

CITY OF ENCINITAS
505 SOUTH VULCAN AVENUE, ENCINITAS, CA 92024
760/633-2708

permits@encinitasca.gov

**NEW & RENEWAL
FIREARMS DEALER**

All persons who engage in the business of selling, leasing or transferring firearms must meet the State of California's dealer licensing requirements pursuant to Penal code (PC) Section 12071. These requirements apply even if you intend to purchase firearms from wholesalers and/or manufacturers for your own use or to conduct occasional or infrequent sales to friends and associates. Section 12071 PC defines a firearm dealer as a person who has the following:

1. Valid Federal Firearms License.
2. Seller's Permit issued by the State Board of Equalization.
3. Valid Certificate of Eligibility issued by the Dept. of Justice (DOJ).
4. Recorded in the DOJ centralized list.

The Federal Firearms License, Seller's Permit, and Certificate of Eligibility must be obtained prior to the issuance of the local regulatory permit. In order to comply with San Diego County Code Section 21.1201 and 16.108 (b) of the Uniform Licensing Procedure you must submit a Firearms Sales application and a copy of the following items:

1. **\$379 Fee (new application) \$359 (renewal application)**
2. **Federal Firearms License**
3. **State Certificate of Eligibility**
3. **State Secondhand Dealers /Pawn Dealer Application (if applicable)*****
4. **(2 Yr Irrevocable Surety Bond (pawn dealers only)*****
5. **Seller's Permit**
6. **Photo ID**
7. **Fictitious Name Registration**
8. **Assessor's Parcel #_____ (can be obtained through City of Encinitas Planning Dept.**
9. **Document showing that applicant is owner of the premises or written agreement signed by owner permitting such use of the property.**
10. **City of Encinitas Business Registration**

***** If you buy, sell, trade, sell on consignment or take in pawn any firearm you are required to obtain a State Secondhand Dealers or Pawn Dealers License. Please contact Teresa Collier at the San Diego County Sheriff's Office (858) 974-2104 to initiate this process.**



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NEW & RENEWAL
FIREARMS DEALER APPLICATION

FEE: \$ 379.00 NEW
 \$ 359.00 RENEW
 (Fees are not refundable)

NOTE: All applicants must be in compliance with Chapter 44 Title 18 of United States Code and Article 4 of California Penal Code prior to approval of a San Diego License.

YOU MUST SUBMIT THE FOLLOWING ITEMS LISTED ON FIREARMS INFORMTION SHEET WITH THIS APPLICATION

BUSINESS NAME _____

BUSINESS ADDRESS _____
(Number) (Street) (City) (State) (Zip)

ARE YOU THE SOLE OWNER OF THIS BUSINESS? [] YES [] NO (If not, a Miscellaneous Information Form must be completed by all partners and or business associates and submitted with this application.)

OWNER OF THE PREMISES _____ PHONE (____) _____

LIST HOURS OF OPERATION OPEN FOR PUBLIC SALES:

_____	_____	_____	_____	_____	_____	_____
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

WHAT TYPE(S) OF FIREARMS WILL YOU BE DEALING IN? (CHECK ALL THAT APPLY)

CONCEALABLE ONLY [] NON-CONCEALABLE [] BOTH [] NEW [] USED []

IS THERE ANY OTHER BUSINESS IN OPERATION AT THE SAME LOCATION? [] Yes [] No

TYPE OF BUSINESS _____

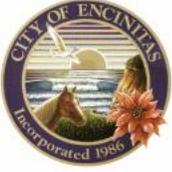
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE ON THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENTS OR INFORMATION ARE GROUNDS FOR DENIAL OF THIS APPLICATION. I AM AWARE THAT ALL FEES ASSOCIATED WITH THIS APPLICATION ARE NON-REFUNDABLE. THE RIGHT OF REASONABLE INSPECTION SHALL BE A CONDITION FOR ISSUANCE OF A SHERIFF'S PERMIT/LICENSE. I HAVE READ AND UNDERSTAND THE SECTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO FIREARM SALES.

SIGNATURE OF APPLICANT _____ DATE _____

APPLICATION ACCEPTED BY: _____ DATE _____

COMPANY EMPLOYEES

NAME	SSN	HGT.	WGT.
RESIDENCE ADDRESS	DRIVER'S LIC #	HAIR	EYES
HOME PHONE	DATE OF BIRTH MO DAY YR	U.S. CITIZEN ? [] YES [] NO	
NAME	SSN	HGT.	WGT.
RESIDENCE ADDRESS	DRIVER'S LIC #	HAIR	EYES
HOME PHONE	DATE OF BIRTH MO DAY YR	U.S. CITIZEN ? [] YES [] NO	
NAME	SSN	HGT.	WGT.
RESIDENCE ADDRESS	DRIVER'S LIC #	HAIR	EYES
HOME PHONE	DATE OF BIRTH MO DAY YR	U.S. CITIZEN ? [] YES [] NO	
NAME	SSN	HGT.	WGT.
RESIDENCE ADDRESS	DRIVER'S LIC #	HAIR	EYES
HOME PHONE	DATE OF BIRTH MO DAY YR	U.S. CITIZEN ? [] YES [] NO	
NAME	SSN	HGT.	WGT.
RESIDENCE ADDRESS	DRIVER'S LIC #	HAIR	EYES
HOME PHONE	DATE OF BIRTH MO DAY YR	U.S. CITIZEN ? [] YES [] NO	



CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
505 SOUTH VULCAN AVE
ENCINITAS, CA 92024

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

Subject Name: _____

Date of Birth: _____ SSN: _____

As an applicant for a business permit/license from the San Diego Sheriff's Department, I am required to furnish information for use in determining my qualifications. In this connection, I authorize the disclosure and release of any and all truthful information that you may have concerning me, including, but not limited to, employment records, personnel files, background investigation files, disciplinary records, complaints or grievances filed by or against me, training files, arrest, criminal, probation and driving records, military, academic or other records.

I direct you to release this information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the San Diego County Sheriff's Department.

I understand I will not receive and am not entitled to know the contents of confidential reports received and I further understand that these reports are privileged.

I hereby release you, your organization, their agents and representatives, and any person furnishing information, from any and all liability and/or damage that may result from furnishing the above information. A photocopy of this release is to be considered as valid as an original. This release will expire one (1) year after the date signed.

Signature: _____ Date: _____

Full Name (Printed): _____

SHERIFF'S USE: APPROVED DISAPPROVAL Date _____ Signature _____

COMMENTS _____



CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
505 SOUTH VULCAN AVE
ENCINITAS, CA 92024

BACKGROUND APPLICATION FOR SHERIFF REGULATED ACTIVITIES

Type of business or activity for which you are applying: _____

Affiliation with business or title (check one): Owner Officer Partner Other

Name: _____ (____) _____
(Last) (First) (Middle) Telephone

All other names used (Past and present. Include maiden name): _____

Date of Birth: _____ Place of Birth: _____ Sex [M] [F]

Height: _____ Weight: _____ Hair: _____ Eyes: _____

Driver's License No: _____ Soc. Sec. No: _____ - _____ - _____

Residence: _____
(Number) (Street) (City) (State) (Zip)

Previous Residences (Last 5 Years): _____

Email Address: _____

Have you applied for a similar regulatory license in any other jurisdiction in the past (5) five years? YES NO

If yes, where? _____

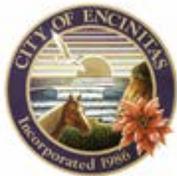
List all charges (misdemeanors & felonies) resulting in conviction or plea of nolo contendere:

<u>Date</u>	<u>Charge</u>	<u>Investigating Agency</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge and belief. I understand that any false statements or information are grounds for denial of this application. I agree to have all the required notices, unless otherwise specified, sent by U.S. mail to the address given on the application. The right of reasonable inspection shall be a condition for issuance of this license.

Applicant Signature _____

Date _____



CITY OF ENCINITAS

City Clerk's Department

505 S. Vulcan Ave, Encinitas, CA 92024

Contact: 760-633-2606 or clerkstaff@encinitasca.gov

Instructions & Information: www.encinitasca.gov/clerk

BUSINESS REGISTRATION APPLICATION

\$36 Processing Fee (\$35 Business Registration Fee + \$1 SB1186 State Mandated Fee)

The City of Encinitas does not have a business "license" program. The Business Registration is used in lieu of a licensing program.

Annual renewals are \$21 (\$20 business registration fee + \$1 SB1186 State Mandated Fee)

***If using a DBA, a Fictitious Name Statement must be filed with the County Clerk, PRIOR to applying for a Business Registration.**

Company Name:			
Company Type (choose one):	Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Trust <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Email Address:			
Business Phone:			
Business Description:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
*DBA (Fictitious Name):			
Is this a Home Based Business?	Y / N		
Is this Business a Rental Booth?	Y / N		
EIN # (If Applicable):	_____ - _____		
Date Business Opened (Mo/Yr):			
Web Page Address:			
Is Business a Non-Profit 501(c)(3)?	Y / N	# of Employees working in Encinitas:	
Mailing address, if different from business location:			
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Owner Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Business Phone:			
Home Phone:			
Mobile Phone:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Additional Owner/Agent Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Mobile Phone:			
Business Phone:			
Home Phone:			

Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	
Choose one:	Business Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/>
24 Hour Emergency Contact Info (for businesses located in Encinitas)	
Same as Business Owner <input type="checkbox"/> Same as Additional Owner/Agent <input type="checkbox"/>	
First Name:	
Middle Name:	
Last Name:	
Title:	
Email Address:	
Business Phone:	
Home Phone:	
Mobile Phone:	
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	

HOME OCCUPATIONS

If your business is located in a residential area in the City of Encinitas, it is considered to be a Home Based Business and shall be permitted in compliance with the following conditions:

1. There shall be no exterior evidence of the conduct of a home occupation out of character with the normally appropriate appearance of the dwelling.
2. A home occupation shall be conducted entirely within a dwelling or a garage.
3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling shall be prohibited.
4. Only the residents of the dwelling unit may be engaged in the home occupation except by temporary minor use permits.
5. There shall be no on-premise sale of goods not produced on the premises.
6. The establishment and conduct of the home occupation shall not change the principal character or use of the dwelling unit involved.
7. There shall be no signs other than those permitted by the sign ordinance (Municipal Code 30.60).
8. The required residential off street parking shall be maintained.
9. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.

SB1186 Mandated Fee: On September 19, 2012 Governor Brown signed into law SB-1186 which adds a state fee of \$1 on any applicant for a local business license or similar instrument or permit, or renewal thereof. The purpose is to increase disability access and compliance with construction-related accessibility requirements and to develop educational resources for businesses in order to facilitate compliance with federal and state disability laws, as specified.

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:

- The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
- The California Department of Rehabilitation at www.rehab.cahwnet.gov
- The California Commission on Disability Access at www.cdda.ca.gov

I DECLARE, UNDER PENALTY OF PERJURY, THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT, AND THAT ALL REQUIRED LICENSES ARE IN FULL FORCE AND EFFECT.

The issuance of a certificate does not serve as verification that all regulatory provisions of the City of Encinitas have been met, nor does it allow the right to operate a business which is not in conformance with the regulatory provisions of the City, County, State or other applicable agency.

Signature of Owner or Agent: _____

Date: _____

CHAPTER 12. FIREARMS DEALERS*

THE CITY OF ENCINITAS HAS ADOPTED THIS SAN DIEGO COUNTY CODE, BY REFERENCE

***Editor's note--**Added by Ord. No. 2999 (N.S.), effective 10-27-66; title changed from LICENSE FOR SALE OF CERTAIN FIREARMS to read as above by Ord. No. 7943 (N.S.), effective 8-22-91. Chapter 12 amended in its entirety to read as set out by Ord. No. 8660 (N.S.), effective 5-23-96. Prior to such amendment, Chapter 12 consisted of §§ 21.1201--21.1203, 21.1203.5, 21.1204--21.1206, 21.1206.1, 21.1207--21.1211, as amended by the following ordinances:

Ord. No. (N.S.)	Effective Date	Ord. No. (N.S.)	Effective Date
3440	12-31-69	7252	1-15-87
3682	6- 3-71	7428	2- 4-88
5200	8-10-78	7943	8-22-91
5737	5-29-80	8049	5- 7-92

Cross reference(s)--Firearms and explosives, § 33.101 et seq.

SEC. 21.1201. PURPOSE AND INTENT.

California Penal Code sections 12070-12083 regulate the sale of firearms and provide that the duly constituted licensing authority of a county shall accept applications for and may grant licenses permitting licensees to sell firearms at retail within its jurisdiction. This chapter appoints the Sheriff as the licensing authority for retail firearms sales in the unincorporated area of the County and implements these sections of the Penal Code applicable to the County.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1202. DEFINITIONS.

For the purposes of this chapter the following definitions shall apply:

- (a) "Firearm" means any device defined as a firearm in Penal Code section 12001.
- (b) "Firearms dealer" means a person who meets the requirements of Penal Code section 12071(a)(1) and to whom a license has been issued pursuant to this chapter.
- (c) "Firearms dealer employee" means a person who works for a firearms dealer as an agent, employee or representative.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1203. LICENSE REQUIRED.

The licensing authority for firearm dealers in the unincorporated area of the County is the Sheriff. It shall be unlawful for any person to sell, lease or transfer a firearm in the unincorporated area of the County without a license issued by the Sheriff pursuant to Penal Code section 12071. This section shall not apply to a firearms transaction excluded under Penal Code section 12070. A person requesting a license under this chapter shall submit an application on a form provided by the Sheriff. A firearms dealer's license is governed by sections 21.101- 21.117 and any additional conditions in this chapter.

(Amended by Ord. No. 8660 (N.S.), effective 5-23-96; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

State law reference(s)--Firearms dealer license, Penal Code, § 12070 et seq.

SEC. 21.1204. MINIMUM AGE FOR FIREARMS DEALER.

The minimum age to be a firearms dealer is 21.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1205. ADDITIONAL GROUNDS FOR DENIAL OF LICENSE.

In addition to the grounds for denial of a license under section 21.108 the Sheriff may deny a firearms dealer's license if the dealer fails to meet any requirement under Penal Code section 12071 or if the Sheriff determines the applicant:

- (a) Is disqualified from owning or possessing a firearm under federal, State or County laws or regulations.
- (b) Has within five years preceding the date of the application been convicted of any offense relating to the manufacture, sale, possession, use or registration of any firearm or any "dangerous weapon" or "deadly weapon," as those terms are defined under federal law, or the law of any state.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1206. CLEARANCE FOR FIREARMS DEALER EMPLOYEE.

(a) No person shall be employed as an employee of a firearms dealer without a written clearance from the Sheriff. An employee of a firearms dealer is required to renew the written clearance from the Sheriff annually.

(b) A person seeking to be employed by a firearms dealer shall submit fingerprints and complete a form provided by the Sheriff. A person requesting clearance under this section shall be subject to investigation under section 21.107. The Sheriff may deny the clearance based upon any of the grounds in sections 21.108 and 21.1205. The Sheriff shall issue or deny the clearance in writing within 30 days after a completed request for clearance has been submitted. The Sheriff may suspend or revoke a person's clearance under this section on any of the grounds for which a license or permit may be suspended or revoked under section 21.112.

(c) It shall be unlawful for a firearms dealer to employ any person who does not have a current clearance from the Sheriff to be a firearms dealer employee.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1207. NO TRANSACTIONS AT UNAUTHORIZED LOCATIONS.

Except as provided in Penal Code section 12071(b)(1)(B) and (C), a firearms dealer shall only conduct firearms transactions at the location specified in the license.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1208. TRANSACTION RECORDS AND INSPECTION.

A firearms dealer shall maintain all firearms transaction records required by federal and State law and have them available for inspection. During business hours, a firearms dealer shall allow any Sheriff's Department employee and any peace officer to inspect firearms transaction records, firearms, firearm accessories and all places where transaction records, firearms and firearm accessories are stored.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.1209. COMPLIANCE WITH REQUIREMENT FOR SECONDHAND GOODS DEALERS.

A firearms dealer licensed under this chapter who acquires a secondhand or used firearm for resale shall comply with sections 21.701- 21.706 and State law requirements for acquisition and sales of secondhand goods.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

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