

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2014-38

3  
4  
5 AN ORDINANCE

6 AMENDING THE BUSINESS LICENSE ORDINANCE, SECTION 18-1 SFCC 1987 AND  
7 THE BUSINESS REGISTRATION ORDINANCE, SECTION 18-2 SFCC 1987 TO REQUIRE  
8 BUSINESSES THAT APPLY FOR A BUSINESS LICENSE OR REGISTRATION OR  
9 RENEW A BUSINESS LICENSE OR REGISTRATION TO AFFIRM THAT SUCH  
10 BUSINESSES ARE IN COMPLIANCE WITH THE LIVING WAGE ORDINANCE,  
11 SECTION 28-1 SFCC 1987.

12  
13 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

14 Section 1. Subsection 18-1.4 SFCC 1987 (being Ord. #1981-64, §4, as amended) is  
15 amended to read:

16 18-1.4 License Application; Information Required.

17 A. Applicants for licenses under this section shall file with the city a sworn application  
18 in writing, on a form to be furnished by the city, which shall include, but is not limited to the  
19 following:

- 20 (1) Name;
- 21 (2) Address;
- 22 (3) Current state revenue division taxpayer identification number or evidence of  
23 application for a current state revenue division taxpayer identification number;
- 24 (4) A brief description of the nature of the business;
- 25 (5) Proof of insurance coverage, when applicable; [~~and~~]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

(6) Proof of bond, when applicable; and

(7) An attestation clause that states that the business shall comply with the requirements of the Living Wage Ordinance, 28-1 SFCC 1987.

B. In addition to the information required in paragraph A, the following businesses shall also include the following information with their applications:

(1) Carnival operators shall submit a copy of their special use permit, as required by subsection 18-7.2 SFCC 1987;

(2) Circus operators shall submit a copy of their special use permit, as required by subsection 18-7.2 SFCC 1987;

(3) Itinerant vendors seeking to conduct sales as defined under subsection 18-5.1 SFCC 1987 shall submit a copy of their petition as approved by the governing body, as required in subsection 18-5.1 SFCC 1987;

(4) Jewelry auction operators, as defined in subsections 18-5.1 through 18-5.23 SFCC 1987, shall provide information required by subsections 18-5.12 and 18-5.14 SFCC 1987, including a notarization of the application;

(5) Mobile home park operators shall submit a copy of their certificate of occupancy;

(6) Private day-care nurseries, facilities and kindergarten operators, when approval is required by the board of adjustment, as per the provisions of Table 14-6.1-1 SFCC 1987, shall include a sworn affidavit stating that they have received such approval; and

(7) Septic tank cleaners shall submit a sworn affidavit stating that they have conformed to the requirements set forth in subsection 22-4.9 SFCC 1987.

(8) Flea market operators shall submit:

(a) A copy of a current certificate of occupancy. The certificate of occupancy shall be reissued annually; and

1 (b) A sworn affidavit stating that they have conformed to the  
2 requirements set forth in subsection 14-6.2(c) SFCC1987.

3 (9) Alarm installation companies and monitoring companies, as defined in  
4 subsection 20-5.4 SFCC 1987, shall submit the following documents as required by  
5 subsection 20-5.8 SFCC 1987;

6 (a) A copy of a valid license issued by the construction industries  
7 division of the regulation and licensing department of the state of New Mexico; and

8 (b) Proof of bonding.

9 **Editor's Note:** Santa Fe City Code references in paragraphs B(6) and B(8)(b) are corrected to  
10 conform with Ordinance No. 2011-37.

11 **Section 2. Subsection 18-1.5 SFCC 1987 (being Ord. #1981-64, §5, as amended) is**  
12 **amended to read:**

13 **18-1.5 Payment of License Fees Required; Assessments; Protest.**

14 A. On or before March 15 of each year, all businesses engaging in a type of business  
15 enumerated as requiring business licenses under this section shall apply for a business license for that  
16 year. These businesses shall:

17 (1) Include payment with the application; and

18 (2) Show proof of insurance and bond, if the business is so required; and

19 (3) Attest that the business shall comply with the requirements of the Living  
20 Wage Ordinance, 28-1 SFCC 1987.

21 B. Upon payment of the business license fee, the city shall issue a business license to the  
22 applicant unless refused pursuant to Section 3-28-2 NMSA 1978.

23 C. Any business may protest the amount of the business license fee assessment by filing  
24 a written protest with the city clerk, on or before March 15. The finance committee shall give the  
25 protesting business no less than five (5) days notice of a hearing, at which time the protest shall be

1 heard by the finance committee.

2 D. The finance committee shall have the same authority and power as that of the  
3 governing body as contained in subsection 18-1.6 SFCC 1987.

4 E. Any business which must have a business license as enumerated in this section,  
5 which begins operations after March 15, shall apply to the city for a business license prior to  
6 engaging in business.

7 **Section 3. Subsection 18-2.4 SFCC 1987 (being Ord. #1981-63, §6, as amended) is**  
8 **amended to read:**

9 **18-2.4 Application; Required.**

10 A. Any person proposing to engage in business after the effective date of this section,  
11 shall apply to the city for a certificate of occupancy and pay a business registration fee of thirty-five  
12 dollars (\$35.00), for each outlet, branch, location, or person doing business in the municipal limits of  
13 the city, prior to engaging in business, unless such person is required to pay for and obtain a business  
14 license, as specified in Section 18-1, Business Licenses.

15 B. Upon application for a business registration, the person proposing to engage in  
16 business shall attest that the business shall comply with the requirements of the Living Wage  
17 Ordinance, 28-1 SFCC 1987.

18 **Section 4. Subsection 18-2.5 SFCC 1987 (being Ord. #1981-63, §5) is amended to**  
19 **read:**

20 **18-2.5 Renewal of Business Registration.**

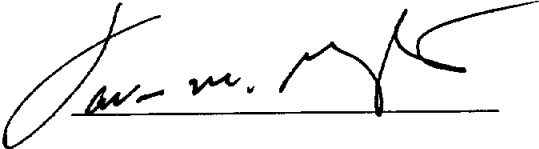
21 A. Prior to March 16 of each year, any person engaging in a business within the city and  
22 subject to the business registration fee shall apply for renewal of his business registration with the  
23 city.

24 B. Upon renewal of a business registration, the person renewing the business  
25 registration shall attest that the business shall comply with the requirements of the Living Wage

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

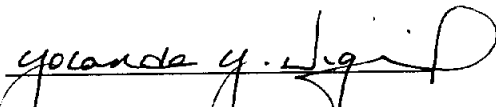
Ordinance, 28-1 SFCC 1987.

PASSED, APPROVED and ADOPTED this 10<sup>th</sup> day of December, 2014.



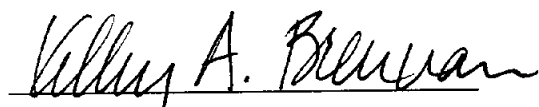
JAVIER M. GONZALES, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY