

## **Title 12**

### **BUSINESS LICENSES**

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BUSINESS LICENSES IN GENERAL

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Chapter 1.

Article 1. Title, Purpose, and Authority

Sec. 12-1.101. Title.

This chapter shall be known and may be cited and referred to as the "Business License Law of the County of Yolo". (§ 2, Ord. 960, eff. October 6, 1983)

Sec. 12-1.102. Purpose.

The purpose of this chapter is to provide for the health, safety, and general welfare of the people of the County by regulating businesses for the purposes of:

- (a) Assuring compliance with the minimum standards for safe buildings;
- (b) Assuring compliance with the Building Code provisions concerning the alteration and modification of premises;
- (c) Assuring compliance with the zoning regulations;
- (d) Encouraging compliance with the fire regulations;
- (e) Monitoring the use and storage of hazardous materials; and
- (f) Assuring compliance with other regulations of the County. Such purposes shall be accomplished through this chapter by licensing the occupancy of real property for

business purposes. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.103. Authority.**

This chapter is enacted pursuant to the authority conferred by Section 7 of Article 12 of the Constitution of the State and Chapter 2 of Part 1 of Division 7 of the Business and Professions Code of the State (commencing with Section 16100). (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.104. Other licenses.**

Certain types of persons required to obtain a business license pursuant to this chapter are also required to obtain other permits or licenses under other provisions of this Code. The issuance of a business license pursuant to this chapter shall not be deemed to excuse the requirement for any other permit or license. The issuance of any other license or permit shall not excuse the requirement for a business license. The provisions of this chapter are declared to be independently applicable to each business to which the provisions of this chapter apply. (§ 2, Ord. 960, eff. October 6, 1983)

**Article 2. Administration**

**Sec. 12-1.201. Business Licensing Officer.**

The Business Licensing Officer shall:

- (a) Receive applications and fees;
- (b) Refer applications for investigation;
- (c) Receive investigation reports;
- (d) Grant or deny licenses pursuant to this title;
- (e) Give notice of renewals; and
- (f) Undertake proceedings for the

suspension or revocation of licenses issued pursuant to this title. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.202. Investigations.**

The following persons shall investigate and report to the Business Licensing Officer on applications referred to them:

- (a) The Building Official;
- (b) The Health Officer;
- (c) The Fire Marshal;
- (d) The Planning Emergency Services Coordinator;
- (e) The Sheriff-Coroner; and
- (f) In the case of veterans or severely

handicapped persons, the Emergency Services Coordinator of Social Services. (§ 2, Ord. 960, eff. October 6, 1983)

(g) The Code Enforcement Officer. (§2, Ord. 1356, eff. Jan. 11, 2007)

**Sec. 12-1.203. Business License Appeals Board.**

The Business License Appeals Board shall:

(a) Hear and determine appeals from the granting or denial of a license pursuant to this title; and

(b) Hear and determine petitions for the suspension or revocation of a license issued pursuant to this title. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.204. Business License Appeals Board: Designation.**

The Yolo County Planning Commission shall be designated as the Business License Appeals Board and shall perform all duties ascribed thereto as described in this chapter. (§2, Ord. 1275, eff. December 6, 2001)

**Article 3. Definitions**

**Sec. 12-1.301. Scope.**

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this title are defined as set forth in this article. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.302. Building Codes.**

"Building Codes" shall mean the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code, and all amendments thereto, in the form adopted by Title 7 of this Code. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.303. Building Inspector.**

"Building Inspector" shall mean the Chief Deputy, Building and Site Inspection of the County, or his authorized representative. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.304. Business.**

(a) "Business" shall mean any trade, manufacture, profession, occupation, or service of all and every kind, whether or not carried on for profit or for charitable, philanthropic, or other purposes, including the arrangement of business transactions, holding of sales or training meetings and administrative conferences, the receipt of client or customer payments, and the keeping of records and accounts pertaining to a business.

(b) A business shall include the following:

- (1) Manufacturing operations;
- (2) Warehouse, corporation yard, or other facilities for the storage of equipment, merchandise, chemicals, or other property maintained or stored for commercial purposes;
- (3) Wholesaling businesses;
- (4) Stores for the sale of merchandise at retail;
- (5) Offices for the delivery of legal, medical, engineering, accounting, or other professional services;

(6) Insurance, real estate, or other businesses or administrative offices;

(7) Banks, savings and loan, or other financial establishments;

(8) Stores, shops, offices, service stations, or other outlets for the sale of products, performance of repair services (such as the repair of shoes, motor vehicles, or appliances), or provision of personal services (such as equipment rental, barber and beauty shops, cleaners, swimming pool maintenance, or taxicabs);

(9) Motion picture or live entertainment theaters, bowling alleys, skating rinks, golf courses, race tracks, stadiums, auditoriums, museums, swim and racket clubs, country clubs, pool halls, arcades, or other places of public assembly or gathering;

(10) Hotels, motels, or other lodgings for intermittent or other overnight use or other uses in which living units are rented or leased solely on a term of under thirty (30) days;

(11) Restaurants, bars, or other establishments for the sale of food or beverages;

(12) Hospitals, convalescent homes, laboratories, schools or colleges, or other institutions;

(13) Traveling merchants, hawkers, peddlers, or itinerant vendors of any minor article of trade, or vendor of goods, wares, or merchandise, either by sample or otherwise, to persons not engaged in carrying on such lines of business;

(14) Use for a business or other commercial purpose of a single-family or other residence (such as day and boarding child, handicapped, and other care homes required to be licensed under State laws and home occupations); and

(15) Other establishments or uses for business or commercial purposes.

(c) A business shall not include the following:

(1) Apartments, rooming houses, duplexes, or other residential facilities in which living units are rented or leased solely for a term of thirty (30) days or longer;

(2) Churches to the extent of use for worship, religious education, or social affairs of the religious group; however, this exception does not extend to other activities not undertaken primarily for members of the religious group, including, but not limited to, day schools and social services programs;

(3) Non-profit organizations that are exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 01) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the success of either;

(4) Offices, stores, or other facilities maintained without paid employees by a nonprofit public benefit corporation; and

(5) Business does not include furnishing vending machines located on the premises of another person who holds a valid business license. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.305. Business Licensing Officer.**

"Business Licensing Officer" shall mean the Director of Planning and Public Works Department or his designee. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.306. Fire Marshal.**

"Fire Marshal" shall mean the Fire Marshal or, in his absence, the Fire Chief, or their designee. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.307. Fixed place of business.**

"Fixed place of business" shall mean a particular location where a business is regularly conducted on four (4) or more days during any consecutive thirty (30) day period by the owner, or agents or employees of the owner, and shall include a business carried on in a residence. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.308. Health Officer.**

"Health Officer" shall mean the Health Officer of the County. (§ 2, Ord. 960, eff. October 6, 1983)

**Article 4. Prohibitions**

**Sec. 12-1.401. Occupation without licenses.**

No person shall occupy real property for business purposes without a business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.402. Occupation in violation of licenses.**

No person shall occupy real property in violation of the terms or conditions of a business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.403. Occupation in violation of Code provisions.**

No person shall occupy real property in violation of the provisions of this Code. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.404. Occupation in violation of standards.**

No person shall occupy real property for business purposes in violation of the standards set forth in this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.405. Occupation after revocation or suspension.**

No person shall occupy real property for business purposes after the revocation or suspension of a license issued pursuant to this chapter therefor. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.406. Display of business licenses.**

No person shall occupy real property for business purposes without displaying a valid business license in prominent public view. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.407. False statements.**

(§ 2, Ord. 960, eff. October 6, 1983, repealed by §2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.408. Exemptions: Agricultural products sold by producers.**

No license shall be required for any business:

(a) Undertaken by an agricultural producer in the production of products of cultivation of the soil and its fruits and raising and harvesting crops or products for the rearing, feeding, and management of livestock; or

(b) Extending service to an agricultural producer which service is normally accomplished by the producer in the production of agricultural products. (§ 2, Ord. 960, eff. October 6, 1983, as amended by § 1, Ord. 1022, eff. November 21, 1985)

**Sec. 12-1.409. Other Exemptions.**

No license shall be required for any business otherwise exempted under Section 16100 et seq. of the California Business and Professional Code. (§2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.410. Exemptions: Existing businesses after application.**

(a) Any person otherwise required by this chapter to obtain a business license and who has on the applicable operative date filed an application therefor with the Business Licensing Officer accompanied by the appropriate fee, any other person filing an initial application accompanied by the appropriate fee after fourteen (14) business days following filing, and any person filing a renewal application accompanied by the appropriate fee shall be exempt from the licensing requirements of this chapter until an order of the Business Licensing Officer granting or denying the license has become final.

(b) The exemptions provided by this section shall terminate on each annual anniversary of the filing of the application, unless a renewal application accompanied by the appropriate filing fee is filed with the Business Licensing Officer.

(c) The exemptions provided by this section shall terminate upon the issuance of an order for suspension pending a hearing pursuant to Section 12-1.522 of Article 5 of this chapter.

(d) The exemptions granted by this section shall not exempt any person from regulations imposed by law, including those imposed by this Code or this title. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

**Article 5. Licenses**

**Sec. 12-1.501. Applications.**

Any person required to apply for and obtain a Permit under the provisions of this Chapter shall prepare and submit to the Business Licensing Officer an application for such Permit on forms provided for such purpose by the County. In addition to any other information required by the County, the application shall indicate whether the applicant sells or intends to sell any Tobacco Product or Tobacco Paraphernalia as those terms are defined in Chapter 15 of Title 6 of this Code. (§ 2, Ord. 960, eff. October 6, 1983, amended by §3, Ord. 1350, eff. June 15, 2006)

**Sec. 12-1.502. Licenses required.**

Every person subject to the licensing provisions of this chapter, at the time of the effective date of said provisions, shall make an application therefor on or before the effective date of the ordinance enacting the licensing provisions. All other persons required by this chapter to have a license shall make an application before the commencement of any activity for which a license is required. The license shall authorize the person obtaining it to conduct the license activities for the period named in the license. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.503. Different locations.**

If the same type of business is carried on at more than one location, a separate license shall be required for each location. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.504. Businesses confined to locations specified.**

When a license specifies the location of the business license, the licensee may conduct such business only at the location specified in the license. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.505. Fictitious names.**

A license may be issued pursuant to this title to a corporation duly authorized to transact business in the State, or to a person operating under a fictitious name, who has complied with the provisions of Chapter 5 of Part 3 of Division 7

of the Business and Professions Code of the State (commencing with Section 17900) or any statute superseding or taking the place of such provisions; otherwise, all such licenses shall be issued in the true name of the person applying therefor. Except as otherwise provided in this section, no business so licensed may operate under any false or fictitious name. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.506. Illegal occupations.**

Licenses granted pursuant to this chapter shall not permit any occupation or activity of any kind which is prohibited by this title or any other law or by any statute, rule, order, decision, or regulation. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.507. Undetected violations.**

Under certain circumstances, a new or renewal license may be issued in the absence of affirmation or inspection by the various officers who identify deficiencies or violations of laws to be enforced. Such circumstances are the result of the time periods set to promote the expeditious processing of applications and reduce delays to waiting applicants. For such reasons, a license may be issued notwithstanding the existence of violations of the laws sought to be enforced. Neither the issuance nor the receipt of a license shall constitute evidence of compliance with the laws sought to be enforced or a representation or assurance to the recipient upon which reliance is authorized or intended by the County that the enterprise for which the license is issued or the property or permits upon or in which the enterprise is located complies with such laws. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.508. Transfers.**

Unless otherwise specifically allowed by this title, no license issued pursuant to this chapter shall be transferred from one person to another person, or from one location to another location, or from one type of business to another. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.509. Partnerships.**

If a license is issued to a partnership, and the partnership is changed by the addition of new partners, the license may be transferred to the new partnership if the new partnership makes an application for such transfer in the same manner as for a new license and pays to the Business Licensing Officer a transfer fee in the amount established by the Board of Supervisors by resolution. Any new partner shall be fingerprinted if such is required of the original applicant. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.510. Applications: Investigations: Issuance: Denial.**

(a) The Business Licensing Officer shall refer the application to the Code Enforcement Officer, Building Official, the Fire Marshal, the Health Officer, the Planning Director, and the Sheriff-Coroner, who shall cause such investigations as they deem appropriate to be made of the facts stated in the application and of the activity for which the application is made, and who shall make a report thereon to the Business Licensing Officer. (§ 2, Ord. 1356, eff. January 11, 2007)

Business involving the application of pesticides and/or herbicides shall be referred to the Agricultural Commissioner, who shall make a report to the Business Licensing Officer regarding the application. Businesses involving the sale of firearms shall comply with the Federal Firearms Code.

(b) If, based upon the application, the investigation, reports, or supplements thereto, or any further investigation the Business Licensing Officer may cause to be made, he finds that the applicant is in compliance with the standards specified by this chapter, the Business Licensing Officer shall order the issuance of the license.

(c) If he finds that compliance with such standards can be obtained by the applicant, the Business Licensing Officer may issue a license subject to reasonable conditions.

(d) If he finds that the applicant cannot comply with the standards specified by this chapter, the Business Licensing Officer shall deny the license. Applications for veterans or severely physically handicapped exemptions shall be referred to the Emergency Services Coordinator of Social Services who shall make an investigation and determination and report thereon.

(e) If the Business Licensing Officer fails to grant or deny an application within ten (10) calendar days after filing, the application shall be deemed granted; provided, however, this provision shall not apply to applications required solely by the effective date of the ordinance enacting the licensing provisions. If an application requires further review beyond the 10 calendar days it must be with the mutual consent of both the applicant and County. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001, as amended by § 2, Ord. 1356, eff. January 11, 2007)

**Sec. 12-1.511. Form.**

All applications for licenses issued pursuant to this chapter shall be in the form prescribed by the Business Licensing Officer. Such form shall require the applicant to state whether or not hazardous materials in each of the categories as defined in Section 12-2.201 of Article 2 of Chapter 2 of this title are located on any premises to be occupied for business purposes and whether or not a disclosure form is required by Chapter 2 of this title for each of the

categories. Such form shall also require the applicant to provide information necessary to determine whether any permits are required from the Yolo-Solano Air Quality Management District, or successor in interest. All applications shall be executed under penalty of perjury.

If employees (part or full-time) are listed on the business license, business owners are required to provide proof of Workers' Compensation Insurance as provided for in Section 3700 of the Labor Code or evidence that Workers' Compensation Insurance is not required by law. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001, as amended by § 2, Ord. 1356, eff. January 11, 2007)

**Sec. 12-1.512. Term.**

The term of a business license shall be one year. Every business license issued pursuant to this chapter shall terminate on January 31<sup>st</sup> of each year. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 127, as amended by §2, Ord. 1275, eff. December 6, 2001)

**Sec. 12-1.513. Applications: Fees.**

Each application and each appeal shall be accompanied by the fees prescribed by resolution of the Board of Supervisors. Such fees shall in no event exceed the actual cost to the County to conduct the services required to satisfy the requirements of this chapter. The submission of an application or an appeal shall not be deemed to be complete until such fees are paid to the Business Licensing Officer. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.514. Applications: Appeals.**

Any order of the Business Licensing Officer issuing or denying a license may be appealed by the applicant to the Business License Appeals Board. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.515. Applications: Orders: Finality.**

The Business Licensing Officer shall make his order granting, granting with conditions, or denying the application in writing and shall mail a copy thereof to the applicant. The order shall become final on the fifteenth (15th) day following such mailing, unless the applicant shall file an appeal. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.516. Applications: Orders: Appeals: Procedures.**

Appeals from orders of the Business Licensing Officer shall be made in writing, and shall specify and set forth the grounds for the appeal, and shall be filed by the appellant with the Business Licensing Officer. The Business Licensing Officer shall cause the matter to be set for a hearing before the Business License

Appeals Board within thirty (30) days after filing and shall give the appellant no less than fifteen (15) days' written notice of such date of hearing. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.517. Applications: Orders: Appeals: Hearings: Determinations.**

At the hearing upon an initial application, the appellant shall bear the burden of proof. At the hearing upon a renewal application, the Business Licensing Officer shall bear the burden of proof. Upon hearing the appeal, the Business License Appeals Board shall grant the business license or grant the business license upon conditions if it is found that the establishment, business, or activity applied for meets the standards prescribed by this title. In the event such establishment, business, or activity fails to meet the standards prescribed by this chapter, the Business License Appeals Board shall deny the application. The Business License Appeals Board for good cause shown may impose other conditions or requirements for such business licenses. The decision shall be made within thirty (30) days after the conclusion of the hearing. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.518. Suspension or revocation.**

Any business license issued pursuant to this chapter may be suspended or revoked by the Business License Appeals Board upon a petition by the Business Licensing Officer if the Business License Appeals Board finds that:

- (a) A court of competent jurisdiction has determined that the establishment, business, or activity has caused or become a public nuisance; or
- (b) The licensee has violated a condition of the business license; or
- (c) Due to a change in circumstances and conditions, the continuance of the establishment, business, or activity is hazardous to the public health, welfare, or safety; or
- (d) The applicant for the permit made a material misrepresentation of facts in the application or supporting statements; or
- (e) The establishment, business, or activity is maintained in violation of the standards prescribed by this title. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.519. Suspension or revocation: Petitions.**

A petition to suspend or revoke a business license shall be filed with the Business License Appeals Board by the Business Licensing Officer accompanied by a statement of the grounds or reasons for such action. At the time of filing, the Business Licensing Officer shall set the matter for a public hearing before the Business License Appeals Board and shall serve the licensee with

a notice of the hearing and a copy of such petition by certified mail no less than fifteen (15) days prior to the hearing. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.520. Suspension or revocation: Hearings: Determinations.**

At the hearing, the burden of proof shall lie with the Business Licensing Officer. Upon hearing the petition of the Business Licensing Officer and the response of the licensee at such public hearing, the Business License Appeals Board may suspend or revoke the permit if it finds that any of the grounds set forth in Section 12-1.518 of this article exist or have occurred. The Business License Appeals Board shall deny the petition for a suspension or revocation if it finds that none of such grounds for suspension or revocation exist or have occurred. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.521. Judicial reviews.**

The provisions of Section 1094.6 of the Code of Civil Procedure of the State shall apply to all determinations of the Business License Appeals Board, and any petition for a writ of mandate pursuant to Section 1094.5 of said Code of Civil Procedure shall be filed not later than the ninetieth (90th) day following the date on which the determination becomes final. A determination of the Business License Appeals Board shall become final upon the date a copy thereof is mailed to the appellant by certified mail. Such a determination shall provide notice that the time limit within which a judicial review shall be sought is governed by Section 1094.6 of said Code of Civil Procedure. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.522. Orders for suspension pending hearings.**

If the Business License Appeals Board finds, upon a verified application setting forth the facts relied upon, that the suspension pending the effective date of a final order of the Business License Appeals Board is required by an immediate hazard to the public health, safety, or general welfare, the Business License Appeals Board may issue:

(a) An order suspending a business license pending a hearing upon a petition for suspension or revocation; or

(b) An order prohibiting the activity for which the license is sought upon an appeal from an order denying a license. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.523. Orders granting or denying applications: Effective date.**

An order of the Business Licensing Officer granting or denying an application shall not become effective until the expiration of the time

for an appeal, and, if an appeal is filed, such an order shall not become effective until the appeal is dismissed or an order of the Business License Appeals Board thereon becomes final. (§ 2, Ord. 960, eff. October 6, 1983)

**Article 6. Standards**

**Sec. 12-1.601. Scope.**

Applications for the issuance of business licenses and petitions for the revocation or suspension of business licenses shall be determined in accordance with the standards prescribed in this article. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.602. Standards.**

Such standards shall consist of any enactment, statute, order, quarantine, rule, or regulation lying within the enforcement authority of the County, or any officer or employee thereof, including the provisions of this Code and this title thereof. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.603. Safe buildings.**

The occupation of real property for business purposes is governed by the minimum standards for safe buildings set forth in the Uniform Housing Code adopted by Chapter 6 of Title 6 of this Code. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.604. Building Codes.**

The occupation of real property for business purposes is governed by the Building Codes adopted by Title 7 of this Code or enforced by the Building Inspector and in particular, but not limited to, the provisions thereof for the construction, alteration, or modification of premises. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.605. Zoning regulations.**

The occupation of real property for business purposes is governed by the zoning regulations of the County, the General Plan of the County, and any Specific Plans of the County. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-1.606. Fire regulations.**

The occupation of real property for business purposes is governed by the fire protection Code adopted by the Fire Protection District in which the business lies and by any enactments, statutes, rules, or regulations the Fire Marshal is authorized to enforce. (§ 2, Ord. 960, eff. October 6, 1983)

**Article 7. Violations: Penalties**

**Sec. 12-1.701. Violations: Penalties.**

Any person willfully violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall

be punished by a fine of not more than Five Hundred and no/100ths (\$500.00) Dollars, or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment. Such person shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this chapter is committed, continued, or permitted by such person. (§ 2, Ord. 960, eff. October 6, 1983)

## Chapter 2

### HAZARDOUS MATERIALS\*

#### Sections:

**12-2.01      Administering agency:  
Designation.**

\* Chapter 2 entitled "Hazardous Materials", consisting of Article 1 entitled "Title, Authority, and Purpose", consisting of Sections 12-2.101 through 12-2.103, Article 2 entitled "Definitions", consisting of Sections 12-2.201 through 12-2.221, and Article 3 entitled "Requirements", consisting of Sections 12-2.301 through 12-2.308, codified from Ordinance No. 960, effective October 6, 1983, repealed by Section 1 of Ordinance No. 1075, effective May 26, 1988.

**Sec. 12-2.01.      Administering agency:  
Designation.**

The Director of Emergency Services of the County is hereby designated pursuant to Section 25502 of the Health and Safety Code of the State as the administering agency responsible for administering and enforcing the provisions of Chapter 6.95 of Division 20 of the Health and Safety Code of the State (commencing with Section 25500). (§ 2, Ord. 1075, eff. May 26, 1988)

## Chapter 3

### ITINERANT BUSINESS LICENSE

#### Sections:

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#### Article 2. Prohibitions

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#### Article 1. General Provisions

##### Sec.12-3.101. Title.

This chapter shall be known and may be cited and referred to as the "Itinerant Business License Law of the County of Yolo". (§ 2, Ord. 960, eff. October 6, 1983)

##### Sec. 12-3.102. Purpose.

The purpose of this chapter is to provide for the regulation of itinerant businesses by licensing persons conducting businesses without a fixed place of business who occupy private property or a public easement or right-of-way. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

##### Sec. 12-3.103. Authority.

This chapter is enacted pursuant to the authority conferred by Section 7 of Article 12 of the Constitution of the State and Chapter 2 of Part 1 of Division 7 of the Business and Professions Code of the State. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 127, eff. December 6, 2001)

##### Sec. 12-3.104. Application of other provisions.

Except as provided in this chapter, the provisions of Article 2, Article 3, Article 5, and Article 7 of Chapter 1 of this title shall apply to persons regulated by this chapter and to proceedings for the application, review, grant or denial, appeal therefrom, and suspension or revocation of a license issued under this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

##### Sec. 12-3.105. Applications.

An application for an itinerant business license shall set forth such facts as to enable the Business Licensing Officer to determine whether or not the applicant meets the standards of this chapter and shall be accompanied by the written consent of the property owner or adjoining property owner. (§ 2, Ord. 960, eff. October 6, 1983, as amended by §2, Ord. 1275, eff. December 6, 2001)

##### Sec. 12-3.106. Other licenses.

Certain types of persons required to obtain an itinerant business license pursuant to this chapter may also be required to obtain other permits or licenses under other provisions of this Code. The issuance of an itinerant business license pursuant to this chapter shall not be deemed to excuse the requirement for any other permit or license. The issuance of any other license or permit shall not excuse the requirement for an itinerant business license. The provisions of this chapter are declared to be independently applicable to each person to which the provisions of this chapter apply. (§ 2, Ord. 960, eff. October 6, 1983)

#### Article 2. Prohibitions

##### Sec. 12-3.201. Itinerants without licenses.

No person shall engage in business without a fixed place of business occupying private property or a public easement or right-of-way without an itinerant business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

##### Sec. 12-3.202. Itinerants in violation of licenses.

No person shall engage in business without a fixed place of business occupying private property or a public easement or right-of-way adjoining private property in violation of the terms or conditions of an itinerant business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

##### Sec. 12-3.203. Itinerants in violation of Code provisions.

No person shall engage in business without a fixed place of business occupying real property or a public easement or right-of-way adjoining private property in violation of any of the

provisions of this Code. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.204. Itinerants in violation of standards.**

No person shall engage in business without a fixed place of business and occupying private property or a public easement or right-of-way in violation of the standards set forth in this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.205. Itinerants after revocation or suspension.**

No person shall engage in business without a fixed place of business occupying private property or a public easement or right-of-way after the revocation or suspension of an itinerant business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.206. False statements.**

No person shall make a false statement in an application or other statement for an itinerant business license issued pursuant to this chapter. (§ 2, Ord. 960, eff. October 6, 1983)

**Article 3. Standards**

**Sec. 12-3.301. Scope.**

Applications for the issuance of an itinerant business license and petitions for the revocation or suspension of itinerant business licenses shall be determined in accordance with the standards prescribed by this article. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.302. Occupying private property.**

Persons conducting business without a fixed place of business who occupy private real property shall do so only with the written consent of the person entitled to the possession of the premises. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.303. Business in public easements.**

Persons doing business without a fixed place of business in a public easement or a right-of-way shall do so only with the written consent of the person entitled to the possession of the adjoining private property. (§ 2, Ord. 960, eff. October 6, 1983)

**Sec. 12-3.304. Personal qualifications.**

(§ 2, Ord. 960, eff. October 6, 1983, repealed by §2, Ord. 1275, eff. December 6, 2001)