



*City of
Encinitas*

CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
JUNK DEALER, AUTO WRECKING & VEHICLE STORAGE PERMIT APPLICATION
NEW

- \$465 Fee
- Major Use Permit
- Assessor's Parcel Number _____ and Zoning status _____ of property where activity will occur
- Photo Identification
- Application
- Document showing that applicant is owner of the premises, or a written agreement signed by the owner permitting such use of the premises
- Hazardous Material Certificate – County Environmental Health Permit
- Vehicle Dismantler License
- County Device Registration Certificate
- Weightmaster License
- Weights and Measures Inspection Form
- Sellers Permit
- Business Registration
- Fictitious Name Registration



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CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
JUNK DEALER, AUTO WRECKING & VEHICLE STORAGE PERMIT APPLICATION
RENEWAL

- _____ \$465 Fee
- _____ Application
- _____ Business Registration



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

PERMIT APPLICATION FOR:

JUNK DEALER/RECYCLERS AUTO WRECKING YARD NON-OPERATING VEHICLE STORAGE YARD

FEES: \$465.00 NEW / RENEWAL (Fees are non-refundable)

BUSINESS NAME _____ TELEPHONE NO. _____

BUSINESS ADDRESS _____

OFF-SITE YARD LOCATION _____

ARE YOU THE SOLE OWNER OF THIS BUSINESS? YES NO ARE YOU A CORPORATION? YES NO

(Each business partner associate must complete a Miscellaneous Information Form which must be submitted with this application)

OWNER OF PREMISES _____ Phone Number _____

LIST HOURS OF OPERATION-OPEN TO THE PUBLIC:

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

DO YOU ACCEPT/BUY OTHER TYPE OF SCRAP METAL FROM THE PUBLIC? YES NO

I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION I HAVE GIVEN IS TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO HAVING ALL REQUIRED NOTICES, UNLESS OTHERWISE SPECIFIED, SENT BY U. S. MAIL TO THE ADDRESS GIVEN ON THE APPLICATION. I HAVE READ AND UNDERSTAND THE SECTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO THE OPERATION OF THIS BUSINESS.

SIGNATURE OF APPLICANT _____ DATE _____

APPLICATION ACCEPTED BY _____ DATE _____

FOR USE OF DEPARTMENT OF WEIGHT AND MEASURES

APPROVED DISAPPROVED REASON _____
BY _____ DATE _____

FOR USE OF ENVIRONMENTAL HEALTH (HAZARD DIVISION)

APPROVED DISAPPROVED REASON _____
BY _____ DATE _____

FOR USE OF SHERIFF'S AUTO THEFT INVESTIGATOR

APPROVED DISAPPROVED REASON _____
BY _____ DATE _____



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 6. JUNK YARDS AND MOTOR VEHICLE WRECKING YARDS*

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

***Note**--Repealed and reenacted by Ord. No. 4193 (N.S.), effective 12-6-73.

Cross reference(s)--Accumulation of junk, § 68.701 et seq.; abatement of existing unlawful accumulation of junk, § 68.714.

SEC. 21.601. PURPOSE.

Junk yards and motor vehicle wrecking yards may receive vehicles, vehicle parts and other personal property that have been stolen from the rightful owners. Junk yards and motor vehicles wrecking yards also pose potential hazards to the community, because they are usually unsightly and likely to impact surrounding properties and they may also attract children or others who will not appreciate the hazards presented by these businesses. It is necessary to regulate junk yards and motor vehicle wrecking yards by requiring them to keep and maintain detailed records of items they buy to maximize recovery of stolen items and to prevent dealers from trafficking in stolen goods. It is also necessary to regulate the manner in which these businesses are carried out to protect the community from potential hazards. This chapter is to be construed to carry out these goals.

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

SEC. 21.602. DEFINITIONS.

The following definitions shall apply to this chapter:

- (a) "Dealer" means a person who operates a junk yard or a motor vehicle wrecking yard.
- (b) "Inoperative vehicle" means a motor vehicle that cannot be moved under its own power.
- (c) "Junk" means secondhand or used: machinery, equipment, appliances, furniture, motor vehicle parts, tires, lumber, rope, bottles, pipe, wire, drums, scrap metal, construction material, packaging material, items made of, or containing wood, metal, paper, plastic, clay, brick, glass, porcelain, rubber, concrete, or other personal property.
- (d) "Junk yard" means real property used for dismantling, salvage, outside storage, purchase, sale or exchange of junk. It is not an exception to this definition that a person intends or proposes to use the junk for some purpose.
- (e) "Motor vehicle" has the same definition as the term "motor vehicle" in California Vehicle Code section 415.
- (f) "Motor vehicle wrecking yard" means a place where wrecked or inoperative motor vehicles are stored, kept, parked, left, accumulated, exchanged, crushed, dismantled, sold, sold for parts, sold for scrap or for any other purpose. Any parcel or property made up of one or more contiguous parcels having three or more wrecked or inoperative motor vehicles shall be considered a motor vehicle wrecking yard and subject to the requirements of this chapter. An automotive repair dealer registered with the California Department of Consumer Affairs under Business and Professions Code section 9884 that temporarily stores inoperative or

wrecked motor vehicles while the vehicles are being repaired, however, is not subject to this chapter.

(g) "Wrecked motor vehicle" means a motor vehicle that is damaged to such an extent that it cannot be operated safely on the highway.

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

Cross reference(s)--Definitions, § 12.101 et seq.

SEC. 21.603. LICENSE REQUIRED.

It shall be unlawful for a person to operate a junk yard or a motor vehicle wrecking yard in the unincorporated area of the County without obtaining a license from the Issuing Officer. The Sheriff shall be the Issuing Officer for any license required by this chapter. A person may operate a yard that is both a junk yard and motor vehicle wrecking yard, but is only required to obtain one license under this chapter. The license required by this chapter shall be subject to sections 21.101- 21.117 of this code and this chapter. No person shall be eligible for a license under this chapter until he obtains a Major Use Permit from the County Department of Planning and Development Services, for the junk yard or motor vehicle wrecking yard, under applicable County zoning regulations.

(Amended by Ord. No. 5200 (N.S.), effective 8-10-78; amended by Ord. No. 5290 (N.S.), effective 11-30-78; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8049 (N.S.), effective 5-7-92; amended by Ord. No. 9889 (N.S.), effective 10-26-07; amended by Ord. No. 10224 (N.S.), effective 10-25-12)

Cross reference(s)--Sheriff's regulatory fees, § 21.1901.

SEC. 21.604. YARD REGULATIONS.

It shall be unlawful for any person to operate a junk yard or a motor vehicle wrecking yard in the unincorporated area of the County in violation of one or more of the following conditions:

(a) A junk yard or motor vehicle wrecking yard shall be operated entirely within an enclosed building or buildings or on property completely enclosed by a solid fence or wall at least six feet in height and constructed according to the requirements of this code. The County may grant an exception to this requirement on one or more sides of the facility pursuant to approval of the Major Use Permit for the yard if the operator can demonstrate that natural topographical features prevent access to the side of a facility for which an exception is sought, without the need for a wall or fence.

(b) The fence or wall required by paragraph (a) above shall be maintained in a neat, clean and safe condition and shall be painted, unless it is constructed of masonry or rust- proof metals.

(c) No junk yard or motor vehicle wrecking yard may have any advertising on its outside walls or fences, except that it may advertise in a space not to exceed six feet in height and 15 feet in length on each side of the outer wall of the business. The advertising, shall also comply with all other provisions of this code and any zoning regulations.

(d) The access gates for the yard shall open inwardly and the gates shall be kept closed when the yard is not open for business.

(e) No junk, wrecked or inoperative motor vehicles shall be piled or permitted to be piled in excess of the height of the enclosing fence or wall or be closer than three feet from an enclosing fence or wall. The

California Fire Code or County Fire Code may further limit the height that certain items may be piled, may limit the width of piles or may require certain items to be further from a fence or wall than three feet. The Fire Codes may also require the operator to have aisles between items in the yard. The dealer shall be responsible to determine any Fire Code requirements and comply with them. The failure to comply with any Fire Code requirement is a violation of this section.

(f) Within 24 hours of acquiring a wrecked or inoperative motor vehicle or item of junk a dealer shall drain and remove all flammable or hazardous liquids and all gases from the vehicle or item of junk.

(g) The yard and all items in it shall be maintained at all times so that fire, health, law enforcement and building officials have access to and can inspect any junk, wrecked or inoperative motor vehicles in the yard.

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

SEC. 21.605. DEALER RECORDS.

(a) In addition to reports dealers may be required to prepare and maintain under State law, a dealer shall complete a legible daily report, in duplicate, of any junk, inoperative or wrecked motor vehicles the dealer acquires in the course of a day, on a form approved by the Sheriff or provided by the Sheriff at his cost. The dealer shall provide the daily report to the Sheriff by the close of the following business day. If some or all of the information required by this section is contained on a daily reporting form the dealer is required to prepare under State law, the dealer may provide the Sheriff with a copy of the State form or, if the State form contains only a portion of the information required by this section, the dealer may supplement the State daily reporting form by providing the additional information on the Sheriff's daily reporting form and providing both forms to the Sheriff. The daily reports required by this section shall contain the following information:

(1) The seller's full name and current address,

(2) The seller's identifying information. The only acceptable forms of identification for the purpose of this chapter are: a valid driver's license or identification card issued by any state of the United States that contains the full name, address, photograph and signature of the seller, or a valid passport issued by the United States, and

(3) A complete and accurate description of the property, including serial numbers or other identifying marks, symbols, inscriptions, owner-applied numbers, manufacturer's name brand and model name and number. If the property does not contain any of the foregoing identifying marks and numbers, the description shall include the type, size, color and approximate weight of the property.

(b) When the dealer obtains the information from the seller to satisfy the requirements of paragraph (a)(1) and (2) above, the dealer shall also obtain from the seller:

(1) A statement signed by the seller under penalty of perjury verifying that the seller is the owner of the property, or that the seller has the owner's consent to sell the property and the seller verifies the owner's full name and address, and

(2) A legible thumbprint taken from seller.

(c) The dealer shall keep each daily report and the documents required by paragraph (b) above for two years and shall produce them at the request of any peace officer.

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

SEC. 21.606. SHERIFF'S RECORDS.

The Sheriff shall maintain a file of all dealer reports received pursuant to this chapter for two years and the reports shall be available for any peace officer of this State to inspect.

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

SEC. 21.607. RETENTION OF GOODS.

Except for second hand motor vehicles, a dealer shall hold all property the dealer acquires for 15 days after filing a report with the Sheriff that lists the property. During the holding period the dealer shall display the property during normal business hours and not allow the property to be cleaned, repaired, painted or modified in any way.

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

SEC. 21.608. HOLD ORDER FOR PROPERTY SUSPECTED OF BEING STOLEN.

When the Sheriff has probable cause to believe property in the possession of a dealer is stolen the Sheriff may place a 90 day hold on the property consistent with Business and Profession Code section 21609 and the provisions of section 21609 shall apply.

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

SEC. 21.609. LICENSE SUSPENSION OR REVOCATION.

In addition to the reasons for suspending or revoking a license issued pursuant to this chapter under section 21.112 the Sheriff may also suspend or revoke a dealer's license if the dealer, dealer's agents or employees:

- (a) Failed to comply with any provision of this chapter,
- (b) Failed to allow any inspection authorized under this chapter,
- (c) Is convicted of receiving stolen property, or
- (d) Committed fraud in the acquisition, sale or disposal of property.

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

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