

BUSINESS LICENSE APPLICATION



INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

(*) indicates required fields

Check here if information below indicates changes to existing, licensed Business

Business License No: ***Business Is Home-Based in Carlsbad** **Yes** **No**

***BUSINESS NAME / DBA NAME**

***BUSINESS ADDRESS**

(No P.O. Boxes or Personal Mail Boxes)

Street Address			
City	State	Zip Code	

***MAILING ADDRESS**

Same as Business Address

Street Address			
City	State	Zip Code	

***BUSINESS PHONE ()** **BUSINESS EMAIL ADDRESS**

BUSINESS DETAILS:

***BUSINESS START DATE IN CARLSBAD** / /

***BUSINESS TYPE** CORP LLP LLC GP LP Sole Proprietorship Trust

***BUSINESS DESCRIPTION (PLEASE PROVIDE DETAILS)**

PROVIDE THE FOLLOWING WHEN APPLICABLE:

FEDERAL TAX ID NUMBER OR SOCIAL SECURITY AND DRIVERS LICENSE NUMBERS REQUIRED

***Federal Tax Id Number** State Employer Id Number State Sales Tax No/Sellers Permit

***Social Security Number** ***California's Driver License** County Health Permit No.

State Contractor License No. Classifications (List All) ***Estimated Annual Gross Receipts**

***Total Square Footage** ***Number of Employees** Number of Professionals Number of Vehicles

***Previous Use Of Site**

OFFICE USE ONLY: License Number NAICS Charge Code

BUSINESS DETAILS CONTINUED:

*Special Activities: (Select All That Apply)	Hazardous Materials	Wood Working	Warehouse	Flammable Liquids	Painting	
*Business Types: (Select All That Apply)	Wholesale	Manufacturing	Service	Consignment	Retail	
*Sale of Alcoholic Beverages: (Select All That Apply)	None	On-Site	Off-Site	Beer and Wine	Liquor	
* Are message services, as defined in CMC Sec. 5.16.020 and including acupressure, offered?					Yes	No
*Business is a Short-Term Vacation Rental (Less Than 30 Days)? If yes, Submit Short-Term Vacation Rental Permit Application, Impact Response Plan and Impact Response Plan Declaration Notice Forms					Yes	No
*Does any facet of your business, including any affiliates, subsidiaries or holding companies, involve cannabis , cannabinoids, or cannabinols ("CBD") products, whether derived from cannabis or hemp?					Yes	No
If Yes to cannabis question above, is product CBD only?					Yes	No
<i>Carefully review the Cannabis/CBD Products Addendum (last page) to ensure your business complies with all applicable laws. You may be contacted by the City Attorney's Office to provide follow up and/or documentation as warranted.</i>						
Does any facet of your business involve the sale of tobacco (including e-cigarettes/vaping devices)?:					Yes	No
If Yes to tobacco question above, I affirm that my sales of tobacco products complies with Health and Safety Code Section 104559.5 (SB 793). As a tobacco retailer, neither myself, my agents nor my employees will sell, offer for sale, or possess with the intent to sell or offer for sale, a flavored tobacco product or a tobacco product flavor enhancer, except as allowed under Health and Safety Code Section 104559.5.					Yes	No
*Does your business involve sidewalk vending or mobile food truck services? If yes, Submit Vending Equipment Permit Application					Yes	No
*Does your business perform any of the following activities found under Attachment A of the California State Water Resource Control Board's Industrial General Permit (IGP) program: manufacturing, hazardous waste treatment, storage or disposal, recycling facility or transportation facility? <i>If Yes, Please provide the following:</i>					Yes	No
WDID Number:		SIC Code:				
*My business operations will comply with all local, state and federal laws?						
			Yes	No		

CONTACT INFORMATION

***Business Owner (Required)**

*Owner Name:

* Phone: ()

*First and Last Name or Business/Entity Name

*Address:

*Street Address

*City

*State

*Zip

*Email Address

Emergency Contact (Required, must be a named person)

Same as Business Owner

*Owner Name:

* Phone: ()

*First

*Last

*Street Address

*City

*State

*Zip

*Email Address

Note: If you wish to add additional contacts, please append to application on a separate piece of paper. Please Include First Name, Last Name, Address, Phone Number and Email address. Contacts will not be added if required information is missing

ADDITIONAL HOME-BASED BUSINESS LICENSE INFORMATION:

The following information **MUST** be provided if home-based business located in Carlsbad

Will customers/clients be coming to the home premises for business related purposes?	Yes	No
If there are additional employees, do any work at the home premises?	Yes	No
If there are additional employees, are any residents of the home premises?	Yes	No

Home-Based Business Requirement (Excerpt from Carlsbad Municipal Code - Title 21)

Home occupations are allowed which are not disruptive to the residential character of the neighborhood and which are subject to the following conditions:

- (A.) Home occupations shall be conducted as a secondary use by a resident or residents of the premises.
- (B.) No employees shall be employed on the premises.
- (C.) All home occupation activities shall be conducted entirely within the residential structure, except for permitted agricultural or horticultural uses.
- (D.) There shall be no external alteration of appearance of the residential structure which would reflect the existence of the home occupation.
- (E.) No storage of materials, goods, equipment, or stock in trade shall be permitted where visible from the exterior of the property. No deliveries or pickups by heavy-duty commercial vehicles shall be permitted.
- (F.) **Sale of goods or services shall not be conducted on the property**, except for agricultural goods grown on the premises. This provision shall not be construed to prohibit taking orders for sale where delivery of goods or performance of services does not occur on the property.
- (G.) The home occupation shall not cause any external effect which is inconsistent with the residential zone or disrupts the neighborhood, including but not limited to, noise from equipment, traffic, lighting, offensive odor, or electrical interference.
- (H.) No advertising, signs, or displays of any kind indicating the existence of the home occupation shall be permitted on the premises.
- (I.) The home occupation shall not cause the elimination of required off-street parking.
- (J.) The home occupation may not utilize an area greater than 20% of the combined total floor area of all on-site structures.
- (K.) A City Business License is required for the conduct of a home occupation.

DECLARATION:

I, *First *Last

BY SUBMITTING THIS APPLICATION, ACCEPT THE CONDITIONS AND DECLARE UNDER PENALTY OF PERJURY THE FOREGOING IS TRUE AND CORRECT. I UNDERSTAND MY OBLIGATION TO KEEP CURRENT ALL INFORMATION RELATING TO MY BUSINESS OPERATIONS. I AGREE TO SUBMIT A REVISED APPLICATION TO THE CITY SHOULD ANY OF THE AFORMENTIONED INFORMATION CHANGE.

*Date / /

*Signature

Cannabis and CBD Products Addendum

Please be advised that commercial cannabis activity is not permitted in the City of Carlsbad pursuant to Carlsbad Municipal Code (“CMC”) section 8.90. “Commercial cannabis activity” is defined in CMC section 8.90.020 as:

any cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, distribution, delivery, or sale of cannabis requiring a license from the State under Division 10 of the California Business and Professions Code, whether or not carried on for profit and including medical cannabis cooperatives and collectives, except as approved by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration.

“Cannabis” does not include industrial hemp, as defined in California Health and Safety Code section 11018.5. Additionally, industrial hemp produced in the United States is legal pursuant to the 2018 Farm Bill. However, FDA regulations (21 C.F.R. 1308.35) prohibit industrial hemp-based cannabidiol (“CBD”) products intended for human or animal consumption. Carlsbad’s business licensing ordinance requires compliance with all state and federal laws (CMC section 5.04.160). Therefore, the City of Carlsbad only permits commercial activity involving industrial hemp products, such as CBD products derived from industrial hemp, under the condition that products are solely for topical use (i.e., balms, creams, oils).

If any facet of your business involves industrial hemp-based CBD products, including but not limited to the manufacture, sale, distribution, delivery, transportation, processing, storing, testing, packaging or labeling of CBD products, the city reserves the right to conduct independent laboratory testing to verify that such CBD products have a THC concentration of 0.3% or less pursuant to federal law. The business entity will be responsible for reimbursing the city for the costs of such testing, including shipping costs and the cost of the product to be tested.

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND COMMERCIAL BUILDING PERMITS:

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF
GENERALSERVICES,
Division of the State
Architect, CASp Program

www.dgs.ca.gov/dsa
www.dgs.ca.gov/casp

DEPARTMENT OF
REHABILITATION
Disability Access Services

www.dor.ca.gov
[www.rehab.cahwnet.gov/
disabilityaccessinfo](http://www.rehab.cahwnet.gov/disabilityaccessinfo)

DEPARTMENT OF
GENERALSERVICES,
California Commission on
Disability Access

www.cdda.ca.gov
[www.cdda.ca.gov/resour
ces-menu/](http://www.cdda.ca.gov/resources-menu/)

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them.

To find a CASp, visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

GOVERNMENT TAX CREDITS, TAX DEDUCTIONS AND FINANCING

State and federal programs to assist businesses with access compliance and access expenditures are available:

Disabled Access Credit for Eligible Small Businesses

FEDERAL TAX CREDIT—Internal Revenue Code Section 44 provides a federal tax credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. For more information, refer to Internal Revenue Service (IRS) Form 8826: Disabled Access Credit at www.irs.gov.

STATE TAX CREDIT—Revenue and Taxation Code Sections 17053.42 and 23642 provide a state tax credit similar to the federal Disabled Access Credit, with exceptions. For more information, refer to Franchise Tax Board (FTB) Form 3548: Disabled Access Credit for Eligible Small Businesses at www.ftb.ca.gov.

Architectural and Transportation Barrier Removal Deduction

FEDERAL TAX DEDUCTION—Internal Revenue Code Section 190 allows businesses of all sizes to claim an annual deduction for qualified expenses incurred to remove physical, structural and transportation barriers for persons with disabilities. For more information, refer to IRS Publication 535: Business Expenses at www.irs.gov.

California Capital Access Financing Program

STATE FINANCE OPTION—The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) financing program assists small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the federal ADA. Learn more at www.treasurer.ca.gov/cpcfca/calcap/.

FEDERAL AND STATE LEGAL REQUIREMENTS ON ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) —The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities. Learn more at www.ada.gov.

CALIFORNIA BUILDING CODE (CBC)—The CBC contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the version of the CBC in place at the time of construction or alteration. Learn more at www.bsc.ca.gov.

HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406]

(Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)

PART 15. MISCELLANEOUS REQUIREMENTS [118375 - 119406]

(Part 15 added by Stats. 1995, Ch. 415, Sec. 6.)

CHAPTER 2. Restrooms [118500 - 118703]

(Chapter 2 added by Stats. 1995, Ch. 415, Sec. 6.)

ARTICLE 5. Single-User Restrooms [118600- 118600.] (Article 5 added by Stats. 2016, Ch. 818, Sec. 1.)

118600.

(a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.

(b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.

(c) For the purposes of this section, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

(d) This section shall become operative on March 1, 2017.

(e) This section does not apply to construction jobsites, as described in subdivision (a) of Section 6722 of the Labor Code.

(Amended by Stats. 2023, Ch. 529, Sec. 2. (AB 521) Effective January 1, 2024.)

MANDATORY ADA DISCLOSURE

ATTENTION: You may be subject to liability for failure to meet your legal obligation to comply with state and federal disability access laws. The recent issuance or renewal of a business license or equivalent instrument or permit does not mean that your business has been determined to be in compliance with state and federal disability access laws.

Please see the attached materials for more information.

The State of California wants to ensure that all people have equal access to public and private services. Many people with disabilities do not have equal access to services because many business owners do not take the time to ensure that their businesses are accessible. Some common problems disabled people encounter are:

- (1) The building has architectural barriers that make it difficult or impossible for someone using a wheelchair, walker, or other mobility device to get inside or move around.
- (2) The business uses a website that does not work with screen reading devices and other assistive technology.
- (3) The business does not allow people with disabilities to enter the building with their service animals.
- (4) The staff do not receive ADA training and do not know about the requirements to modify practices or to provide auxiliary aids and services.

As the operator of a business, it is your responsibility to ensure that your business provides equal access to people with disabilities. Refusing to make your business accessible is discrimination under state and federal law. People with disabilities and the government have the right to sue businesses that discriminate.

The best way to protect yourself from a lawsuit is to make your business accessible. Here are some important steps you should take:

(1) Schedule an inspection with a Certified Access Specialist.

A Certified Access Specialist (CAsp) is a person who the State of California recognizes as having specialized knowledge of accessibility standards. They can inspect your business and tell you what changes you need to make for your business to be accessible to disabled people. Getting a CAsp inspection has important benefits, like giving you extra protection in a lawsuit.

To find a CASp in your area, contact the CASp Program at the Division of the State Architect. You can also visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx. Additionally, you should contact your local government and ask what resources it has to help businesses comply with disability access laws. The State of California makes money available to local governments to create programs that help business owners comply with disability access laws.

(2) Learn about accessibility laws from reliable sources.

There is a lot of misinformation about accessibility laws. Get information about your rights and responsibilities as a business owner from reliable, trustworthy sources. California has several agencies that provide fact sheets, trainings, and other educational materials about accessibility. In fact, one of these agencies, the California Commission on Disability Access, was created by the Legislature for the purpose of helping businesses comply with accessibility laws. You should contact the following agencies and ask for information on how to comply with accessibility laws:

The California Commission on Disability Access:
www.cdda.ca.gov

The Division of the State Architect: www.dgs.ca.gov

The Department of Rehabilitation: www.dor.ca.gov

(3) Making your business accessible is good for everyone. It makes your business available to more customers. It also promotes fair and equal access.

We thank you for doing your part to help make California a great place for everyone!