

BUSINESS LICENSING

Frequently Asked Questions

QUESTION: Who needs to have a business license with the City of Aztec?

Answer: Any person proposing to engage in business within the city shall apply for a business license and shall pay a business registration fee for each outlet, branch or location within the city prior to engaging in business. Persons who do not have a physical address for business activity conducted in the city shall register with the city if their business includes regular visits by one (1) or more agents of the business to locations inside the city limits to conduct or solicit business, to service customers, to deliver goods or otherwise engage in ANY regular business activity which is subject to taxation or is mentioned and regulated in any portion of this article. This includes businesses such as Avon, Pampered Chef etc... Certain types of businesses will need to provide further certifications and state licensing. Examples of those businesses include Child Day Care, Body Art Establishments', and Food Service.

QUESTION: Does a non-profit business need to apply and pay for a business license?

Answer: Non-profit organizations, small scale charity organizations and individuals who plan to conduct business or vend goods or services to the general public shall register with the city but shall be excused from the requirement to pay a registration fee, so long as the activity is strictly for charitable fundraising purposes (description of fundraising event may be required). Continuing organizations such as churches, clubs, school groups and fraternal organizations are excused from the requirement to register if they are organized and chartered under the laws of the State of New Mexico or any other state; proof of charter is required.

QUESTION: Do individuals need a business license for a garage sale?

Answer: No, but any person proposing to conduct a garage sale shall be subject to the following rules and regulations:

- All sale items shall be limited to used domestic items owned by the person conducting the sale; no one shall accept or take in for sale any goods on a consignment basis;
- Sales must be conducted on private property with the express approval of the property owner.
- Signs advertising such sales shall conform to all applicable sign ordinances, as stated in the Aztec City Code;
- Not more than two (2) garage sales per year shall be held at the premises if occupied by the same family or a member of such family; and
- Any sale conducted within City limits shall be confined to the period between 7:00 a.m. and 8:00 p.m. of any day and shall not exceed three (3) consecutive days.

QUESTION: Does a business or individual going door to door (solicitor) need a business license?

Answer: Yes, a business license is required for any person who goes from house to house, place to place, or from street to street, soliciting, taking or attempting to take orders for the sale of goods, wares, merchandise, or services (including orders, contracts, or subscriptions for books, magazines, periodicals, real estate sales or listings, insurance contracts, or tangible or intangible personal property of any nature) or soliciting, taking orders or attempting to take orders for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether or not such individual is collecting advance payments on such sales. Businesses conducting solicitation in the City of Aztec are required to provide the City with a list of the individuals that will be in the City of Aztec and must notify the City of Aztec of any changes. All solicitors are required to carry personal identification and company information with them at all times while conducting solicitations within the City.

QUESTION: Do I have to get a permit for my business sign?

Answer: Yes, applications for a sign permit must be submitted to the Community Development Department for review and approval. The cost of a permanent sign permit is \$25 (no renewal required) and the cost of a temporary sign permit (i.e. for special sales or business openings/renovations) is \$50 (good for up to 4 weeks). Business owners are responsible for maintaining their sign(s) in good structural and visual condition at all times. Sign regulations (i.e. maximum area and number of signs allowed per business) vary based on the land use zone designation associated with the property. Certain types of signs (i.e. digital readers and sandwich boards) are prohibited in the City; business owners should apply for a sign permit prior to purchasing signs for their business. Business owners should refer to Chapter 20 of Aztec Municipal Code (available on the City website at www.aztecnm.gov; click on City Government, then click on City Code (requires Adobe Reader) for additional information on Sign Regulations or should contact the Community Development Department at (505) 334-7604.

QUESTION: How much does a business license cost?

Answer: The cost for most business licenses is \$35.00. The business license fee for pawnbrokers and massage therapists is \$50.00; the fee for private detectives is \$100.00.

QUESTION: Can the fee be prorated when business is conducted for a portion of a year?

Answer: No, business registration fees may not be prorated.

QUESTION: How long will it take to receive my business license?

Answer: Following the submission of completed business license applications and renewal applications to the City of Aztec, applications may take up to one week to process. Business Licenses will be mailed out to the address provided on the application. A request to pick up the business license will be accepted if request is made at time of application.

QUESTION: When does a business license expire?

Answer: All business licenses expire on December 31st of each year. Business licenses are issued for the period January 1 through December 31 of each calendar year, or from the date in which the business started to December 31 of the calendar year.

QUESTION: How does a business renew a business license?

Answer: All businesses with active licenses will receive a license renewal letter in mid-December of each year with information on the renewal process. The business license fee is due on January 1 of each year; business licenses that have not been renewed by March 15 become delinquent. Business registrations that are not filed timely shall be charged an additional fee of ten dollars (\$10.00) and subject to termination of business if not renewed by April 30 of each year.

QUESTION: Does the business license need to be displayed?

Answer: Yes, the license issued to each business shall be exhibited in a prominent place of the business, visible to customers at all times.

QUESTION: What if I want to sell my crafts or food at local events in Aztec (i.e. Fiesta Days, Founders' Day, etc) that only occur one weekend out of the year?

Answer: A One Day Vendor Permit (good for up to 3 consecutive days) may be purchased from the City for a fee of \$10 per day. Businesses selling food shall provide proof to the City of Aztec that they have been approved by the New Mexico Environment Department for food preparation and sales.

QUESTION: What if a business is no longer conducting business?

Answer: Contact the City of Aztec Utility Office to terminate the business license.

QUESTION: How many sidewalk sales may a business conduct a year?

Answer: Sidewalk sales are limited to three (3) days in duration, may not be conducted more than two (2) times per year, must be held adjacent to the business conducting the sale, and cannot cause disruption of pedestrian or vehicular traffic. Any objects placed in the public Right-of-Way (i.e. Sidewalks) without express approval from the City is prohibited.

QUESTION: What if a business has an address or name change?

Answer: Businesses must contact the City of Aztec Utility Office to complete a Business Registration Change Form.

QUESTION: How can someone review all business license regulations for the City of Aztec?

Answer: You may request a copy of Chapter 11 of the Aztec Municipal Code by calling (505) 334-7600 or visit the City web-site at www.aztecnm.gov; click on City Government, then click on City Code (requires Adobe Reader).

QUESTION: Are Business License Applications online?

Answer: Yes, the Business License Application, Renewal Application, One Day Vendor Permits and Business Registration Change Forms are available by visiting our web-site at www.aztecnm.gov; click on City Services then click on Utility Customer Service to download the forms (requires Adobe Reader).

QUESTION: Can I submit my Business License Applications online?

Answer: Online submission of applications is not yet available. We hope to add this service to our web-site in the future.