

CITY OF PHOENIX • CITY CLERK DEPARTMENT • LICENSE SERVICES
STREET VENDOR (FOOD/NON FOOD) LICENSE APPLICATION - PROCESS SUMMARY/STEPS (PG 1)

➤ **STEP 1: READ THE RULES RELATED TO STREET VENDING:**

Phoenix City Code (PCC): Chapter 31. Online at: www.phoenix.gov/licenseservices.

Basic Rules/Information Summary:

- **License Required:** It shall be unlawful for any person to engage in street vending, or to employ or hire another to engage in street vending, without possessing a valid license.
- **Street Vending—Food Definition:** Peddling, vending, selling, displaying, or offering for sale any food product or toy between the curblines or, if none, then that portion of the right-of-way between the lateral boundary lines of the demarcated unsurfaced street.
- **Street Vending—Non-Food Definition:** Peddling, vending, selling, displaying, or offering for sale any item of tangible personal property or other thing of value, other than a food product or a toy, that occurs between the curblines, or, if none, then that portion of the right-of-way between the lateral boundary lines of the demarcated unsurfaced street.
- **License for Vending IN the Street:** This License is for vending *in the street* and not for vending on private property (see Mobile Vending) or on sidewalks (see Sidewalk Vending with Finance Department).
- **License Not Transferable from Person to Person (natural or fictitious):** Example: if a person applies as an individual and then decides to operate as a fictitious entity (LLC or Corporation), they will need to file a new application under the new ownership of the fictitious entity. The same rule applies if the original fictitious entity changes to a different fictitious entity – a new license for the new entity will be required -- even if the members within the entity are the same.
- **Vehicle Requirements (food vendors):** There are specific requirements for vehicles used in Street Vending-Food operations (mirrors/signs), refer to the checklist and/or Chapter 31 of the PCC for these requirements.
- **Restrictions/Prohibitions:** There are Street Vending restrictions/prohibitions related to: parking, operating close to schools, operating in and around parks, vending in the Downtown Vending District, hours of operation, etc... – refer to Chapter 31 of the PCC for all restrictions/prohibitions.

➤ **STEP 2: REVIEW THE APPLICATION PROCESS SUMMARY:**

Apply at the License Services Office:

- **Apply In Person:** This license must be applied for in-person at the License Services Office since each applicant must be fingerprinted and photographed. Office Location: 200 W. Washington St, 1st Floor.
- **Call & Make an Application Appointment:** Expedite service - call License Services and make an appointment.
- **Sign-In:** Upon arriving at License Services, sign-in on the lobby computer. You will be helped at the time of your appointment or if you do not have an appointment, in the order in which you signed-in.
- **Have Forms & Checklist Items Ready:** To expedite service, have the application forms filled out and all pertinent checklist items available and ready before arriving at License Services; otherwise it can take up to an hour to submit this application and/or you may be required to make multiple trips to License Services.
 - **Application Forms:** Must be completed in clear print and without leaving any blanks.
 - **Criminal Background History:** List ANY/ALL criminal offenses to which you have been convicted of, or have plead guilty or “no contest” to on the “Individual Applicant Background Information” section of the application. Missing information in this section can be grounds for denial.
 - **Email Address for License Services Notices:** Provide a valid email address on your application for communication with License Services. By providing an email, you are acknowledging that you may receive infrequent emails from License Services regarding your account or notices about services that may affect doing business with the City.

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Submit Fingerprints:

- **Each applicant must be fingerprinted:** Each applicant must contact a third-party office to have fingerprints taken. Bring the completed fingerprint card to the appointment. Once the fingerprints are completed, the fingerprint card will be sent to the AZ Department of Public Safety for processing for a federal background check. ^{PCC 31-29(D)} Pursuant to A.R.S. Section 41-1750(G)7 and R13-1-08 of the Arizona Administrative Code, an individual may review and challenge criminal history information maintained by DPS. For more information contact DPS by phone at: 602-223-2222. The procedures for changing, correcting, or updating FBI Criminal History Record Information are set forth in Title 28, Code of Federal Regulations Section 16.34. For more information contact the FBI by phone at: 304-625-3878 or on-line at: www.fbi.gov.

Pay Fee(s):

- **For a full List of Fees:** Refer to the License Fees & Payment Schedule online at: www.phoenix.gov/licenseservices.
- **Due Upon Applying:** The application and any additional fingerprint fees (if any) are due at the time the application is submitted.
- **Non-refundable:** The application fee is non-refundable. Once the application is submitted to License Services, the application fee will not be refunded ---- even if the application is withdrawn or denied.
- **Payment Center:** Fees are paid at the Payment Center (not in the License Services Office); therefore, please allow enough time to complete the application process and payment. Persons arriving at the License Services Office close to closing time (anytime after 4pm or earlier if depending on volume of walk-in customers) may not have enough time to complete the process and will likely need to return another day.
- **Fingerprint Fee(s):** One fingerprint fee is included in the application fee. Each additional person requiring fingerprinting/background check, after the first, must pay a separate \$22 fingerprint processing fee.

Departmental Review(s):

- **Police Department:** Obtains/evaluates the results of the criminal history background check for each person listed on the application and makes a recommendation to License Services on whether there is a legal basis for denial or not. The Police Department may contact the applicant to ask questions related to criminal history and/or items related to the license application.

Processing Time Frame:

- **Overall Processing Time Frame:** License Services will take action (approve or initiate denial) on a pending application within 90 days from the date the application is received in the License Services Office, unless the processing time is suspended as part of the administrative or substantive review of the application. This time frame includes: Processing fingerprint cards through the AZ Department of Public Safety, the Police Department back-ground check, and License Services administrative review.

Application Results:

- **If the application is approved by License Services,** the applicant will be notified of the approval of the license (by phone or electronically if an email was provided) and the license will be issued. The license can be picked-up by the applicant in person at 200 W. Washington St, 1st Floor or sent to the applicant by post-mail to the mailing address listed on the application.
- **If the application is denied by License Services,** the applicant will be notified of the denial and basis for denial through a certified letter that will be sent to the mailing address provided on the application.
 - The applicant may appeal the denial in writing within the required time frame & be scheduled for a hearing in front of the License Appeal Board. Appeal procedures are very specific and subject to strict deadlines. For more information on the appeals process please refer to Phoenix City Code (PCC) Chapter 19, Article II. For a list of reasons that could cause your application to be denied, refer to Section 31-32 of Chapter 31 of the PCC.

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Renewal of License:

- All Street Vending licenses expire on June 30th.
- The renewal of Street Vending licenses must be made in person at the License Services Office **during the month of April** to allow time for the background check and to ensure that the active license does not expire before completing the renewal process.
- During the renewal process a new application must be submitted to License Services along with all regular check-list documents/items, a new set of fingerprints for a background check and the payment of the renewal fee.
- Renewal applications are subject to the same departmental review, processing time frame, and application results process than a new application.

Other Items you may need:

- Privilege (Sales) Tax License (PLT) issued by the City Finance Department. Contact the Finance Department:
Phone: 602-262-6785 | Email: tax@phoenix.gov | Online: www.phoenix.gov/FINANCE/
Office: 251 West Washington Street, 3rd Floor, Phoenix, AZ 85003
- Health Permit issued by Maricopa County Environmental Health Section. Contact the County:
Phone: 602-506-6872 | Online: www.maricopa.gov/EnvSvc/EnvHealth/.

Questions?

- If after reading this information, you have questions related to the license application process, please contact a License Services Business License Service Clerk.
Phone: 602-262-4638, # 4 | Email at: licenseservices@phoenix.gov | Online: www.phoenix.gov/licenseservices
Office: 200 W. Washington St, 1st Floor, Phoenix, AZ 85003

Notice of Municipal Regulations Outlined in State Law:

- Persons may receive clarification on any interpretation or application of a statute, ordinance, code or authorized substantive policy statement affecting the procurement of this license by providing a written request to the Office of the City Clerk, Attention Deputy City Clerk, 200 W. Washington, 15th Floor, Phoenix, AZ, 85003. The written request must follow the guidelines established in [Arizona Revised Statute](#) Title 9, Article 4, Section 9-839.
- [Arizona Revised Statutes](#): Title 9, Article 4, Section 9-834.
 - 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.

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➤ **STEP 3: REVIEW & GATHER THE CHECKLIST ITEMS REQUIRED TO APPLY FOR THIS LICENSE:**

- ✓ **Application:** Submit a completed Street Vending (Food/Non-Food) application.
- ✓ **Picture ID:** Submit a valid picture ID for each person listed on the application.
- ✓ **Proof of lawful presence in the US:** For each person listed on the application -- Acceptable proof:
 - An Arizona driver license issued after 1996 or an Arizona nonoperating identification license.
 - A driver license issued by a state that verifies lawful presence in the US. (States that DO NOT are: Illinois, New Mexico, Utah, & Washington unless it says "enhanced". If your ID is from one of these States, you will need one other form of proof from this list)
 - A birth certificate or delayed birth certificate issued in any state, territory or possession of the US.
 - A United States certificate of birth abroad. • A United States passport.
 - A foreign passport with a United States Visa. • An I-94 Form with a photograph.
 - 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.
 - A United States citizenship and immigration services employment authorization document or refugee travel document.
- ✓ **Digital Photograph:** For each applicant. Taken by License Services staff at time of application.
- ✓ **Set of Fingerprints:** For each applicant. Taken at time of application.
- ✓ **Payment of application fee:** Nonrefundable once submitted, even if application is withdrawn or denied.
- ✓ **If the applicant is a Fictitious Entity (LLC, Corporation, etc.):** A copy of the Articles of Organization/ Incorporation/etc. AND must be registered and in good standing with AZ Corporation Commission.
- ✓ **If selling food:** Current Maricopa County Health Permit for each vehicle involved in the business. The County Permit must be in the applicant's name and for the business listed on the application.
- ✓ **If using a vehicle:**
 - Description of the vehicle (make/model/yr/color) • The license plate number and State of issuance
 - Proof of vehicle insurance for the driver(s) • Current Arizona driver's license for the driver(s)
 - Vehicle registration in applicant's name or accompanied by a letter from the vehicle owner authorizing applicant(s) to use the vehicle.
- ✓ **If using a vehicle AND selling food items out of a vehicle:** Submit pictures showing compliance with:
 - Two outside wide-angle mirrors affixed to the vehicle and operating, one located at the front driver's side directed at the front of the vehicle and one located at the rear driver's side directed at the rear of the vehicle. (see sample pictures on last page)
 - Signs affixed, in clearly visible letters or numbers of contrasting color and of a height of at least three inches with: (see sample pictures on last page)
 - "Watch for Children" on the front and rear of the vehicle
 - "City of Phoenix Lic. No.," followed immediately by the street vendor's city-issued street vendor license number, on the right side of the vehicle (exactly as listed between quotes)
 - "City of Phoenix License Inspection Phone No. 602-262-6846," on the right side of the vehicle (exactly as listed between quotes)
 - The business name provided to the city on the right and left sides of the vehicle
- ✓ **If you are an employee of another Street Vending licensee:** Submit written verification of employment relationship signed by the employer.

Para obtener esta información sobre Licencias de Venta Ambulante en español, por favor llame al 602-262-4638 #6.

Ph: 602.262.4638 • Fax: 602.495.0783 • 200 W. Washington, 1st Fl., Phoenix, AZ, 85003

Web Site: www.phoenix.gov/licenseservices • Regulated Business License Email: licenseservices@phoenix.gov

 City of Phoenix CITY CLERK DEPARTMENT LICENSE SERVICES	APPLICATION FOR	APPLICATION FEE*	LICENSE/RENEWAL FEE	ACCOUNT #
	STREET VENDOR (FOOD/NON-FOOD)	\$150.00	\$150.00	
ALL APPLICATION AND LICENSE FEES ARE NON-REFUNDABLE AND SUBJECT TO ANNUAL REVIEW <i>*Application Fee includes 1 background check fee. Each additional applicant, after the first is required to pay a separate \$22 background check fee.</i>				

PLEASE DO NOT LEAVE BLANK SPACES, ANSWER EACH QUESTION & PRINT CLEARLY

- 1) Date _____ 2) New Application or Renewal Application
- 3) Do you have a Privilege Tax License (PLT)? No Yes, PLT# _____

Business Information

- 4) Business Name ("dba"): _____
- 5) Business Address: _____
Street Address (include Apt/Suite #), City, State & Zip Code
- 6) Type of Merchandise Sold: Food and/or Toys Non-Food Items
- a) Briefly describe the items to be sold: _____

- 7) Will a vehicle be used in connection with the Street Vending operation? Yes No
- a) If yes, provide the driver & vehicle information (if more than one vehicle/driver include information for each):

Make	Model	Year	Color	License Plate #

Driver Name	Driver License (DL) #	DL Expiration Date	DL State (must be AZ)

- 8) Are you an employee of another Street Vending licensee? Yes No
- a) If yes, provide business name/account # of employer (must provide written verification of employment relationship signed by the employer): _____

Applicant Information:

- 9) Ownership Type (Choose One): Partnership
 Corporation (must attach organizational documents)
 LLC (must attach organizational documents)
 Individual Husband/Wife Other _____
- 10) Name (If an individual, list full name as shown on ID. If a fictitious entity, list name exactly as set forth in organizational documents): _____

Contact Information:

- 11) Mailing Address for City Notices/License Certificate Mailing: **Same as business address** OR:

Street Address (include Apt/Suite #), City, State and Zip Code
- 12) Email Address for License Services Notices (This email address will be used to communicate important information about your application/license): _____
Please print clearly; this email will be used to notify you of any administrative deficiencies.
- 13) Business Phone #: _____ 14) Business Fax #: _____

>>EACH PERSON (APPLICANT), MUST FILL OUT A COPY OF THE NEXT PAGE, "INDIVIDUAL APPLICANT INFORMATION PAGE"

 City of Phoenix CITY CLERK DEPARTMENT LICENSE SERVICES	APPLICATION FOR	APPLICATION FEE*	LICENSE/RENEWAL FEE	ACCOUNT #
	STREET VENDOR (FOOD/NON-FOOD)	\$150.00	\$150.00	
ALL APPLICATION AND LICENSE FEES ARE NON-REFUNDABLE AND SUBJECT TO ANNUAL REVIEW <i>*Application Fee includes 1 background check fee. Each additional applicant, after the first is required to pay a separate \$22 background check fee.</i>				

>>> INDIVIDUAL APPLICANT INFORMATION PAGE<<<

PLEASE DO NOT LEAVE BLANK SPACES, ANSWER EACH QUESTION & PRINT CLEARLY

Individual Applicant Information

- 15) Applicant's Full Legal Name as Shown on ID: _____
- 16) All other names used in past 5 years - Include any shortened names or maiden names: _____
 _____ OR NONE
- 17) Residential Address: _____
Street Address (include Apt/Suite #), City, State and Zip Code
- 18) Other Addresses in Past 3 Years (include dates): _____

- 19) Daytime Phone #: _____ 20) Alternative Phone #: _____
- 21) Place of Birth: _____ 22) Date of Birth: _____
- 23) Physical Description: a) Weight: _____ b) Hair Color: _____
 c) Height: _____ d) Eye Color: _____
- 24) Written proof of age must be submitted with this application. Acceptable proof includes picture driver license or other current photo identification issued by a governmental agency. What type of ID have you provided with this application? (choose one) AZ Driver License Other (list): _____

Individual Applicant Background Information

- 25) Have you ever had a street vendor or street vending license denied, suspended, or revoked?
 No Yes If yes, please list the date, jurisdiction, and reason: _____
 _____ Additional info attached
- 26) Have you been convicted of, or entered a plea of guilty or "no contest", to any criminal offense including any misdemeanor offense within the last five years or any felony offense within the last ten years?
 No Yes If yes, please list the date, jurisdiction and disposition: _____
 _____ Additional info attached
- 27) Please list any convictions involving a sexual or violent offense against a child: _____
 _____ OR NONE

I ACKNOWLEDGE THAT I HAVE THOROUGHLY REVIEWED THIS APPLICATION PACKET (INCLUDING STEPS 1-3) PRIOR TO SUBMITTING THIS APPLICATION. I UNDERSTAND THAT I CANNOT OPERATE UNTIL MY APPLICATION IS APPROVED AND THE LICENSE ISSUED. I ALSO UNDERSTAND THAT MY APPLICATION FEES ARE NOT REFUNDABLE, EVEN IF THE APPLICATION IS WITHDRAWN OR DENIED. I SWEAR UNDER PENALTY OF PERJURY THAT I HAVE READ THE FOREGOING APPLICATION AND THAT ALL THE INFORMATION AND STATEMENTS MADE HEREIN ARE TRUE AND CORRECT.

Applicant Signature: _____ Date: _____

Para obtener esta información sobre Licencias de Venta Ambulante en español, por favor llame al 602-262-4638 #6.

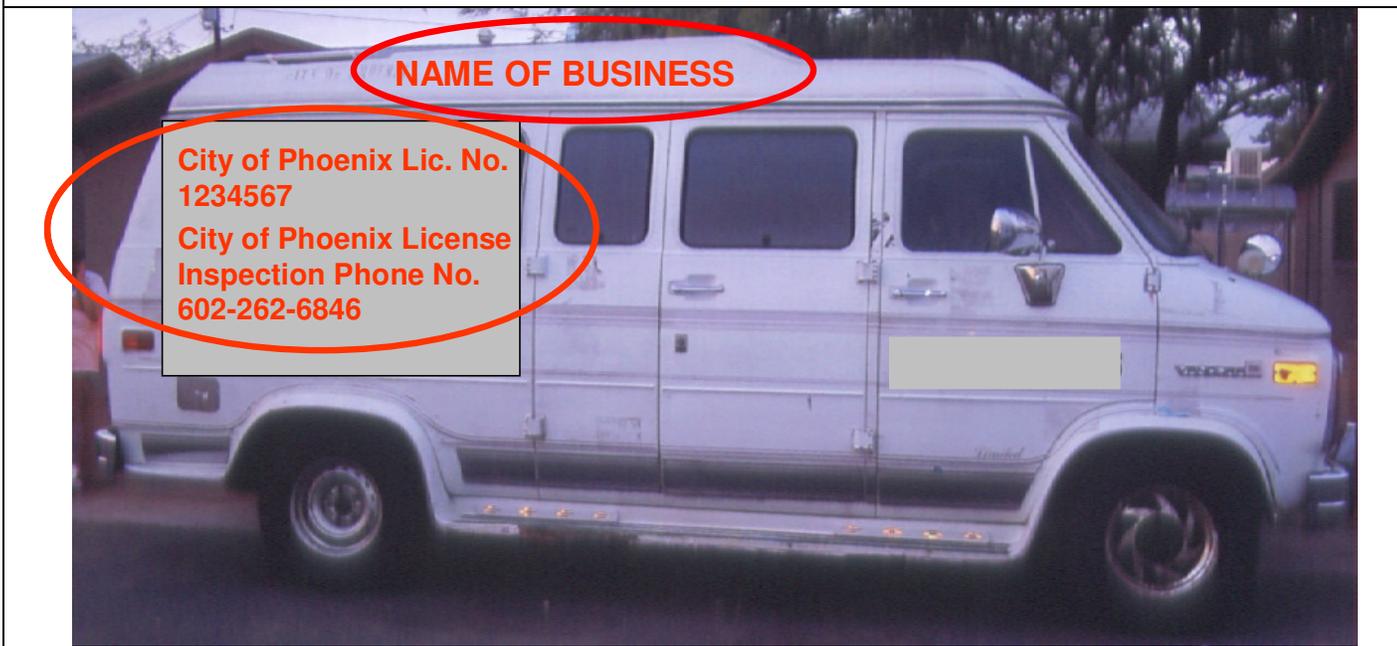
DO NOT WRITE BELOW THIS LINE - FOR STAFF USE ONLY

Proof of Age	Lawful Pres	Digital Pic	Articles of Org (fict. En)	Vehicle Pics Food Only	Vehicle Reg. Exp:	Vehicle Ins Exp:	Health Permit Exp:	Food Handler Exp:	Food Cart No Photos	Employee Verif.	Fingerprints	Cashier	Staff Initials
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Police Dep. Recommendation: No Basis for Denial Denial w/Memo Signature: _____ Date: _____

License Services Supervisor: Approval Denial Signature: _____ Date: _____

SAMPLE PICTURES FOR STREET VENDOR-FOOD OPERATIONS USING A VEHICLE





City of Phoenix
CITY CLERK DEPARTMENT
LICENSE SERVICES

ADDITIONAL APPLICATION INFORMATION

The following information is provided pursuant to Arizona Revised Statutes (A.R.S.) Section 9-834(H).

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.

A full copy of the Arizona Revised Statutes may be found on-line at: www.azleg.gov.