



City of Fairfield
Community Development
1000 Webster St, 2nd Floor
Fairfield, CA 94533-4883
Phone: 707.428.7509
Email: BL@fairfield.ca.gov

BUSINESS LICENSE EXCLUSION/EXEMPTION FORM

- Please fill out this form to submit a request for exemption or exclusion of the business license tax, per Chapter 10B.15 – 16 of the City of Fairfield Municipal Code
- An appeal to the determination for classification can be made, per 10B.14 and 10B.33, by filling out the form and sending to bl@fairfield.ca.gov or mail/hand-delivered to the Community Development Department counter

Section 1: Business Information

Business/Corporate Name _____ DBA (if any) _____

Business Address _____

Mailing Address (if different) _____

Business License No. (if assigned) _____ Email _____

☐ Sole Proprietorship ☐ Corporation ☐ LLC ☐ Limited Partnership ☐ Other: _____

Description of Business _____

Section 2: Check Appropriate Box and Attach Documentation or Affidavit as Required per FMC 10B.17

Fairfield Municipal Code (FMC) and California State Constitution/State Code Exemptions – check the appropriate box:

- ☐ **Bail bond businesses** are exempt from local taxation per California Constitution Article XIII §28(f) – any other business activity will have to be reported and is not considered exempt/excluded
- ☐ **Banks and Financial Institutions** – Copy of Form 100 (California Corporation Franchise or Income Tax Return); per California Constitution Article XIII §27 and Revenue & Taxation Code §23182 and FMC 10B.16(a), (c)
- ☐ **Disability/SSI** – (sole proprietorship or sole member of LLC only) Copy of Benefit Verification Letter from the SSA for those claiming disability exemption – FMC 10B.15(b)
- ☐ **An event that benefits a charitable organization/nonprofit** and not for private gain – FMC 10B.15(d), (g)
- ☐ **Insurance agents and brokers** are exempt from tax portion of policies and plans sold as an appointed agent—if in other business endeavors, such as taxes or other business, gross receipts from those service types must be reported and appropriately charged, per California Business and Professions Code – Copy of “Notice of Agency Appointment” and payment filed with the California Insurance Commission’s Office, per California Constitution Article 13, § 28(f)
- ☐ **Insurance companies** are excluded if they are registered with the state and pay the in-lieu tax directly to the State – Copy of per California Business and Professions Code per California Constitution Article XIII §28 and FMC 10B.16(b)
- ☐ **Non-profit [any 501(c) organization]** – Copy of IRS Exemption Determination Letter dated within the last year OR a copy of California Franchise Tax Board Entity Status Letter dated within the last year – FMC 10B.15(a), (d), (f), (g) and U.S.C. §60033(a)(2)
- ☐ **Personal care centers that are state licensed, including childcare, adult daycare, assisted living within the home**, not exceeding six people for a residential small facility and not exceeding 12 for a residential large facility – Copy of state license/state facility number, per California Health and Safety Code Sections §1566.2, §1567.8, §1596.78, §1597.45
- ☐ **Public utility** which pays to the City of Fairfield a tax under a franchise or similar agreement – Copy of agreement, per FMC 10B.15(e)
- ☐ **Transportation/Trucking businesses of household goods** that already pay a fee directly to the state – Copy of receipt of payment, per the Household Goods Carriers Uniform Business License Tax Act, California Public Utilities Code, §5325-5335
- ☐ **Veteran/Veteran Disability** (sole proprietorship or sole member of LLC only) – Copy of VA Card showing disability OR VA award letter stating service-connected disability OR DD Form 214 – FMC 10B.15(b)
- ☐ **Other:** _____

Section 3: Agreement and Signature

I hereby certify under penalty of perjury the answers I have given are true and correct to the best of my knowledge and belief, and I understand and agree that any false or misleading answer will result in denial or revocation of exemption. Further, the City is hereby authorized to seek and verify information contained in this application. I understand verification of the accuracy of the application information is a matter of public record and may be made available to interested parties upon request.

Signature _____ Title _____ Date _____

OFFICE USE ONLY

Finance Director _____ Date _____

Community Development Director _____ Date _____

Notes _____

Fairfield Municipal Code -- Chapter 10B Business License Taxes, Exemptions and Exclusions

10B.15 Exemptions

The following are exempted from the payment of a license tax under this chapter:

- (a) Any charitable institution, organization, or association organized and conducted for charitable purposes only. The exemption shall not apply to promoters employed by charitable organizations.
- (b) Any honorably discharged or honorably relieved soldier, sailor or marine of the United States who is physically unable to obtain a livelihood by manual labor, or any person who is considered disabled under Social Security law and can demonstrate that he/she receives supplemental Social Security income for disabled persons, and who is a voter of this state, distributing circulars or hawking, peddling or vending any goods, wares or merchandise owned by him/her, except alcoholic beverages at any place in the city other than a fixed place of business.
- (c) Any natural person of eighteen years of age or less whose annual gross receipts from any and all business are seven hundred fifty dollars or less.
- (d) Any person conducting or staging any concert, exhibition, lecture, dance, amusement or entertainment where the receipts, if any are derived therefrom, are to be used solely for charitable or benevolent purposes and not for private gain or for the private gain of any person in whole or in part.
- (e) Any public utility which pays to the city a tax under a franchise or similar agreement.
- (f) Any religious, fraternal, educational, military, state, county or municipal organization or association conducting any business which is open to members thereof only and not open to the public.
- (g) Any religious, fraternal, educational, military, state, county or municipal organization or association conducting or staging any amusement or entertainment, concert, exhibition, lecture, dance or athletic event, when the receipts derived are to be wholly for the benefit of such organization and not in the whole or any part for private gain of any person. (Ord. No. 2010-09, § 1; Ord. No. 2013-14, § 1.)

10B.16 Exclusions

Except as may be otherwise specifically provided in this chapter, the terms hereof shall not be deemed or construed to apply to any of the following persons:

- (a) Banks, to the extent that a city may not levy a license tax upon them under the provisions of Article XIII, Section 27, of the California Constitution.
- (b) Insurance companies and associations to the extent that a city may not levy a license tax upon them under the provisions of Article XIII, Section 28 of the California Constitution.
- (c) Financial corporations and banks to the extent the city may not levy a license tax upon them under Revenue and Taxation Code section 23182. (Ord. No. 85-24, § 1.)
- (d) Any person whom the city is not authorized to license under any law or constitution of the United States or the state. The collector may require the filing of a verified statement from any person claiming to be excluded by the provisions of this section which statement shall set forth all facts upon which the exclusion is claimed. (Ord. No. 2013-14, § 1.)

10B.17 Claims for exemption.

Any person desiring to claim exemption from the payment of a license tax and to have a free license issued to him shall make application therefor upon forms prescribed by the collector and shall furnish such information and make such affidavits as may be required. Upon the determination being made that the applicant is entitled to an exemption from the payment of license taxes for any reason set forth in this chapter, the collector, upon the applicant complying with the provisions of this chapter or any ordinance of the city which may require a permit for the doing of the particular act proposed to be done, shall issue a free license to such person which shall show upon its face that the license tax is exempt. (Ord. No. 2013-14, § 1.)