

CITY OF SAN DIEGO

OFFICIAL BUSINESS TAX APPLICATION

Congratulations on taking one of the first steps to starting your new business in the City of San Diego! All businesses operating in the City of San Diego are required to register with the Business Tax Program to obtain a Business Tax Certificate; registration is due no later than 15 days from the business start date to avoid late fees. This includes home-based businesses, self-employed individuals, and independent contractors. The City's Business Tax is imposed solely to raise revenue and is not intended for the purpose of regulation. Revenue raised goes to the City's General Fund which provides Police and Fire protection, street maintenance, and other City services.

FILING YOUR BUSINESS TAX APPLICATION:

Submit Online: <https://pay.sandiego.gov/BTaxApp>

Submit By Mail: Office of the City Treasurer - Business Tax Program, P.O. Box 122289, San Diego, CA 92112.

Submit In Person: Civic Center Plaza, 1200 Third Avenue, Suite 100, San Diego, CA 92101.

For additional information visit <https://www.sandiego.gov/treasurer/taxesfees/btax> or contact the Business Tax Program at (619) 615-1500.

Complete all sections of the application legibly and thoroughly in black or blue ink, sign and date. Information you include in your application is public information. However, residence addresses and phone numbers, Social Security numbers, and Federal Tax Identification Numbers are not released to the public without a subpoena.

If you do not want your business information published within the new business or active listings, check the "Do not publish" box located within Part 1 (Business Information) of the Business Tax Application.

A minimum payment of \$38.00 should be submitted with the application. You will be notified by mail if additional taxes or fees are due.

All checks should be made payable to the "City Treasurer." **See reverse side for complete Rates & Fees.**

Updates to existing Business Tax accounts do not require the completion of a new application. Existing Certificate holders may submit account update requests via email at btax@sandiego.gov or online at <https://pay.sandiego.gov/BTaxApp>

Business Addresses/Location

Per San Diego Municipal Code (SDMC) §31.0130, a Business Tax Certificate is required for each business location/address in the City of San Diego. Businesses will be required to self-certify that the business is allowed in the zone that applies to the property where the business activity will be conducted. Businesses may use the following online resource to perform self-certification:

- Development Services Department's Zoning Webpage at: <https://www.sandiego.gov/development-services/zoning>

Post Office Box

A Post Office Box or Private Mailbox (PMB) is not accepted for the business location or residence address. Business and residence addresses must include a street number, street name, apartment or suite number (if applicable), City, State, and Zip Code. A Post Office Box or PMB may be used only for the mailing address.

Number of Employees

SDMC §31.0301 defines an employee as anyone that works ten (10) hours or more per week. While business owners are not considered employees; paid officers of a corporation are considered employees. Per SDMC §31.0140, new businesses may estimate the number of persons that will be employed; this is subject to subsequent verification by the City. For existing businesses, the employee count can be computed by one of the following methods:

- The average number of persons employed over a twelve-month period (SDMC §31.0301 (a))
- The number of persons appearing on payroll immediately prior to the certificate expiration date (SDMC §31.0140 (e))

Regulated Businesses

Read and complete Part 4 of the Business Tax Application. Certain types of business activities are regulated by the City of San Diego. Businesses that are regulated, require that a permitting application be submitted along with the Business Tax application. In addition to the regulatory fee, businesses that are regulated by the San Diego Police Department are assessed a non-refundable application fee of \$74.00. Each additional owner or officer will be assessed a \$20.00 investigation fee. Certain permits require a \$16.00 Photo ID fee. For additional information regarding Police regulated business activities, visit <https://www.sandiego.gov/treasurer/taxesfees/pdpermits> and visit <https://www.sandiego.gov/sidewalk-vending> for Sidewalk Vending Permitting information.

Fire Survey Questionnaire

Read and complete the questionnaire (Part 5). Businesses which involve certain activities and the storage, handling, and use of hazardous materials may require an inspection.

RATES & FEES

The annual fee for the Business Tax Certificate is based on number of employees:

- \$34.00 for a business with twelve (12) employees or fewer.
- \$125.00 plus \$5.00 per employee for a business with thirteen (13) employees or more.

Late Fees: Businesses that fail to pay the tax within 15 days from the business start date will be assessed a late fee of \$25.00 or 10% of the amount owed, whichever is greater. Beginning one calendar month from the due date of the Business Tax, a penalty of 1 % per month will be added to any past due business taxes and late fees.

Surcharges: In addition to the penalties for delinquent payment, all businesses found to be operating without having a valid Business Tax Certificate will pay a surcharge of \$68.00 for businesses with 12 employees or fewer or \$250.00 for businesses with 13 employees or more.

The City Treasurer bills retroactively for up to three (3) years with late fees applicable to each year (SDMC §31.0131). All checks should be made payable to the "City Treasurer."

SB 1186 Fee: On September 19, 2012, Governor Brown signed Senate Bill 1186 (SB 1186) into law. SB 1186 is intended to increase disability access, encourage compliance with construction-related accessibility requirements, develop education resources for businesses, and facilitate compliance with Federal and State disability laws. From January 1, 2013, until December 31, 2017, cities and counties were required to collect a State mandated fee of \$1.00 from "any applicant for a local business license or equivalent instrument or permit, and from any applicant for the renewal of a business license or equivalent instrument or permit." Assembly Bill 1379 was officially passed on October 11, 2017. The bill extended the assessment of the fee indefinitely and increased it from \$1.00 to \$4.00 from January 1, 2018, until December 31, 2023. Assembly Bill 3002, which provides information regarding disability access requirements and resources to business owners, went into effect on January 1, 2019. To read the full notice visit <https://www.dgs.ca.gov/CCDA/Resources>

The City is required by law to inform you of the following:

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: <http://www.dgs.ca.gov/DSA>

The Department of Rehabilitation at: <http://www.dor.ca.gov>

The California Commission on Disability Access at: <http://www.cdda.ca.gov>

Business Improvement District Fees: If your business is located in a Business Improvement District (BID), you may be subject to additional fees. BIDs are authorized by State law to assess benefited businesses for the cost of improvement activities. BIDs are overseen by City staff but implemented by local non-profit business associations. Contact information for the various BIDs maybe found online at <http://www.sandiego.gov/economic-development/about/bids.shtml>. Questions about BIDs should be directed to the BID Offices or to the Economic Development Department at (619) 236-6700 or via email at sdbusiness@sandiego.gov.

Earned Sick Leave and Minimum Wage

The City of San Diego's Earned Sick Leave and Minimum Wage Ordinance, SDMC, Chapter 3, Article 9, Division 1, became effective on July 11, 2016. It is applicable to employees who perform at least two (2) hours of work in one or more calendar weeks of the year within the geographic boundaries of the City of San Diego. In addition to notice and posting requirements, employers are required to provide employees with earned sick leave and minimum wage in accordance with the Ordinance. Details on these requirements can be found at www.sandiego.gov/minimumwage. Employers found to be in violation of the Ordinance may be assessed back wages, liquidated damages, and civil penalties.

Questions should be directed to the Minimum Wage Program at (619) 615-1565 or via email at sdminwage@sandiego.gov.