



SEXUALLY ORIENTED BUSINESS INFORMATION SHEET

Please read the City of Mesa Sexually Oriented Business City Code prior to submitting your application. A copy of the code is available on the City of Mesa website at <http://www.mesaaz.gov/clerk>

- Applications are available in the Licensing Office at 55 N. Center Street, Mesa.
- Licensing Office hours are Monday through Thursday 7:00 am until 6:00 pm, closed on holidays.
- A complete application packet must be submitted to the Licensing Office and include the following information/documents to begin the application approval process:
 - Application Fee \$500.00 (Business) \$50.00 (Employee) payable to the CITY OF MESA.
 - Investigation Fee \$25.00 for each person.
 - A completed City of Mesa Sexually Oriented Business Application.
 - Supplemental questionnaire(s) on all person(s) with 10% or more ownership in the business.
 - Supplemental questionnaire(s) on the spouse(s) of individual(s), co-owner(s) and sole proprietor(s) with 10% or more ownership in the business.
 - Completed fingerprint card to accompany each supplemental questionnaire.
 - Suggested place to obtain fingerprints:
 - Arizona Livescan
 - 456 W. Main St. Ste D, Mesa
 - Office hours: Monday through Friday 9:00 am – 6:00 pm
 - Phone (480) 284-8470
 - If the owner of the business is a limited partnership, include a certified copy of the Certificate of Partnership on file with the Arizona Secretary of State.
 - If the owner of the business is corporation, include a copy of the Articles of Incorporation (Charter) on file with the Arizona Corporation Commission.
 - If the owner of the business is a foreign corporation, include a copy of the Certificate of Authority on file with the Arizona Corporation Commission.
 - Floor plan of the proposed location as per Mesa City Code 6-16-3(B).
 - Photocopy of government issued photo identification for all applicants.
 - Individual applicant: proof of authorized presence in the United States, pursuant to Arizona Revised Statutes Section 41-1080.
- Questions or assistance regarding the licensing process can be directed to any staff member at the City of Mesa Licensing Office, 480-644-2316.
- For questions regarding zoning restrictions please contact City of Mesa Planning at 480-644-2385 or visit their website at <http://www.mesaaz.gov/planning/>
- Prior to issuance of a license, the application will be routed to various City of Mesa departments for their recommendations.
- Upon approval/denial of an application, a letter will be mailed to the applicant's mailing address regarding the outcome.
- A licensing fee of \$500.00 (business) \$50.00 (employee) is required prior to the issuance of the license. The license will be issued for one year.
- There is a yearly renewal fee of \$500.00 (business) \$50.00 (employee), which is due 30 days prior to the expiration date of your license.

ALL FEES ARE NON-REFUNDABLE

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

Physical Location:
55 N. Center St.
Mesa, AZ

Mailing Address:
P.O. Box 1466
Mesa, AZ 85211-1466
(480) 644-2316 TEL (480) 644-3999 FAX
Website: www.mesaaz.gov/tax&licensing

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.

BUSINESS SERVICES
Licensing Office
 55 North Center Street
 Mesa Arizona
 (480) 644-2316 Tel



Mailing Address
 PO Box 1466
 Mesa Arizona 85211-1466
 (480)644-3999 Fax

APPLICATION FOR SEXUALLY ORIENTED BUSINESS LICENSE

NON-REFUNDABLE \$500.00 DUE AT TIME OF APPLICATION - CODE 0570
ACCURACY IS IMPORTANT -- CHECK ALL ANSWERS FOR ACCURACY. FALSE OR INCOMPLETE ANSWERS OR OMISSIONS MAY RESULT IN NON-ACCEPTANCE, DENIAL OR SUBSEQUENT REVOCATION OF A LICENSE.

Check the type of sexually oriented business license you are applying for:	
<input type="checkbox"/> Adult Arcade	<input type="checkbox"/> Adult Bookstore
<input type="checkbox"/> Adult Cabaret	<input type="checkbox"/> Adult Motel
<input type="checkbox"/> Adult Motion Picture Theater	<input type="checkbox"/> Adult Theater
<input type="checkbox"/> Adult Video Store	
<input type="checkbox"/> Escort Agency	<input type="checkbox"/> Nude Model Studio
<input type="checkbox"/> Sexual Encounter Center	

SECTION I. BUSINESS INFORMATION

Business Name	
Business Street Address	
City, State, Zip	Phone Number
Type of Ownership	<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Other_____
Name of Corporation or LLC	
Days and Hours of Operation	
Owner of the building in which the business operates:	
Detailed description of services provided:	
Owner of the property on which the business operates:	
Do you lease or sublease the building in which the business operates? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Name of Lessor:	
Address of Lessor:	

SECTION II. MAILING ADDRESS

Mailing Name
Street Address or PO Box
City, State, Zip

SECTION III. LISTING OF PERSON(S) WITH 10% OR GREATER INTEREST IN THE OWNERSHIP OR EARNINGS OF THE BUSINESS

Title/Position	Name	% Owned, or, % of Earnings



APPLICATION FOR SEXUALLY ORIENTED BUSINESS LICENSE (PAGE 2)

SECTION IV. EMPLOYEES: ANY PERSON(S) PERFORMING SERVICES ON THE BUSINESS PREMISES.	
Name	Title/Function/Duties

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 Sexually Oriented Business License.

I hereby attest that I have verified that no person not qualified to own, control or manage a sexually oriented business is involved in the ownership, control or management of this applicant.

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/Title	Signature	Date

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 Mesa Arizona
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**SEXUALLY ORIENTED BUSINESS LICENSE
 SUPPLEMENTAL QUESTIONNAIRE
 SPOUSE AND PERSON(S) WITH 10% OR GREATER INTEREST IN THE OWNERSHIP OR EARNINGS
 OF THE SEXUALLY ORIENTED BUSINESS**

SECTION I. SPOUSE OR PERSON WITH 10% OR GREATER INTEREST IN OWNERSHIP OR EARNINGS OF THE BUSINESS.

Name		Last		First		M.	
Home Address							
City, State, Zip					Home Phone Number		
Previous names by which you have been known and years those names were used.							
Title/Position at Business				Driver's License # and State of Issuance			
Social Security Number			Date of Birth (month, day, year)				
Place of Birth City, State, Country					Sex <input type="checkbox"/> Male <input type="checkbox"/> Female		
Race	Color of Eyes	Weight	Height	Color of Hair			
Spouse's Name		Last		First		M.	

SECTION II. RESIDENTIAL ADDRESSES FOR PAST 5 YEARS BEGINNING WITH PRESENT ADDRESS

From	To	Complete Street Address	City, State

SECTION III. APPLICANT'S PREVIOUS BUSINESS, OCCUPATION OR EMPLOYMENT HISTORY FOR PAST 5 YEARS

From	To	Business Name	City, State, Zip



SUPPLEMENTAL QUESTIONNAIRE

SPOUSE AND PERSON(S) WITH 10% OR GREATER INTEREST IN THE OWNERSHIP OR EARNINGS OF THE SEXUALLY ORIENTED BUSINESS (PAGE 2)

SECTION IV. APPLICANT'S BACKGROUND INFORMATION - PLEASE READ CAREFULLY. IF NOT ANSWERED FULLY AND COMPLETELY IT COULD BE CAUSE FOR YOUR LICENSE REQUEST TO BE DENIED.

Have you ever been convicted in a court of competent jurisdiction of a felony or misdemeanor, excluding civil traffic offenses? Yes No

IF YES, LIST ALL CONVICTIONS BELOW, REGARDLESS OF HOW LONG AGO THEY TOOK PLACE. ATTACH A SEPARATE SHEET IF NEEDED.

Date	Offense	Location of Conviction	Penalty Assessed

Have you ever had a business license suspended, denied or revoked in this or any other state? Yes No

Date	License Type	State	Outcome

SECTION V. 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 Sexually Oriented Business 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

SEXUALLY ORIENTED BUSINESS DIAGRAM

Business Name: _____ License No. _____
Business Address: _____ Days & Hrs Open _____

Include a statement of total floor space occupied by the business. Mark the interior dimensions of the premises to an accuracy of +/- 6 inches.

**FOR BUSINESSES EXHIBITING SEXUALLY EXPLICIT FILMS OR VIDEOS REFER TO MESA CITY
CODE 6-16-19 FOR DIAGRAM SPECIFICATIONS.**

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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

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