. Watch for multiple cars parked alongside the road because children can dart out from between vehicles, without giving oncoming drivers sufficient time to respond.
- Do not double park and do not block driveways. When other drivers are backing out they may not see small children at your vehicle.
- Do not park near an intersection. Other drivers are watching for oncoming cars, not children in a street and may not have time to react.
- To assist children after a sale, make sure the traffic is stopped before the children cross. Ask older children to walk the smaller ones across the street if necessary. Remind the children to look both ways before crossing the street.

Safety only takes a minute. A minute can save a life!

CITY OF MESA-APPLICATION FOR PEDDLER, SOLICITORS AND TRANSIENT MERCHANTS LICENSE (PAGE 2)

Applicant Name from Page 1, Section 1:

SECTION VII. PERSONAL INFORMATION

Previous names by which you have been known and the years in which you were known by those names				
Social Security Number	Email Address:			
Date of Birth (month, day & year)			Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	
Race	Color of Eyes	Weight	Height	Color of Hair
Birthplace City:	Birthplace State:	Birthplace Country/Region:		US Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION VIII. BACKGROUND INFORMATION - PLEASE READ CAREFULLY. IF NOT ANSWERED FULLY AND COMPLETELY IT COULD BE CAUSE FOR YOUR LICENSE REQUEST TO BE DENIED. A YES ANSWER DOES NOT AUTOMATICALLY CAUSE YOUR LICENSE TO BE DENIED.

In the past 7 years, have you been convicted of a felony or misdemeanor in any state or federal jurisdiction? (attach separate document if needed) Yes No

Date	Charge	City	State	Zip Code	Convicted?

In the past 7 years, have you been subject to an injunction, judgement, decree, or permanent order of any federal court? (attach separate document if needed) Yes No

Have you **ever** been convicted of any crime, misdemeanor, or violation of any municipal ordinance? Yes No (attach separate document if needed)

Date	Offense	Location of Conviction	Penalty Assessed

Have you ever been denied a Peddlers, Solicitors, or Transient Merchants License before? Yes No

If "Yes" Where? - Give City, County, State

SECTION IX. SIGNATURE AND CERTIFICATION

IMPORTANT

I hereby give consent to the City of Mesa to investigate my background, including any police records or records of any kind or description. I hereby waive any claim or cause of action regarding the use of my background information or police record that I may have against the City of Mesa or its agents and employees, and against any other individual or agency disclosing or releasing background information to the City of Mesa. I also certify that I am familiar with the Code provisions governing the Peddlers, Solicitors and Transient Merchants License.

I hereby certify that all answers and information on this application are true and correct. Any false, misleading, or incomplete information constitutes grounds for denial of this license.

Print Name	Signature	Date
------------	-----------	------

Include a legible copy of a valid driver's license with this application.

NOTICE TO SOLE PROPRIETOR, INDIVIDUAL AND/OR HUSBAND & WIFE BUSINESSES

All persons applying for municipal licensing as Individuals, Sole Proprietors, or Husband & Wife businesses, must provide evidence of their legal right to be in the United States in compliance with A.R.S. 41-1080, also known as the "Legal Arizona Workers Act."

If applying by mail, applicants must submit the eligibility form with the application. Please indicate, by checking the appropriate box, which of the 12 forms of documentation will be provided to verify legal status under federal law. Return the completed eligibility form along with the application, applicable fees and a copy of the documentation showing your legal status.

If applying in person at the Licensing Office, applicants must show one of the 12 types of documentation listed on the eligibility form with the application and applicable fees. The eligibility form will be completed upon presentation of the documentation.

Per State law, the City of Mesa Licensing Office cannot issue a license unless it first receives a copy of one of the specified forms of identification and a signed eligibility form.

*****NOTE: A Government issued photo ID must be presented with any document that does not contain a photograph of the individual.**

LICENSING ELIGIBILITY

Before issuing a license to an individual, the individual must present one of the following documents to the municipality indicating that the individual's presence in the United States is authorized under federal law:

Check the box next to the document indicating lawful presence.

*****NOTE: A Government issued photo ID must be presented with any document that does not contain a photograph of the individual.**

	An Arizona driver license issued after 1996 or an Arizona non-operating identification license.
	A driver license issued by a state that verifies lawful presence in the United States. (See Overview of States' Driver's License Requirements) NOT accepted: HI, NM, UT, WA Note: a WA " <u>Enhanced</u> " Driver License is acceptable
	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 or passport card.
	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.
	<u>Description</u> of other ID issued by: U.S. Government, other State government, an agency of this State or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuance.

This provision does not apply to an individual, if EITHER:

1. BOTH of the following apply:
 - a. The individual is a citizen of a foreign country or, if at the time of application, the individual resides in a foreign country.
 - b. 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.

OR

2. ALL of the following apply:
 - a. The individual is a resident of another state.
 - b. The individual holds an equivalent license in that other state and the equivalent license is of the same type being sought in this state.
 - c. The individual seeks the Arizona license to comply with this state's licensing laws and not to establish residency in this state.

Signature of applicant

Date

Signature of municipal employee

Date

55 N. Center Street
PO Box 1466
Mesa Arizona 85211-1466
(480) 644-2316 Tel
(480) 644-3999 Fax

