

Title 16

BUSINESS LICENSING AND REGULATIONS

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Chapter 16.05

GENERALLY

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16.05.010 Definitions.

In this chapter, unless the context otherwise requires:

Business: Any activity, trade, calling, profession, or occupation, whether a sole proprietorship, partnership, corporation, limited liability company or other recognized entity, which provides delivery of products and/or services within the corporate limits of the City of Show Low. Business does include a distributor/wholesaler with a business location within the corporate limits of the City of Show Low, but does not include a distributor/wholesaler located outside the city's corporate limits. Business does not include public schools, churches, amateur athletic teams or other similar organizations. Business includes "home occupations" as defined by the City of Show Low zoning ordinance.

- (1) "Permanent business" means a business use which occurs for a period of more than six (6) months in any twelve (12) month period.
- (2) "Temporary business" means a temporary business use which occurs for a period of less than six (6) months in any twelve (12) month period.

Carnival: Circuses, menageries, side shows, and other similar amusement enterprises which are open to the public. The term "carnival" as used herein shall include rides, merry-go-rounds, booths for the conduct of games of skill, food dispensing facilities, and side shows.

Department: The City of Show Low planning and zoning department.

Distributor/wholesaler: A person or business who sells or distributes goods to retailers for resale only. A distributor/wholesaler shall not include a person or business who sells goods direct to the public. A person or business who sells or distributes goods both to resellers and the public does not qualify as a distributor/wholesaler for purposes of this chapter.

Drug: Any narcotic drug, dangerous drug, marijuana or peyote as defined by state statute.

Drug Paraphernalia.

- (1) All equipment, objects, devices, instruments, products and materials of any kind which are primarily used, intended for use, adapted, or designed and marketed for use in ingesting, inhaling or otherwise introducing a drug into the human body. It includes:
 - (a) Metal, acrylic, glass, stone, plastic or ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls; and
 - (b) Any pipe characterized by a bowl which is so small, or of such a material or other design characteristic, that the primary use for which it is reasonably adapted, marketed or designed for is the smoking of drugs, rather than tobacco, with or without a screen; and
 - (c) Water pipes; and
 - (d) Carburetion tubes and devices; and

- (e) Smoking and carburetion masks; and
 - (f) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand; and
 - (g) Miniature cocaine spoons with level capacities of one-tenth (1/10) cubic centimeter or less and cocaine vials; and
 - (h) Chamber pipes; and
 - (i) Carburetor pipes; and
 - (j) Electric pipes; and
 - (k) Air-driven pipes; and
 - (l) Chillums; and
 - (m) Bongs; and
 - (n) Ice pipes or chillers.
- (2) In determining whether an object is drug paraphernalia for purposes of this chapter, a court or other authority may consider, in addition to all other logically relevant factors, the following:
- (a) Statements made by anyone in control of the object concerning its use;
 - (b) Instructions, oral or written, if any, provided with the object concerning its use;
 - (c) Descriptive materials, if any, accompanying the object that explain or depict its use;
 - (d) The manner and context in which the object is promoted, marketed, or displayed for sale;
 - (e) Prior convictions, if any, of any owner or anyone in control of the object under any local, state or federal law relating to any drug or including but not limited to paraphernalia;
 - (f) Direct or circumstantial evidence of the ratio of sales of the objects to the total sales of the business;
 - (g) The proximity of the object to other items of drug paraphernalia;
 - (h) Advertising concerning its use;
 - (i) Whether the owner, or anyone in control of the item, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products; and
 - (j) Expert testimony concerning its use; and
 - (k) The existence and scope of legitimate uses of the item in the community.
- (3) *Exceptions.* For purposes of this chapter, the definition of “drug paraphernalia” shall not apply to marijuana-related drug paraphernalia as allowed by state statute, cigarette rolling papers and wooden pipes

with large bowls and stems traditionally designed, marketed and intended for use with tobacco products, nor to public officers or employees while engaged in the performance of their official duties.

Fire district: The Timber Mesa Fire and Medical District or other fire district, or municipal fire department, as applicable.

Home occupation: Any activity carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit. Home occupations shall be permitted in any residential zone upon the issuance of a home occupation permit and a business permit from the City of Show Low.

Mobile sales unit: Any vehicle or other type of conveyance used for carrying tangible personal property for sale at or adjacent to the vehicle in which such tangible personal property is carried.

Mobile vendor: Any person who sells any type of tangible personal property, including but not limited to food and drink, at or adjacent to the person's mobile sales unit in which such tangible personal property is carried. This definition shall not include any person working or acting for a person holding a mobile merchant permit issued in accordance with this section. A mobile vendor does not include sales of prepackaged food which take place on noncollector city streets and which do not obstruct the city right-of-way for more than five (5) minutes at a time.

Nonprofit organization: Any association, business or other entity, organized and operated not for pecuniary profit and which has a letter or other document from the Internal Revenue Service verifying such nonprofit status.

Peddler: Any person who conducts the business of selling goods, wares, merchandise, food or personal property of any nature whatsoever and who does not intend to establish a permanent business location within the city or who conducts such business by foot, cart, wagon, motor vehicle or any other type of conveyance from place-to-place, house-to-house, street-to-street, or business-to-business. Peddler shall not include a distributor/wholesaler.

Permit: The required permit, permanent or temporary, as required by this chapter.

Permittee: The person who applied for the permit pursuant to this chapter and in whose name such permit was issued pursuant to this chapter.

Person: An individual, firm, sole proprietorship, partnership, joint venture, association, corporation, limited liability company or any other recognized entity acting as a unit; "person" shall apply in the plural as well as the singular number. Person includes subsidiaries of corporations or other businesses.

Planning and zoning director or director: The director of the city's planning and zoning department and his or her designee.

Police department: The police department of the City of Show Low.

Retailer: A person who buys products or goods from a producer, licensed manufacturer or a distributor/wholesaler for resale to a consumer only.

Right-of-way: An area of land that is used for public street or highway purposes.

Semi-permanent structure: Any equipment or displays, or dining area, including, but not limited to, canopies, tables, booths, bar stools, benches, stand-up counters.

Solicitor: A salesman or peddler which takes or attempts to take orders for the sale and future delivery of goods, wares, merchandise, intangibles, personal property of any nature whatsoever or services to be furnished or performed in the future, rather than selling such items from inventory or stock currently in possession. A person may be a solicitor regardless of whether such person has, carries, or exposes for sale a sample of the subject of such order, and regardless of whether such person collects advance payment on such sales or orders. "Solicitor" shall not include a distributor/wholesaler.

Special event: Including, but not limited to, holiday sales, show promoters and show vendors, temporary swap meets, art shows, festivals, carnivals, religious revivals, political rallies, vehicle shows and displays, swap meets, rodeos, parades, marches, demonstrations and similarly recognized temporary activities. A special event may take place inside a temporary or permanent structure or outside. A special event shall not include weddings and funeral ceremonies, elections, private yard sales, fundraising-type car washes, and activities such as retail sales promotions that are otherwise lawfully conducted and which are in accordance with the provisions of the city's zoning regulations. A special event shall not include minor fundraising activities of public schools, churches, or other nonprofit organizations which have a minimal impact on surrounding properties. Any organization claiming nonprofit status shall possess a letter or other documentation from the Internal Revenue Service proving nonprofit status.

Temporary merchant: A person who engages in the temporary business of selling and delivering goods, wares, or merchandise within the city, and who in furtherance of such purpose hires, leases, uses, or occupies any building, structure, motor vehicle, tent, public room in a hotel, lodging house, apartment, shop, or any street, alley, or other place within the city for the exhibition and sale of such goods, wares, or merchandise either privately or at public auction. A temporary merchant is limited to a maximum of fourteen (14) days within a sixty (60) day period. The person or firm so engaged shall not be relieved from complying with the provisions of this article merely by reason of associating temporarily with any local dealer, trader, merchant, or auctioneer, or by conducting such temporary business with, as a part of, or in the name of any such dealer, trader, merchant, or auctioneer.

Zoning regulations: The City of Show Low zoning ordinance. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2004-12, § 1, 7-6-04; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2017-05, § 1, 10-17-17; Ord. No. 2018-04, § 1, 11-6-18; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-1)

16.05.020 Permit required.

Except as specifically set forth herein, it is unlawful for any person to conduct any business from within the city boundaries without first obtaining a permit from the city in accordance with this chapter. A distributor or wholesaler who maintains a business location within the boundaries of the City of Show Low shall be required to have a permit. Every distributor/wholesaler which does not have a physical location within the city boundaries and which does business only as a distributor or wholesaler as defined in this chapter shall not be required to have a permit as required by this chapter. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-2)

16.05.030 Change of location.

A business which possesses a current permit shall notify the department of a change of address within ten (10) days of the change of address. Upon receipt of a notice of change of address, the department shall give notice of such change to the appropriate fire district. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-3)

16.05.040 Prohibited business locations and activities.

- (A) No person shall conduct business within the city in any structure or area where conducting such business is prohibited by state or federal law, by the city's zoning regulations, by the applicable fire code or by other applicable codes or regulations.
- (B) No permanent business shall use any location within a public or private street, nor shall an applicant be permitted to operate a business in any congested area where its operations might impede traffic or otherwise inconvenience the public.
- (C) It is unlawful for any person to offer for sale, display for sale, or sell drug paraphernalia. The sale of any drug paraphernalia in violation of this section is declared to be a public nuisance and may be abated as provided by law. This remedy is in addition to any other civil or criminal remedy provided by law, including the penalty provisions as set forth in Section [1.25.010\(A\)](#), and the business permit suspension and revocation procedures set forth in Section [16.05.100](#).
- (D) Except as an accessory use to a resident of a single-family residence, and as provided in Section [19.25.140](#), outside sales and displays for sale of household animals, including cats, kittens, dogs, and puppies, is prohibited.
- (E) It is unlawful for any person to conduct any business activity that is prohibited under any local, state, or federal law. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2004-12, § 1, 7-6-04; Ord. No. 2007-19, §§ 1, 2, 11-20-07; Ord. No. 2017-05, § 2, 10-17-17; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-4)

16.05.050 Exemptions.

A permit shall not be required when:

- (A) Federal or state law precludes requiring a permit for the business.
- (B) The business is the sale of handmade or homemade goods, or food products by an owner, proprietor or tenant of agricultural lands, orchards, farms and gardens on which such food products are grown, raised or prepared for market, if the business is carried on within 30 miles from the location on which the product was grown or produced.

(C) The activity is regulated by the requirements for temporary merchants, peddlers/solicitors, mobile vendors or special events as set forth in this chapter. (Ord. No. 386, § 3, 6-6-95; Ord. No. 487, 3-6-01; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-5)

16.05.060 Application/issuance of permit.

(A) Applications for a permit shall be made on forms and in the manner prescribed by the department, with the accompanying fee as established by resolution of the city council.

(B) The permit application shall include all of the following information and such other information as the department deems reasonably necessary:

- (1) Name of business.
- (2) Name and date of birth of the applicant and relationship to the business or entity.
- (3) Street and mailing addresses of each business location(s).
- (4) A brief description of the nature and type of business.
- (5) The type of business entity. If the business is a corporation or limited liability company, the state where formed and the statutory agent's name and address.
- (6) A list of hazardous materials or hazardous wastes as defined by [49](#) USC Section [5102](#) and amendments thereto which will be used or stored by the business.
- (7) List of officers/owners/managers of the business and their addresses.
- (8) The name and telephone number for the individual(s) who can be called in case of emergency. This should be a telephone that will be answered twenty-four (24) hours a day.
- (9) The length of time for which the right to do business is desired.
- (10) A copy of the Arizona Transaction Privilege Tax documentation (if applicable).
- (11) If the business is subject to a certificate of health or sanitary examination, the applicant shall produce such certificate or permit from the Navajo County health department, as provided for in A.R.S. § [36-136](#) as amended. This section shall also apply to all new or remodeled restaurants, bars or other businesses which serve food to the public located within the city limits.
- (12) Where any business specified in this chapter is subject to other federal, state or local licensing, registration or permit requirements, i.e., professional, medical, technical, contractors, real estate, etc., the applicant shall produce such license, registration or permit from the appropriate federal, state or local governmental authorities.
- (13) One (1) permit may be utilized for multiple properties or business locations provided the business types are the same and share common ownership.

- (C) Upon receipt of completed application, the department shall:
- (1) Check the information provided pursuant to this section.
 - (2) Promptly give a copy of the application to the appropriate fire district providing fire protection services to the property.
 - (3) Promptly give a copy of the application to the City of Show Low police department, which shall perform a background check on the applicant(s).
 - (4) Issue or deny the permit within the specified time frame. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2017-05, § 3, 10-17-17; Ord. No. 2018-04, § 2, 11-6-18; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-6)

16.05.070 Renewal of permit (permanent business).

A permit for a business shall be renewed each year on the renewal form prescribed by the department along with a renewal fee as established by the city council. (Ord. No. 386, § 3, 6-6-95; Ord. No. 487, 3-6-01; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-7)

16.05.080 Inspections.

- (A) The director may inspect the premises of any business for conformance with this chapter and state statutes.
- (B) Nothing in this chapter shall require any person or business to upgrade or undertake improvements to an existing building or structure to meet new requirements of the city zoning regulations or any other applicable code that would not otherwise be required by that code. Likewise, a permit application shall not have any effect on a legal, nonconforming use as defined in the city zoning regulations. For example, a business currently operating under a legal, nonconforming use designation would be allowed to continue to carry on that business at the same location in accordance with the city zoning regulations. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-8)

16.05.090 Denial of application or revocation of a permit.

The department shall have the power to deny applications and may refuse to issue a permit if the person applying for the permit fails to comply with the requirements of this chapter. If the application for a permit is denied, the reasons for the denial shall be given within five (5) days of the denial.

A new or renewal permit shall be issued to the applicant pursuant to this chapter unless:

- (A) The applicant fails to provide a completed application or the required fee; or
- (B) The applicant or a controlling person is currently in violation of this chapter or other city code; or

- (C) The application contains false or misleading information; or
- (D) The applicant has current debt related to any open or closed account maintained or formerly maintained with the city; or
- (E) A permit application may be denied for failing to provide required information or for failure to pay amounts owed to the city for penalties, interest, fees, charges, transaction privilege taxes, sewer connection fees, or any other amounts owed to the city for any other reason. Failure to submit the required transaction privilege tax reports or to pay the required tax, penalty, and interest within a period of sixty (60) calendar days after they become due shall result in a notice of intent to cancel the permit issued by the director or designee and cancellation of the permit within ten (10) business days of the date of the notice; or
- (F) The applicant or controlling person failed to comply with any federal and state laws or regulations promulgated by the Arizona Department of Health Services and the Navajo County health department, or the city; or
- (G) The applicant or controlling person, within the seven (7) year period immediately preceding the submission of the application, was convicted of any of the following:
- (1) Felony involving trafficking in stolen property, fraud, forgery, theft, burglary, robbery, extortion, conspiracy to defraud, or any preparatory offenses of the aforementioned crimes; or
 - (2) Felony involving a fraudulent or dishonest act; or
 - (3) Felony involving the sale, manufacture or transportation of any dangerous drug as defined under A.R.S. § [13-3401](#), a “violent crime” under A.R.S. Title [13](#), Chapters [11](#), [12](#), [13](#), or a “sexual offense” under A.R.S. Title [13](#), Chapter [14](#), or for conduct in another jurisdiction which if carried out in Arizona would constitute an offense under one (1) of the statutory provisions enumerated in this subsection. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-9)

16.05.100 Suspension/revocation.

- (A) Permits issued under the provisions contained herein may be suspended or revoked by the director after notice and a hearing before the director for any of the following causes:
- (1) Fraud, misrepresentation or false statements contained in a permit application.
 - (2) Failure to provide or maintain the certificates, licenses or registration required in Sections [16.05.060\(B\)\(11\)](#) and [\(B\)\(12\)](#).
 - (3) The business creates imminent danger to the public, or has caused serious injury or damage to person(s) or property and is likely to similarly endanger the public.
 - (4) Other violations of this chapter.
 - (5) Noncompliance with any section of the City Code, including noise and parking requirements.

(6) A permit application may be suspended or revoked for failing to provide required information or for failure to pay amounts owed to the city for penalties, interest, fees, charges, transaction privilege taxes, sewer connection fees, or any other amounts owed to the city for any other reason. Failure to submit the required transaction privilege tax reports or to pay the required tax, penalty, and interest within a period of sixty (60) calendar days after they become due shall result in a notice of intent to cancel the permit issued by the director or designee and cancellation of the permit within ten (10) business days of the date of the notice.

(B) If the director has evidence to conclude that a suspension or revocation is authorized for the reasons set forth in subsection (A) of this section, the director may suspend the permit immediately and shall give the applicant notice by certified mail of the suspension, and of a hearing to be held within ten (10) days to determine whether or not the permit should be suspended or revoked. This notice shall contain a statement of the reason(s) for the proposed suspension and the suspension or revocation. Within three (3) days after the hearing if the director determines that there is good and sufficient reason for the suspension or revocation of the permit, the director shall enter an order suspending or revoking the permit and notifying the applicant of same by certified mail.

(C) If the director intends to suspend or revoke a permit for any of the reasons in subsection (A) of this section, except as authorized by subsection (B) of this section, the director shall give the applicant notice by certified mail sent to the permittee's last known address of a hearing to be held within ten (10) days to determine whether or not the permit should be suspended or revoked. This notice shall contain a statement of the reason(s) for the proposed suspension or revocation. Within three (3) days after the hearing, if the director determines that there is good and sufficient reason for suspension or revocation of a permit, the director shall enter an order suspending or revoking the permit and notifying the applicant of same by certified mail. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2017-05, § 4, 10-17-17; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-10)

16.05.110 Appeal rights.

Within ten (10) days, excluding weekends and legal holidays, an applicant may appeal in writing to the Show Low board of adjustment from the refusal of the department to issue a permit under this chapter or from the suspension or revocation of any permit by the director.

(A) The Show Low board of adjustment, upon receipt of a notice of appeal, shall determine whether or not to stay the revocation pending appeal, and shall set a time for hearing the appeal within thirty (30) days.

(B) The appeal hearing shall be conducted in accordance with other appeals (zoning appeals for example) heard by the board of adjustment. The written decision of the board of adjustment shall be delivered/mailed to the parties within ten (10) days of the hearing.

(C) Appeals from the Show Low board of adjustment shall be to the Navajo County superior court in accordance with Arizona law. Appeals to the superior court shall be filed within thirty (30) days of the date of the written decision of the Show Low board of adjustment. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-11)

16.05.120 Exhibition of permit.

(A) Every business, temporary merchant, peddler/solicitor, or mobile vendor shall display its permit in a location conspicuous to the public at its place of business. Every business not having a fixed place of business shall require its employees or agents to carry the permit, or a true facsimile thereof, at all times while carrying on that business for which the permit was granted.

(B) Every special event sponsor or participant shall post the permit required by this chapter in a location conspicuous to the public during all hours of the special event.

(1) Every permit holder shall produce and exhibit its permit whenever requested to do so by the director, by any police officer or by any other person. Failure to display, produce or exhibit the permit, whether intentional or by neglect, shall be a violation of this chapter. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-12)

16.05.130 Permit not transferable.

No permit granted or issued pursuant to the provisions of this chapter shall be in any manner assignable or transferable to any other person or business. Upon the sale or other transfer of a business, a new application for a permit shall be required. (Ord. No. 386, § 3, 6-6-95; Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-13)

16.05.140 Enforcement and penalty.

It shall be the duty of the planning and zoning department and the Show Low police department to enforce this chapter. In addition to the denial, suspension or revocation of a permit as authorized in this chapter, the city may enforce this chapter by filing a complaint in the magistrate court. Any person found guilty of violating this chapter shall be punished in accordance with Section [1.25.010](#). (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-1-14)

Chapter 16.15 HOME OCCUPATIONS

Sections:

[16.15.010](#) Home occupations.

16.15.010 Home occupations.

A home occupation is any activity carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit. Home occupations shall be permitted in any residential zone upon the issuance of a home occupation permit and a permit from the City of Show Low subject to the requirements found in Title [19](#). (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2009-09, § 1, 6-2-09; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code Art. 8-2)

Cross reference: Zoning – Title [19](#).

Chapter 16.20 SPECIAL EVENT PERMITS

Sections:

16.20.010 Permit required.

16.20.020 Time restriction.

16.20.030 Application requirements.

16.20.040 Special event plot plan.

16.20.050 Special event permit application fee.

16.20.060 Special event vendor's permit application fee.

16.20.070 Permit approval/denial.

16.20.010 Permit required.

It is unlawful for any person to conduct or sponsor a special event or carnival within the city limits without first obtaining a special event permit pursuant to the requirements of this chapter. It is also unlawful for any person to sell or offer for sale goods or services at a special event within the city limits without being listed as a recognized vendor by the organizer of the event pursuant to the requirements of this chapter. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-1)

16.20.020 Time restriction.

A special event permit shall be limited to the specific time restriction shown on the permit. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-2)

16.20.030 Application requirements.

Any person applying for a special event permit shall submit an application to the department with the following information:

(A) Applications for special event permits shall be made on forms and in the manner prescribed by the planning and zoning department.

(B) The special event permit application and special event vendor's permit application shall include all of the following information and such other information as the department deems reasonably necessary:

- (1) Name of person, business or organization.
- (2) Name and date of birth of the applicant and relationship to the person, business or organization.
- (3) Complete street and mailing addresses of each person, business or organization.
- (4) A brief description of the nature and type of the business or organization.
- (5) A list of hazardous materials or hazardous wastes as defined by [49](#) USC Section [5102](#) and amendments thereto that will be used or stored by the business.
- (6) The type of business entity. If the business or organization is a corporation or limited liability company, the state where formed and the statutory agent's name and address.
- (7) Whether the business is for profit or nonprofit. Proof of nonprofit status is required. See Section [16.05.010](#).
- (8) List of officers/owners/managers of the business or organization, with their addresses.
- (9) The dates and times for the special event.
- (10) A copy of the Arizona Transaction Privilege Tax documentation (if applicable).
- (11) If the business specified in this chapter is subject to a certificate of health or sanitary examination, the applicant shall produce such certificate or permit from the Navajo County health department, as provided for in A.R.S. Title [36](#), Chapter [1](#), Article [2](#) and applicable Navajo County ordinances, as amended.
- (12) Where any business specified in this chapter is subject to other federal, state or local licensing, registration or permit requirements, i.e., professional, medical, technical, contractors, real estate, etc., the applicant shall produce such license, registration or permit from the appropriate federal, state or local governmental authorities.
- (13) A valid email for the event organizer and each of the event vendors.
- (14) A list of all employees who will be present during the event.
- (15) A list of all recognized vendors, including complete name, date of birth, email address, and type of materials sold or provided by the vendor. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-3)

16.20.040 Special event plot plan.

In addition to the requirements in Section [16.25.030](#), applicants for a special event permit may be required by the director to submit three (3) copies of a plot plan, indicating the following:

- (A) Exact site location and layout of the event.
- (B) Location and number of booth spaces, stalls or vending areas.
- (C) Location of temporary structures and temporary utilities necessary for operation.
- (D) Location and provision of toilets and other sanitary services.
- (E) Ingress and egress.
- (F) Fire and emergency vehicle access.
- (G) Parking areas.
- (H) Signage.
- (I) Lighting.
- (J) Describe the security and traffic control measures to be taken for the special event. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-4)

16.20.050 Special event permit application fee.

Any person applying for a special event permit as required by this chapter shall submit an application along with an application fee, as established by resolution of the city council. This fee may be waived by the city manager or his/her designee for nonprofit organizations only. Any determination made by the city manager or his/her designee regarding waiver of the required fee may be appealed to the city council. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-5)

16.20.060 Special event vendor's permit application fee.

Any person applying for a special event vendor's permit as required by this chapter shall submit an application along with an application fee, as established by resolution of the city council. This fee may be waived by the city manager or his/her designee for special event vendors who are nonprofit organizations only. Any determination made by the city manager or his/her designee regarding waiver of the required fee may be appealed to the city council. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-6)

16.20.070 Permit approval/denial.

Upon receipt of an application, the director or designee shall conduct the necessary investigation for the protection of public health, safety, welfare and overall public good. The director or designee may require a special event meeting prior to approval/denial. The permit application and any required plot plan shall be referred to the applicable fire district providing area fire protection and the police department. The police department shall conduct an outstanding warrant check on the applicants for all special events. After receiving and reviewing the information required by Section [16.20.030](#), the director shall issue or deny the special event permit after ten (10) working days, or after a required background check is complete (whichever is greater), along with any conditions of approval, or, if denied, the reason(s) for any denial. The department shall keep a record of all permits issued or denied for a period of one year after the date of the application. If, as a result of such investigation, any agency determines that the granting of the permit would be detrimental to the public health, welfare or safety, the application shall be denied. If a special event permit or a special event vendor's permit application is denied, the reason(s) for the denial shall be given in writing within ten (10) days of the denial. The department shall keep a record of special events permits issued for a period of two (2) years. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-4-7)

Chapter 16.25

TEMPORARY MERCHANTS, PEDDLERS/SOLICITORS AND MOBILE VENDORS

Sections:

- 16.25.010 Permit required.**
- 16.25.020 Exemptions.**
- 16.25.030 Temporary merchants.**
- 16.25.040 Peddlers/solicitors.**
- 16.25.050 Mobile vendors.**
- 16.25.060 Application and issuance of peddler's/solicitor's permit.**
- 16.25.070 Application and issuance of temporary merchant's permit.**
- 16.25.080 Application and issuance of mobile vendor's permit.**
- 16.25.090 Issuance/denial of permit.**
- 16.25.100 Location.**
- 16.25.110 Restrictions.**
- 16.25.120 Signs prohibiting peddling/soliciting or temporary merchandising.**

16.25.010 Permit required.

It is unlawful for any person to conduct any business which includes sales of goods or services to the general public as a temporary merchant, peddler/solicitor or mobile vendor without first obtaining a temporary merchant's, peddler's/solicitor's, or mobile vendor's permit. A permit card issued by the department shall be kept at all times by any person conducting business as either a temporary merchant, peddler/solicitor or mobile vendor and shall be surrendered upon request of the director (or designee) or any police officer of the city. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-1)

16.25.020 Exemptions.

A person conducting sales required by statute, sales by order of any court or bona fide auction sales pursuant to Arizona law and distributors/wholesalers shall be exempt from the requirements of this chapter. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-2)

16.25.030 Temporary merchants.

A temporary permit may be issued to person(s) operating as a temporary merchant for a limited time as determined by the director, but in no case greater than fourteen (14) days within a sixty (60) day period. The time restriction, and expiration date, shall be clearly stated on the issued temporary permit. Temporary merchants shall be permitted in all commercial and industrial zoning districts provided they meet the underlying zoning district requirements for permitted uses. All temporary merchants shall comply with Section [16.25.070](#) and conditional use permit requirements for uses listed as conditional uses.

Temporary merchant activities shall be limited to commercial and industrial zoning districts. Any proposed temporary merchant activities shall comply with Title [19](#), including compliance with the permitted and conditional use requirements of each section. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-3)

16.25.040 Peddlers/solicitors.

An annual permit may be issued to person(s) operating as peddlers/solicitors who meet all the criteria set forth in this chapter. An annual peddler's/solicitor's permit fee as established by resolution of the city council shall be required at the time of application. All peddlers/solicitors shall comply with Section 16.25.060 and conditional use permit requirements for uses listed as conditional uses. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-4)

16.25.050 Mobile vendors.

Mobile vendors shall be permitted in the A-1 (Airport), DC (Downtown Commercial), C-2 (General Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts, subject to the following:

- (A) All mobile vendors shall obtain a mobile vendor's permit from the City of Show Low prior to conducting business.
- (B) Mobile vendors shall comply with the permitted uses as outlined in the zoning district for which they are proposed to be located. A conditional use permit shall be required prior to operation for any uses listed as a conditional use within the zoning district for which they are proposed to be located.
- (C) A notarized letter or letter on company letterhead from an authorized representative of the established business indicating approval to operate at the proposed location.
- (D) The location of a mobile vendor shall not interfere with required parking spaces, driveways, fire lanes or ingress/egress of the principal business or cause an unsafe condition in the right-of-way.
- (E) Mobile vendors shall not place any freestanding banners or off-site signs. Any A-frame signs shall comply with the provisions of the sign code.
- (F) A maximum of two (2) mobile vendors per property is permitted.
- (G) Mobile vendors shall be prohibited from operating between the hours of 10:00 p.m. and 7:00 a.m.
- (H) Mobile vendors shall comply with all Navajo County health department requirements, or provide proof of other recognized Department of Health approval.
- (I) Mobile vendors shall provide evidence of appropriate fire district approval.
- (J) Any mobile vendor located in the right-of-way or other city property shall obtain approval from the city and shall provide to the city proof of insurance naming the city as additional insured with a minimum policy value of one million dollars (\$1,000,000.00) prior to the issuance of a permit.

All mobile vendors shall comply with Section [16.25.080](#) and conditional use permit requirements for uses listed as conditional uses. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-5)

16.25.060 Application and issuance of peddler's/solicitor's permit.

Any person applying for a peddler's/solicitor's permit shall submit an application to the department containing the following information:

- (A) Application for a peddler's/solicitor's permit shall be made on forms and in the manner prescribed by the planning and zoning director.

(B) Any person applying for a peddler's/solicitor's permit shall submit the application along with the applicable application fee as established by resolution of the city council.

(C) The peddler's/solicitor's permit application shall include all of the following information and such other information as the director deems reasonably necessary:

- (1) Name of business.
- (2) Name and date of birth of the applicant and relationship to the business or entity.
- (3) Complete street and mailing addresses of business location(s).
- (4) The applicant's telephone number and a valid email address.
- (5) A brief description of the nature and type of the business.
- (6) A list of hazardous materials or hazardous wastes as defined by [49](#) USC Section [5102](#) and amendments thereto that will be used or stored by the business.
- (7) Complete description including make and model, license plate state and number, vehicle identification number (VIN) and other identifying characteristics of any vehicle(s) used in the business.
- (8) The type of business entity. If the business is a corporation or limited liability company, the state where formed and the statutory agent's name and address.
- (9) List of officers/owners/managers of the business, with their dates of birth and legal addresses.
- (10) A copy of the Arizona Transaction Privilege Tax documentation (if applicable).
- (11) If the business specified in this chapter is subject to a certificate of health or sanitary examination, the applicant shall produce such certificate or permit from the Navajo County health department, as provided for in A.R.S. Title [36](#), Chapter [1](#), Article [2](#) and applicable Navajo County ordinances, as amended. This section shall also apply to all new or remodeled restaurants, bars or other businesses that serve food to the public located within the city limits.
- (12) Where any business specified in this article is subject to other federal, state or local licensing, registration or permit requirements, i.e., professional, medical, technical, contractors, real estate, etc., the applicant shall produce such license, registration or permit from the appropriate federal, state or local governmental authorities.
 - (a) If applying for a peddler's/solicitor's permit, a notarized statement signed by the person that the person meets the requirements of Section [16.25.050](#).

(D) Upon receipt of a completed peddler's/solicitor's permit application, the planning and zoning department shall:

- (1) Promptly give a copy of the application to the City of Show Low police department which shall perform a background check on the applicant(s).

(2) Promptly give notice to the appropriate fire district providing fire protection services to the area where the peddler/solicitor will be working.

(E) If, as the result of information received from the applicant, the police department, the fire district or as a result of the department investigation, the director determines that the granting of the permit would be detrimental to the public health, welfare or safety, the application shall be denied. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-6)

16.25.070 Application and issuance of temporary merchant's permit.

Any person applying for a temporary merchant's permit shall submit an application to the department containing the following information:

- (A) Application for a temporary merchant's permit shall be made on forms and in the manner prescribed by the planning and zoning director.
- (B) Any person applying for a temporary merchant's permit shall submit the application along with the applicable application fee as established by resolution of the city council.
- (C) The temporary merchant's permit application shall include all of the following information and such other information as the director deems reasonably necessary:
- (1) Name of business.
 - (2) Name and date of birth of the applicant and relationship to the business or entity.
 - (3) Complete street and mailing addresses of business location(s).
 - (4) The applicant's telephone number and a valid email address.
 - (5) A brief description of the nature and type of the business.
 - (6) A list of hazardous materials or hazardous wastes as defined by [49](#) USC Section [5102](#) and amendments thereto that will be used or stored by the business.
 - (7) Complete description including make and model, license plate state and number, vehicle identification number (VIN) and other identifying characteristics of any vehicle(s) used in the business.
 - (8) The type of business entity. If the business is a corporation or limited liability company, the state where formed and the statutory agent's name and address.
 - (9) List of officers/owners/managers of the business, with their dates of birth and legal addresses.
 - (10) The length of time up to fourteen (14) days within a sixty (60) day period, for which the right to do business is desired.
 - (11) A copy of the Arizona Transaction Privilege Tax documentation (if applicable).

(12) If the business specified in this article is subject to a certificate of health or sanitary examination, the applicant shall produce such certificate or permit from the Navajo County health department, as provided for in A.R.S. Title [36](#), Chapter [1](#), Article [2](#) and applicable Navajo County ordinances, as amended. This section shall also apply to all new or remodeled restaurants, bars or other businesses that serve food to the public located within the city limits.

(13) Where any business specified in this chapter is subject to other federal, state or local licensing, registration or permit requirements, i.e., professional, medical, technical, contractors, real estate, etc., the applicant shall produce such license, registration or permit from the appropriate federal, state or local governmental authorities.

(14) In addition to the requirements in Section [16.05.060](#), applicants for a temporary merchant's permit may be required by the director to submit three (3) copies of a plot plan, indicating the following:

- (a) Exact site location and layout.
- (b) Location and number of booth spaces, stalls or vending areas.
- (c) Location of temporary structures and temporary utilities necessary for operation.
- (d) Location and provision of toilets and other sanitary services.
- (e) Ingress and egress.
- (f) Fire and emergency vehicle access.
- (g) Parking areas.
- (h) Signage.
- (i) Lighting.
- (j) Describe the security and traffic control measures.

(D) A site plan showing the proposed location of the temporary merchant shall be included. This site plan shall be drawn to scale and shall indicate the location of the proposed temporary merchant in relation to the established business, setbacks from property lines, location of trash receptacles, location of exits from the established business and the location of driveways and parking areas.

(E) A notarized letter or letter on company letterhead from an authorized representative of the established business indicating approval to operate at the proposed location. (Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-7)

16.25.080 Application and issuance of mobile vendor's permit.

Any person applying for a mobile vendor's permit shall adhere to the following requirements:

- (A) Application for a mobile vendor's permit shall be made on forms and in the manner prescribed by the planning and zoning director.
- (B) Any person applying for a mobile vendor's permit shall submit the application along with the applicable application fee as established by resolution of the city council.
- (C) A minimum of twenty (20) and no more than thirty (30) working days is required to process the mobile vendor permit application.
- (D) A copy of vehicle registration and insurance as required by state law.
- (E) A notarized letter or letter on company letterhead from an authorized representative of the established business indicating approval to operate at the proposed location.
- (F) A copy of the Navajo County health department approval (as required).
- (G) A copy of the Arizona Transaction Privilege Tax certificate issued to the proposed business.
- (H) A current photograph of the mobile vendor facility shall be provided.
- (I) The permanent address, phone number and valid email address of the applicant to which notifications may be sent.
- (J) Opening and closing date(s) of the proposed business. Mobile vendor permits shall be limited to one (1) permit per calendar year per vendor regardless of location. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-8)

16.25.090 Issuance/denial of permit.

After receiving and reviewing the information required by Section [16.25.060](#), [16.25.070](#) or [16.25.080](#), the director shall issue or deny the peddler's/solicitor's/temporary merchant's/mobile vendor's permit after ten (10) working days, or after a required background check is complete (whichever is greater), along with the reason(s) for any denial. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-9)

16.25.100 Location.

It is unlawful for any peddler/solicitor, temporary merchant or mobile vendor to conduct business in the following manner:

- (A) On any public property, within any public right-of-way or within any portion of a public street, access, lane, or public easement without the city's (or other owner's) express written permission and the permission of the director.
- (B) On any public school grounds without the express written permission of the school district.

(C) In any congested area where the peddlers/solicitors, temporary merchants, or mobile vendors may impede or inconvenience the public. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-10)

16.25.110 Restrictions.

Peddlers/solicitors, temporary merchants, and mobile vendors shall comply with the following:

- (A) The director may approve certain temporary fencing usage if deemed to be in the interest of public safety, or required by either the local fire or police departments.
- (B) Use of generators shall comply with the noise control provisions of the City Code.
- (C) Banner signs shall be permitted in accordance with the zoning ordinance.
- (D) No off-site signs shall be permitted.
- (E) No other signs prohibited by the zoning ordinance shall be permitted. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-11)

16.25.120 Signs prohibiting peddling/soliciting or temporary merchandising.

It shall be unlawful for a peddler/solicitor or temporary merchant, in the course of business, to ring the doorbell or knock at any building whereon any of the following signs is exposed to public view: No Peddlers, No Solicitors or Canvassers, No Temporary Merchants, No Soliciting or No Trespassing or any other sign which has similar words or intent. (Ord. No. 2003-08, §§ 1, 2, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-3-12)

Chapter 16.35

PERMITTING OF MARIJUANA-RELATED FACILITIES

Sections:

- 16.35.010 Purpose and intent.**
- 16.35.020 Definitions.**
- 16.35.030 Permit requirements.**
- 16.35.040 Employee permit.**
- 16.35.050 Issuance and renewal of permit.**
- 16.35.060 Fees.**
- 16.35.070 Inspection.**

- 16.35.080 Expiration of permit.**
- 16.35.090 Marijuana establishment prohibited – Dual licensee exception.**
- 16.35.100 Marijuana testing facility prohibited.**
- 16.35.110 Retail sales from marijuana and marijuana products.**
- 16.35.120 Violations.**
- 16.35.130 Enforcement – Penalties.**
- 16.35.140 Suspension.**
- 16.35.150 Revocation.**
- 16.35.160 Transfer of permit.**
- 16.35.170 Injunction.**

16.35.010 Purpose and intent.

This chapter is adopted to protect the health, safety, and welfare of the community. Except as allowed by state statute for personal, private use, the City of Show Low prohibits the retail sale, cultivation, and manufacturing of marijuana or marijuana products in Show Low. Nothing in this chapter is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, or use of marijuana or marijuana products in violation of any applicable law. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-1)

16.35.020 Definitions.

(A) In this chapter, unless the context otherwise requires:

Chemical extraction: The process of removing a particular component of a mixture from others present, including removing resinous tetrahydrocannabinol from marijuana.

Chemical synthesis: The production of a new particular molecule by adding to, subtracting from, or changing the structure of a precursor molecule.

Consume, consuming, and consumption: The act of ingesting, inhaling or otherwise introducing marijuana into the human body.

Consumer: An individual who is at least twenty-one (21) years of age and who purchases marijuana or marijuana products.

Cultivate and cultivation: To propagate, breed, grow, prepare and package marijuana.

Deliver and delivery: The transportation, transfer or provision of marijuana or marijuana products to a consumer at a location other than the designated retail location of a marijuana establishment.

Department: The State of Arizona Department of Health Services or its successor agency.

Dual permittee: An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment permit.

Employee: A person who performs any service on the premises of a marijuana-related facility on a full-time, part-time, volunteer or contract basis, whether or not the person is denominated as employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of non-marijuana-related goods to the premises.

Enclosed area: A building, greenhouse, or other structure that has:

- (a) A complete roof enclosure supported by connecting walls that are constructed of solid material extending from the ground to the roof;
- (b) Is secure against unauthorized entry;
- (c) Has a foundation, slab or equivalent base to which the floor is securely attached; and
- (d) Meets performance standards ensuring that cultivation and processing activities cannot be and are not perceptible from the structure in terms of not being visible from public view without using binoculars, aircraft or other optical aids and is equipped with a lock or other security device that prevents access by minors.

Extraction: The process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes.

Manufacture and manufacturing: To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana:

- (a) All parts of the plant of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.
- (b) Includes cannabis as defined in A.R.S. § [13-3401](#).
- (c) Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana concentrate:

- (a) Resin extracted from any part of a plant of the genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin or tetrahydrocannabinol.

(b) Does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other products.

Marijuana establishment: An entity licensed by the department to operate all of the following:

- (a) A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
- (b) A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
- (c) A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana products: Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

Marijuana testing facility: The department or another entity that is licensed by the department to analyze the potency of marijuana and test marijuana for harmful contaminants.

Medical marijuana: All parts of the genus Cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Medical marijuana cultivation: The process by which a person grows a marijuana plant. A facility shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary or a medical marijuana manufacturing facility.

Medical marijuana dispensary: A nonprofit entity as defined in Arizona Revised Statutes that sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients.

Medical marijuana-related facility: Includes any building, structure or premises used for the cultivation, storage, or dispersal of medical marijuana. A medical marijuana facility shall include a medical marijuana cultivation facility, a medical marijuana dispensary and a medical marijuana manufacturing facility.

Medical marijuana manufacturing facility: A facility that produces medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable goods.

Medical marijuana qualifying patient: A person who has been diagnosed by a qualifying medical practitioner as having a debilitating medical condition as defined in A.R.S. Title [36](#), Chapter [28.1](#).

Nonprofit medical marijuana dispensary: A nonprofit entity as defined in A.R.S. § [36-2801\(12\)](#).

Open space: A public park, public sidewalk, public walkway, public pedestrian thoroughfare or public right-of-way.

Permittee: A person in whose name a permit to operate a marijuana related facility has been issued, as well as the individual listed as an applicant on the application for a permit; and in the case of an employee, a person in whose name a permit has been issued authorizing employment in a marijuana related facility.

Person: An individual, proprietorship, corporation, association or other legal entity.

Process and processing: To harvest, dry, cure, trim or separate parts of the marijuana plant.

Public place has the same meaning prescribed in the Smoke-Free-Arizona Act, A.R.S. § [36-601.01](#).

Smoke: To inhale, exhale, burn, carry or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

Specified criminal activity: Any of the offenses listed in A.R.S. Title [36](#), Chapter [28.1](#) as an “excluded felony offense.”

Transfer of ownership or control of a marijuana-related facility includes any of the following:

- (a) The sale, lease, or sublease of the business;
- (b) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- (c) The establishment of a trust, gift or other similar legal device which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(B) *Definitions Included.* All definitions listed in Title [19](#) and Arizona Revised Statutes relating to marijuana-related facilities are applicable to this chapter. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-2)

16.35.030 Permit requirements.

(A) It is unlawful:

- (1) For any person to operate a marijuana-related facility without a valid marijuana-related facility business permit issued by the city pursuant to this chapter.
- (2) For any person who operates a marijuana-related facility to employ a person to work for the marijuana-related facility who is not licensed as a marijuana-related facility’s employee by the city pursuant to this chapter.
- (3) For any person to obtain employment with a marijuana-related facility without having secured a marijuana-related facility employee permit pursuant to this chapter.

(B) An application for a permit must be made on a form provided by the city.

- (C) All applicants must be qualified according to the provisions of this chapter prior to issuance of a marijuana-related facility business permit. The application may request and the applicant shall provide such information (including fingerprints) as to enable the city to determine whether the applicant meets the qualifications established in this chapter.
- (D) If a person who wishes to operate a marijuana-related facility is an individual, the person must sign the application for a permit as applicant. If a person who wishes to operate a marijuana-related facility is other than an individual, each individual who has a twenty (20) percent or greater interest in the business must sign the application for a permit as applicant. Each applicant must be qualified under this chapter and each applicant shall be considered a permittee if a permit is granted.
- (E) The completed application for a marijuana-related facility permit shall contain the following information and shall be accompanied by the following documents:
- (1) If the applicant is:
 - (a) An individual, the individual shall state his/her legal name and any aliases and submit proof that he/she is twenty-one (21) years of age;
 - (b) A partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;
 - (c) A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process;
 - (d) A limited liability company, the company shall state its complete name, and the names of all members who own a twenty (20) percent or greater interest in the capital or profits of the limited liability company. If the management of the limited liability company is vested in a manager or managers, the company shall also state the name of each person who is a manager of the limited liability company.
 - (2) If the applicant intends to operate the marijuana-related facility under a name other than that of the applicant, he or she must state the marijuana-related facility's fictitious name and submit the required registration documents.
 - (3) Whether the applicant, or a person residing with the applicant, has been convicted of a specified criminal activity as defined in this chapter, and, if so, the specified criminal activity involved, the date, place, and jurisdiction of each.
 - (4) Whether the applicant, or a person residing with the applicant, has had a previous permit under this chapter or other similar marijuana-related facility ordinances from another city or county denied, suspended or revoked, including the name and location of the marijuana-related facility for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant or a person residing with the applicant has been a partner in a partnership or an officer, director or principal stockholder of a corporation that is permitted under this chapter whose permit has previously been denied,

suspended or revoked, including the name and location of the marijuana-related facility for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

(5) Whether the applicant or a person residing with the applicant holds any other permits under this chapter or other similar marijuana-related facility ordinance from another city or county and, if so, the names and locations of such other licensed businesses.

(6) The classification of permit for which the applicant is filing.

(7) The location of the proposed marijuana-related facility, including a legal description of the property, street address, and telephone number(s), if any.

(8) The applicant's mailing address and residential address and valid email address.

(9) A recent photograph of the applicant(s).

(10) The applicant's driver's license number and/or his/her state or federally issued tax identification number.

(11) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram shall be professionally prepared and must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.

(12) A current certificate and straight-line drawing prepared within thirty (30) days prior to application by a registered land surveyor depicting the property lines and the structures containing any existing marijuana-related facility within two hundred (200) feet of the property to be certified and also depicting the property lines of any established use listed in Chapter [19.120](#) within one thousand (1,000) feet of the property to be certified. For purposes of this subsection, a use shall be considered existing or established if it is in existence at the time an application is submitted.

(13) A copy of all documentation provided to the state as a requirement for state licensing.

(14) Evidence that all conditions of approval as required by a conditional use permit issued by the City of Show Low have been met and are in compliance.

(15) A copy of the Arizona Transaction Privilege Tax (TPT) identification number. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-3)

16.35.040 Employee permit.

(A) Before any applicant may be issued a marijuana-related facility employee permit, the applicant shall submit on a form to be provided by the city the following information:

(1) The applicant's name or any other name or aliases used by the individual;

- (2) Age, date and place of birth;
- (3) Height, weight, hair and eye color;
- (4) Present residence address and telephone number and a valid email address;
- (5) Present business address and telephone number;
- (6) Date, issuing state and number of driver's permit or other identification card information; and
- (7) Proof that the individual is at least twenty-one (21) years of age.

(B) Attached to the application form for a marijuana-related facility employee permit, as provided above, shall be the following:

- (1) A color photograph of the applicant clearly showing the applicant's face and the applicant's fingerprints on a form provided by the police department. Any fees for the photographs and fingerprints shall be paid by the applicant.
- (2) A statement detailing the permit history of the applicant for the five (5) years immediately preceding the date of the filing of the application, including whether such applicant previously operated or is seeking to operate, in this or any other county, city, state or country, has ever had a license, permit or authorization to do business denied, revoked or suspended, or had any professional or vocational license or permit denied, revoked or suspended. In the event of any such denial, revocation or suspension, state the name, the name of the issuing or denying jurisdiction, and describe in full the reason for the denial, revocation or suspension. A copy of any order of denial, revocation or suspension shall be attached to the application.
- (3) A statement whether the applicant has been convicted of a specified criminal activity as defined in this chapter and, if so, the specified criminal activity involved, the date, place and jurisdiction of each.

(C) Upon the filing of an application for a marijuana-related facility employee permit, the application shall be referred to the appropriate city departments for an investigation to be made on such information as is contained on the application. The application process shall be completed within thirty (30) working days from the date the completed application is filed. After the investigation, the city shall issue a permit, unless it is determined by a preponderance of the evidence that one (1) or more of the following findings is true:

- (1) The applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form;
- (2) The applicant is under the age of twenty-one (21) years;
- (3) The applicant has been convicted of a "specified criminal activity" as defined in this chapter;
- (4) The applicant has an open warrant for their arrest;
- (5) The marijuana-related facility employee permit is to be used for employment in a business prohibited by local or state law, statute, rule or regulation, or prohibited by a particular provision of this chapter;

(6) The applicant has been denied a permit by the city to operate or work in a marijuana-related facility within the preceding twelve (12) months or has had a marijuana-related facility operating permit revoked by the city; or

(7) The applicant has had a marijuana-related facility employee permit revoked by the city within two (2) years of the date of the current application. Denial, suspension or revocation of a permit issued pursuant to this section shall be subject to appeal as set forth herein. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-4)

16.35.050 Issuance and renewal of permit.

(A) Within thirty (30) working days after receipt of a completed marijuana-related facility business application, the city shall approve or deny the issuance of a permit to an applicant. The city shall approve the issuance of a permit to an applicant unless it is determined by a preponderance of the evidence that one (1) or more of the following findings is true:

(1) An applicant is under twenty-one (21) years of age.

(2) An applicant or a person with whom applicant is residing is overdue in payment to the city of taxes, fees, fines or penalties assessed against or imposed upon him/her in relation to any business.

(3) An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form.

(4) An applicant or a person with whom the applicant is residing has been denied a permit by the city to operate a marijuana-related facility within the preceding twelve (12) months or whose permit to operate a marijuana-related facility has been revoked within the preceding twelve (12) months.

(5) An applicant or a person with whom the applicant is residing has been convicted of a specified criminal activity defined in this chapter.

(6) The premises to be used for the marijuana-related facility have not been approved by the health department, fire district, police department and the building official as being in compliance with applicable laws and ordinances.

(7) The permit fee required by this chapter has not been paid.

(8) An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this chapter.

(9) The applicant has an open warrant for their arrest.

(B) The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, the address of the marijuana-related facility and the classification for which the permit is issued.

All permits shall be posted in a conspicuous place at or near the entrance to the marijuana-related facility so that they may be easily read at any time.

(C) The health department, fire district, police department and the building official shall inspect the proposed business location and complete their certifications that the premises is in compliance or not in compliance with the requirements of this chapter within twenty (20) days of receipt of the application by the city.

(D) A marijuana-related facility permit may be issued for more than one (1) classification set forth in Chapter [19.120](#) per address.

(E) A permit granted pursuant to this chapter shall be subject to annual renewal upon the written application of the applicant and a finding by the city that the applicant has not been convicted of any specified criminal activity as defined in this chapter or committed any act during the existence of the previous permit, that the building in which the facility is located meets all building codes current at the time the original business permit was issued, and that all alarm and exiting requirements are met. Failure to meet any criteria required by federal, state or local requirements shall be grounds to deny the initial permit application or any permit renewals. The renewal of the permit shall be subject to the payment of the fee as set forth herein. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-5)

16.35.060 Fees.

(A) Every application for a marijuana-related facility permit (whether for a new permit or for renewal of an existing permit) shall be accompanied by an annual fee as adopted by resolution.

(B) In addition to the application and investigation fee required above, every marijuana-related facility that is granted a permit (new or renewal) shall pay to the city an annual nonrefundable permit fee as adopted by resolution within thirty (30) days of permit issuance or renewal.

(C) Every application for a marijuana-related facility employee permit (whether for a new permit or for renewal of an existing permit) shall be accompanied by an annual nonrefundable application, investigation and permit fee as adopted by resolution. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-6)

16.35.070 Inspection.

(A) In accordance with state statute, an applicant or permittee shall permit representatives of the police department, health department, fire department, zoning department, or other city departments or agencies to inspect the premises of a marijuana-related facility for the purpose of insuring compliance with the law.

(B) A person who operates a marijuana-related facility or his agent or employee commits a civil violation punishable as provided in Section [1.25.010\(A\)](#), if he refuses to permit such lawful inspection of the premises. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-7)

16.35.080 Expiration of permit.

(A) Each permit shall expire at the end of each calendar year and may be renewed only by making application as provided herein. Application for renewal shall be made at least thirty (30) days before the expiration date.

(B) If the city denies renewal of a permit, the applicant shall not be issued a permit for one (1) year from the date of denial. If, subsequent to denial, the city finds that the basis for denial of the renewal permit has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date the denial became final. (Ord. No. 2010-18, § 1, 12-7-10; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-8)

16.35.090 Marijuana establishment prohibited – Dual licensee exception.

To the fullest extent allowable by law, the operation of a marijuana establishment is prohibited in the City of Show Low, except where authorized for a dual licensee who:

(A) Operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively in a shared location; and

(B) Has not forfeited or terminated the nonprofit medical marijuana dispensary registration from the Department. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-9)

16.35.100 Marijuana testing facility prohibited.

To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in the City of Show Low. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-10)

16.35.110 Retail sales from marijuana and marijuana products.

To the fullest extent allowable by law, the sale of marijuana and marijuana products is authorized within the City of Show Low from a marijuana establishment and is tangible personal property as defined in A.R.S. § [42-5001](#) and subject to the transaction privilege tax in the retail classification and use tax. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-11)

16.35.120 Violations.

(A) It is unlawful and a violation of this chapter for a person to sell, cultivate, process, manufacture or transport marijuana or marijuana products if the person fails to meet all the requirements in this chapter or state law, including the Department's rules.

(B) It is a violation of this chapter for any person to provide false information on any permit application.

(C) Each day any violation of any provision of this chapter shall continue shall constitute a separate offense. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-12)

16.35.130 Enforcement – Penalties.

(A) The permit may be revoked by the City of Show Low for violation of any provision of this chapter, for any violation of the requirements of the permit, or if the Department revokes the license for a marijuana establishment or marijuana testing facility. If a permit is revoked, the permittee shall have the right to appeal the director's decision pursuant to Section [16.05.110](#).

(B) Violations of this chapter are in addition to any other violation enumerated within the City of Show Low ordinances or the Show Low City Code and in no way limits the penalties, actions or abatement procedures which may be taken by the City of Show Low for any violation of this chapter, which is also a violation of any other ordinance or Code provision of the City of Show Low or federal or state law. Conviction and punishment of judgment and civil sanction against any person under this chapter shall not relieve such person from the responsibility of correcting prohibited conditions, or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal thereof.

(C) *Civil Penalty.* Violations of any provision of this chapter shall be civil code offenses which may be adjudicated and enforced by the City of Show Low civil hearing process set forth in Section 2.25.050. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-13)

16.35.140 Suspension.

The city shall suspend a permit for a period not to exceed thirty (30) days if it determines that a permittee or an employee of a permittee has committed any of the following:

- (A) Violated or is not in compliance with any provision of this chapter;
- (B) Refused to allow an inspection of the marijuana-related facility as authorized by this chapter;
- (C) Has violated applicable provisions of the Show Low City Code;
- (D) Been on the premises of the marijuana-related facility while in an intoxicated condition, an impaired state, or has committed disorderly conduct as defined in A.R.S. § [13-2904](#), as amended, while on the premises of the business, or knowingly has permitted an employee to be on the business premises while the employee was in an intoxicated condition or an impaired state. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-14)

16.35.150 Revocation.

(A) The city shall revoke a permit if a cause of suspension occurs and the permit has been suspended within the preceding twelve (12) months.

- (B) The city shall revoke a permit if it determines any of the following:
- (1) A permittee gave false or misleading information in the material submitted during the application process;
 - (2) A permittee has knowingly allowed possession, use or sale of an illicit controlled substance on the premises;
 - (3) A permittee knowingly operated the marijuana-related facility during a period of time when the permittee's permit was suspended;
 - (4) A permittee is delinquent in payment to the city, county or state for any taxes or fees past due; or
 - (5) On two (2) or more occasions within a twelve (12) month period, a person or persons while in or on the permitted premises committed an offense listed herein for which a conviction has been obtained, and the person or persons were managers or employees of the marijuana-related facility at the time the offenses were committed. The permit denial, suspension or revocation shall be stayed automatically pending judicial review of such administrative action.
- (C) If the city revokes a permit, the revocation shall continue for one (1) year and the permittee shall not be issued a marijuana-related facility permit for one (1) year from the date the revocation became effective. If, subsequent to revocation, the city finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date the revocation became effective.
- (D) After denial of an application, or denial of a renewal of an application, or suspension or revocation of any permit, the applicant or permittee may seek prompt judicial review of such administrative action in any court of competent jurisdiction. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-15)

16.35.160 Transfer of permit.

A permittee shall not transfer his/her permit to another, nor shall a permittee operate a marijuana-related facility under the authority of a permit at any place other than the address designated in the application. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-16)

16.35.170 Injunction.

A person who operates or causes to be operated a marijuana-related facility without a valid permit or in violation of any part of this chapter is subject to suit for injunction as well as prosecution for a civil violation punishable as provided in Section 1.25.010(A). Each day a marijuana-related facility operates in violation of any part of this chapter is a separate offense or violation. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-7-18)

Chapter 16.40

PSEUDOEPHEDRINE PRODUCTS

Sections:

- 16.40.010** Sale of products containing pseudoephedrine.
- 16.40.020** Violations – Penalties.

16.40.010 Sale of products containing pseudoephedrine.

(A) *Definitions.* In this chapter, unless the context otherwise requires:

Pseudoephedrine product: Any product containing ephedrine or pseudoephedrine and includes any compound, mixture or preparation that contains any detectable quantity of ephedrine, pseudoephedrine, norpseudoephedrine or phenylpropanolamine or their salts, optical isomers or salts of optical isomers. Product packaging that lists ephedrine, pseudoephedrine, norpseudoephedrine or phenylpropanolamine as an active ingredient shall constitute prima facie evidence that the product is a pseudoephedrine product.

Retail establishment: Any place of business that offers any pseudoephedrine product for sale at retail.

(B) The operator of a retail establishment shall keep all products containing pseudoephedrine behind a store counter or otherwise in a manner that is inaccessible to customers without the assistance of the operator or an employee of the establishment.

(C) A person making a retail sale of a product containing pseudoephedrine shall require a government-issued photo identification from the purchaser and shall record the purchaser's name, date of birth, quantity of pseudoephedrine product purchased, transaction date and the initials of the seller.

(D) The information required to be obtained by subsection (C) of this section will be retained by the retail establishment for a period of ninety (90) days, and will be considered a confidential document that will only be available to the operator of the retail establishment, and shall be available to the City of Show Low police department officers, Arizona Department of Public Safety officers, Navajo County sheriff's department officers and other law enforcement officers.

(E) The operator of a retail establishment shall be responsible for training all employees of the requirements and penalties hereunder and otherwise require employee compliance of this chapter. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-6-1)

16.40.020 Violations – Penalties.

(A) A first violation of this chapter shall be cited as a civil violation, punishable as provided in Section [1.25.010\(A\)](#).

(B) A person who commits a violation of this chapter after having previously been found responsible for committing a violation of this chapter within a twenty-four (24) month period, whether by admission, payment of the fine, by default or by judgment after hearing, may be cited for a criminal violation of this chapter, punishable as provided in Section [1.25.010\(B\)](#). (Ord. No. 2006-01, § 1, 1-17-06; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-6-2)

Chapter 16.45

SECONDHAND DEALERS¹

Sections:

- 16.45.010** Definitions.
- 16.45.020** Reporting requirements.
- 16.45.030** Holding period for property acquired.
- 16.45.040** Transactions with minors.
- 16.45.050** Inspection of records.
- 16.45.060** Possession of items with serial number removed, altered or obliterated.
- 16.45.070** Exceptions and other requirements.
- 16.45.080** Providing false information.
- 16.45.090** Penalty.

¹ Prior legislation: Ord. No. [2003-15](#).

16.45.010 Definitions.

In this chapter, unless the context otherwise requires:

Dealer: Any person who is engaged in, conducting, managing or carrying on any business of purchasing, selling, trading, consigning, pawning or bartering of secondhand personal property, precious items, or scrap metal from any person and who is required to obtain a business license pursuant to this chapter.

Item: Any secondhand personal property or scrap metal as defined above.

Peace officer or law enforcement agency: Any peace officer or authorized representative of any police agency of any state.

Person: Any individual, proprietor, employee, agent, company, organization, association, joint venture, partnership, business trust or corporation.

Precious Items.

- (1) Secondhand gold, silver, platinum or jewelry, flatware, or hollowware containing gold, silver, or platinum.

- (2) Secondhand precious or semi-precious stones whether mounted or unmounted.
- (3) Secondhand pearls.

Precious items do not include coins and unmounted gemstones accompanied by a certificate from an independent, internationally recognized gem grading laboratory.

Scrap metal: Secondhand or cast-off material of any kind, which is commonly known as scrap metal or junk, such as old iron, copper, brass, lead, zinc, tin, steel, stainless steel, aluminum (including aluminum beverage kegs), and other metals, metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and other like materials. Aluminum beverage cans are not considered scrap metal.

Secondhand personal property: Any tangible personal property, other than real property and vehicles as defined under A.R.S. § [28-101](#), that has previously been purchased by a person as new from the original distributor or manufacturer of the item. Examples of secondhand personal property include, but are not limited to, automobile parts and equipment, televisions, stereos, radios, electronic parts and equipment, computers, including hardware and software, household goods, sporting goods, firearms, musical instruments, tack, objects of art, coins, jewelry, precious metals and other precious items as defined under A.R.S. § [44-1601\(6\)](#).

Seller: Any person from whom a dealer is making a transaction.

Transaction: The purchasing, trading, consigning, pawning or bartering for secondhand personal property.

Valid form of identification: A valid motor vehicle driver's license, valid motor vehicle identification card, valid Arizona identification card, valid passport, valid armed forces identification card, or Tribal identification and which contains the person's photograph. (Ord. No. 381, 12-6-94; Ord. No. 2014-01, §§ 1, 2, 5-6-14; Ord. No. 2015-01, §§ 1, 2, 1-20-15. 1976 Code § 4-5-1)

16.45.020 Reporting requirements.

- (A) A secondhand dealer shall make a report of every transaction of all reportable purchases of all secondhand items as required by state statutes.
- (B) A dealer shall make a true, complete, and accurate report each day of each article the dealer receives through a reportable transaction. The report shall be submitted within twenty-four (24) hours and available to view by the police department by electronic means as approved by the police department, or its designee. For the purposes of this section, "electronic report" means a computer system or program that is specifically designed to make such reports and maintain records.
- (C) The electronic reporting systems provided or approved by the police chief, or his designee, shall include at least all of the following:
 - (1) The last, first, and middle name of the seller.
 - (2) The permanent address and telephone number, if available, of the seller.

- (3) The physical description of the seller including height, weight, hair and eye color, sex, race, and date of birth.
 - (4) The number and type of the valid form of identification document presented by the seller.
 - (5) An accurate, legible description of each item pledged or sold, including the manufacturer's name, model number, serial number, caliber, size, type of precious metal or scrap metal, and the weight of the items purchased.
 - (6) The name and address of the dealer's business and the clerk's initials or identifying number.
 - (7) The date and time of the transaction.
 - (8) The type of transaction and transaction ticket number.
 - (9) A fingerprint of the seller.
 - (10) A quality photograph of the seller.
 - (11) A quality photograph of the individual items purchased or pawned.
 - (12) The dealer shall also retain a hard copy on file for two (2) years after the transaction has taken place.
 - (13) All payments that are reportable shall be made payable to the seller by check unless the seller is a lawful representative of a business that deals in buying, selling, or trading in secondhand items, and has a valid tax identification number. Payment may also be made by in-store credit for other merchandise from the dealer.
 - (14) The amount paid for the item(s) or the value given in trade or the value loaned or the value of services bartered.
- (D) The seller shall electronically or physically sign the purchase statement and attest to the following statement that shall appear on the report in ten (10) point bold type:

All information in this report is complete and accurate. I am the owner of the goods described in this report or I am authorized to enter into this pawn or sale transaction on behalf of the owner of the goods described in this report. I understand that I will be guilty of a class one misdemeanor if the information in this report is not complete and accurate, if I am not the owner of the goods being sold, or if I am not authorized to enter into the pawn or sale transaction on behalf of the owner of the goods.

(Ord. No. 381, 12-6-94; Ord. No. 2014-01, §§ 1, 2, 5-6-14; Ord. No. 2015-01, §§ 1, 2, 1-20-15. 1976 Code § 4-5-2)

16.45.030 Holding period for property acquired.

(A) Any item so obtained by the dealer shall be held in the shape and form as received in the dealer's custody for a period of ten (10) calendar days in the state of Arizona after successful transmission of the form online or by delivery to the police department.

(B) On notification by any peace officer or law enforcement agency that the items in possession of the dealer are or may be fruits of a crime, the dealer shall not dispose of those items but shall retain those items in a separate and secure place and shall make arrangements for the continued safekeeping or delivery of those items to the peace officer or law enforcement agency.

(C) If a dealer, at the direction of a peace officer or law enforcement agency, places the items thought to be fruits of a crime into safekeeping and those items were not seized by or delivered to a peace officer or law enforcement agency, and a period of ninety (90) calendar days has elapsed from the date of such notification, the items may then be treated as regularly acquired in the due course of business by the dealer.

(D) If items thought to be fruits of a crime were held for safekeeping by the dealer or if the items were seized by the law enforcement agency and the items are found not to be fruits of a crime, those items shall be returned to the dealer from whom seized, or the hold for safekeeping lifted, within ten (10) business days and the items may then be treated as regularly acquired in the due course of business by the dealer. (Ord. No. 381, 12-6-94; Ord. No. 2015-01, §§ 1, 2, 1-20-15. 1976 Code § 4-5-3)

16.45.040 Transactions with minors.

A dealer shall not make a transaction of any item from a person under the age of eighteen (18) years unless the person is accompanied by a parent or legal guardian who must also submit identification as required by this chapter with the exception of aluminum cans. (Ord. No. 381, 12-6-94; Ord. No. 2014-01, §§ 1, 2, 5-6-14. 1976 Code § 4-5-4)

16.45.050 Inspection of records.

The business premises of any dealer, along with any transaction records and stock of items and other articles, shall be open at reasonable hours to reasonable inspection by any peace officer when the business premises are lawfully occupied and during regular business hours. (Ord. No. 381, 12-6-94. 1976 Code § 4-5-5)

16.45.060 Possession of items with serial number removed, altered or obliterated.

No person may purchase, trade, consign, pawn, barter or possess any item whose serial number or other identifying numbers or marks have been removed, altered or obliterated in any way. (Ord. No. 381, 12-6-94. 1976 Code § 4-5-6)

16.45.070 Exceptions and other requirements.

(A) The reporting requirements of this chapter shall not apply to donations of secondhand personal property to and received by any legally recognized charitable group or organization qualified under Section [501\(c\)](#), Internal Revenue Code of 1986.

(B) This chapter does not relieve dealers of precious items and pawnbrokers of the requirements of A.R.S. §§ [44-1602](#) et seq. and [44-1621](#) et seq. (Ord. No. 381, 12-6-94. 1976 Code § 4-5-7)

16.45.080 Providing false information.

No person shall provide false identification or enter false information on reports or records required by this chapter. (Ord. No. 381, 12-6-94. 1976 Code § 4-5-8)

16.45.090 Penalty.

Any person violating any provision of this chapter shall be guilty of a civil violation punishable as provided in Section [1.25.010\(A\)](#). (Ord. No. 381, 12-6-94; Ord. No. 2004-14, § 3, 7-6-04. 1976 Code § 4-5-9)

Chapter 16.50

PERMITTING OF SEXUALLY ORIENTED BUSINESSES¹

Sections:

- 16.50.010 Purpose and intent.**
- 16.50.020 Definitions.**
- 16.50.030 Permit requirements.**
- 16.50.040 Employee permit.**
- 16.50.050 Issuance and renewal of permit.**
- 16.50.060 Fees.**
- 16.50.070 Inspection.**

16.50.080 Expiration of permit.

16.50.090 Suspension.

16.50.100 Revocation.

16.50.110 Transfer of permit.

16.50.120 Injunction.

1 Prior legislation: Ord. Nos. [90](#), [129](#), [142](#), [164](#), [171](#), [230](#), and [272](#).

16.50.010 Purpose and intent.

It is the purpose and intent of this chapter to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the City of Show Low and to establish reasonable and uniform regulations to reduce or eliminate the adverse secondary effects from such sexually oriented businesses. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this chapter to condone or legitimize the distribution of obscene material. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-1)

16.50.020 Definitions.

(A) In this chapter, unless the context otherwise requires:

Employee: A person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated as employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.

Permittee: A person in whose name a permit to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit; and, in the case of an employee, a person in whose name a permit has been issued authorizing employment in a sexually oriented business.

Person: An individual, proprietorship, corporation, association, or other legal entity.

Specified criminal activity: Any of the following offenses:

- (a) Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; sexual abuse; molestation of a child; gambling; or distribution of a controlled

substance; or any similar offenses to those described above under the criminal or penal code of other states and countries for which:

- (i) Less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is a misdemeanor offense; or
- (ii) Less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is a felony offense; or
- (iii) Less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or a combination of misdemeanor offenses occurring within any twenty-four (24) month period.
- (iv) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or person residing with the applicant.

Transfer of ownership or control of a sexually oriented business includes any of the following:

- (a) The sale, lease, or sublease of the business;
- (b) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- (c) The establishment of a trust, gift, or other similar legal device which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(B) *Definitions Included.* All definitions listed in Chapter [19.125](#) relating to sexually oriented businesses are applicable to this chapter. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-2)

16.50.030 Permit requirements.

(A) It is unlawful:

- (1) For any person to operate a sexually oriented business without a valid sexually oriented permit issued by the city pursuant to this chapter.
- (2) For any person who operates a sexually oriented business to employ a person to work for the sexually oriented business who is not permitted as a sexually oriented business employee by the city pursuant to this chapter.
- (3) For any person to obtain employment with a sexually oriented business without having secured a sexually oriented business employee permit pursuant to this chapter.

- (B) An application for a permit must be made on a form provided by the city.
- (C) All applicants must be qualified according to the provisions of this chapter. The application may request and the applicant shall provide such information (including fingerprints) as to enable the city to determine whether the applicant meets the qualifications established in this chapter.
- (D) If a person who wishes to operate a sexually oriented business is an individual, the person must sign the application for a permit as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a twenty (20) percent or greater interest in the business must sign the application for a permit as applicant. Each applicant must be qualified under this chapter and each applicant shall be considered a permittee if a permit is granted.
- (E) The completed application for a sexually oriented permit shall contain the following information and shall be accompanied by the following documents:
- (1) If the applicant is:
 - (a) An individual, the individual shall state his/her legal name and any aliases and submit proof that he/she is eighteen (18) years of age;
 - (b) A partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;
 - (c) A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process;
 - (d) A limited liability company, the company shall state its complete name, and the names of all members who own a twenty (20) percent or greater interest in the capital or profits of the limited liability company. If the management of the limited liability company is vested in a manager or managers, the company shall also state the name of each person who is a manager of the limited liability company.
 - (2) If the applicant intends to operate the sexually oriented business under a name other than that of the applicant, he or she must state the sexually oriented business's fictitious name and submit the required registration documents.
 - (3) Whether the applicant, or a person residing with the applicant, has been convicted of a specified criminal activity as defined in this chapter, and, if so, the specified criminal activity involved, the date, place, and jurisdiction of each.
 - (4) Whether the applicant, or a person residing with the applicant, has had a previous permit under this chapter or other similar sexually oriented business ordinances from another city or county denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant or a person residing with the applicant has been a partner in a partnership or an officer, director or

principal stockholder of a corporation that is permitted under this chapter whose permit has previously been denied, suspended or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

(5) Whether the applicant or a person residing with the applicant holds any other permits under this chapter or other similar sexually oriented business ordinance from another city or county and, if so, the names and locations of such other licensed businesses.

(6) The single classification of permit for which the applicant is filing.

(7) The location of the proposed sexually oriented business, including a legal description of the property, street address, and telephone number(s), if any.

(8) The applicant's mailing address and residential address.

(9) A recent photograph of the applicant(s).

(10) The applicant's driver's license number and/or his/her state or federally issued tax identification number.

(11) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.

(12) A current certificate and straight-line drawing prepared within thirty (30) days prior to application by a registered land surveyor depicting the property lines and the structures containing any existing sexually oriented businesses within two hundred (200) feet of the property to be certified and also depicting the property lines of any established use listed in Section [19.125.040\(B\)](#) within one thousand (1,000) feet of the property to be certified. For purposes of this section, a use shall be considered existing or established if it is in existence at the time an application is submitted. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-3)

16.50.040 Employee permit.

(A) Before any applicant may be issued a sexually oriented business employee permit, the applicant shall submit on a form to be provided by the city the following information:

(1) The applicant's name or any other name (including "stage" names) or aliases used by the individual;

(2) Age, date, and place of birth;

(3) Height, weight, hair and eye color;

(4) Present residence address, telephone number and a valid email address;

- (5) Present business address and telephone number;
- (6) Date, issuing state and number of driver's permit or other identification card information;
- (7) Proof that the individual is at least eighteen (18) years of age.

(B) Attached to the application form for a sexually oriented business employee permit, as provided above, shall be the following:

- (1) A color photograph of the applicant clearly showing the applicant's face, and the applicant's fingerprints on a form provided by the police department. Any fees for the photographs and fingerprints shall be paid by the applicant.
- (2) A statement detailing the license history of the applicant for the five (5) years immediately preceding the date of the filing of the application, including whether such applicant previously operated or is seeking to operate, in this or any other county, city, state, or country, has ever had a license, permit, or authorization to do business denied, revoked, or suspended, or had any professional or vocational license or permit denied, revoked, or suspended. In the event of any such denial, revocation, or suspension, state the name, the name of the issuing or denying jurisdiction, and describe in full the reason for the denial, revocation, or suspension. A copy of any order of denial, revocation, or suspension shall be attached to the application.
- (3) A statement whether the applicant has been convicted of a specified criminal activity as defined in this chapter and, if so, the specified criminal activity involved, the date, place and jurisdiction of each.

(C) Upon the filing of an application for a sexually oriented business employee permit, the city shall issue a temporary permit to said applicant. The application shall then be referred to the appropriate city departments for an investigation to be made on such information as is contained on the application. The application process shall be completed within thirty (30) days from the date the completed application is filed. After the investigation, the city shall issue a permit, unless it is determined by a preponderance of the evidence that one (1) or more of the following findings is true:

- (1) The applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form;
- (2) The applicant is under the age of eighteen (18) years;
- (3) The applicant has been convicted of a "specified criminal activity" as defined in this chapter;
- (4) The sexually oriented business employee permit is to be used for employment in a business prohibited by local or state law, statute, rule or regulation, or prohibited by a particular provision of this chapter;
- (5) The applicant has been denied a permit by the city to operate a sexually oriented business within the preceding twelve (12) months or has had a sexually oriented business operating permit revoked by the city; or
- (6) The applicant has had a sexually oriented business employee permit revoked by the city within two (2) years of the date of the current application. If the sexually oriented business employee permit is denied, the temporary permit previously issued is immediately deemed null and void. Denial, suspension, or revocation of

a permit issued pursuant to this section shall be subject to appeal as set forth herein. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-4)

16.50.050 Issuance and renewal of permit.

(A) Within thirty (30) days after receipt of a completed sexually oriented business application, the city shall approve or deny the issuance of a permit to an applicant. The city shall approve the issuance of a permit to an applicant unless it is determined by a preponderance of the evidence that one (1) or more of the following findings is true:

- (1) An applicant is under eighteen (18) years of age.
- (2) An applicant or a person with whom applicant is residing is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon him/her in relation to any business.
- (3) An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form.
- (4) An applicant or a person with whom the applicant is residing has been denied a permit by the city to operate a sexually oriented business within the preceding twelve (12) months or whose permit to operate a sexually oriented business has been revoked within the preceding twelve (12) months.
- (5) An applicant or a person with whom the applicant is residing has been convicted of a specified criminal activity defined in this chapter.
- (6) The premises to be used for the sexually oriented business have not been approved by the health department, fire department, and the building official as being in compliance with applicable laws and ordinances.
- (7) The permit fee required by this chapter has not been paid.
- (8) An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this chapter.

(B) The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, the address of the sexually oriented business and the classification for which the permit is issued. All permits shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that they may be easily read at any time.

(C) The health department, fire department, and the building official shall complete their certifications that the premises is in compliance or not in compliance with the requirements of this chapter within twenty (20) days of receipt of the application by the city.

(D) A sexually oriented business permit shall be issued for only one (1) classification set forth in Section [19.125.030](#).

(E) A permit granted pursuant to this chapter shall be subject to annual renewal upon the written application of the applicant and a finding by the city that the applicant has not been convicted of any specified criminal activity as defined in this chapter or committed any act during the existence of the previous permit which would be grounds to deny the initial permit application. The renewal of the permit shall be subject to the payment of the fee as set forth herein. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2014-02, §§ 1, 2, 5-20-14; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-5)

16.50.060 Fees.

(A) Every application for a sexually oriented business permit (whether for a new permit or for renewal of an existing permit) shall be accompanied by a five hundred dollar (\$500.00) nonrefundable application and investigation fee.

(B) In addition to the application and investigation fee required above, every sexually oriented business that is granted a permit (new or renewal) shall pay to the city an annual nonrefundable permit fee of two hundred fifty dollars (\$250.00) within thirty (30) days of permit issuance or renewal.

(C) Every application for a sexually oriented business employee permit (whether for a new permit or for renewal of an existing permit) shall be accompanied by an annual two hundred fifty dollar (\$250.00) nonrefundable application, investigation, and permit fee. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-6)

16.50.070 Inspection.

(A) An applicant or permittee shall permit representatives of the police department, health department, fire department, zoning department, or other city departments or agencies to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business in accordance with state statute and locally adopted codes and ordinances.

(B) A person who operates a sexually oriented business or his agent or employee commits a civil violation, punishable as provided in Section [1.25.010\(A\)](#), if he refuses to permit such lawful inspection of the premises at any time it is open for business. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2004-14, § 8, 7-6-04; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-7)

16.50.080 Expiration of permit.

(A) Each permit shall expire one (1) year from the date of issuance and may be renewed only by making application as provided herein. Application for renewal shall be made at least thirty (30) days before the expiration

date, and when made less than thirty (30) days before the expiration date, the expiration of the permit will not be affected.

(B) When the city denies renewal of a permit, the applicant shall not be issued a permit for one (1) year from the date of denial. If, subsequent to denial, the city finds that the basis for denial of the renewal permit has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date the denial became final. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-8)

16.50.090 Suspension.

(A) The city shall suspend a permit for a period not to exceed thirty (30) days if it determines that a permittee or an employee of a permittee has committed any of the following:

- (1) Violated or is not in compliance with any provision of this chapter;
- (2) Refused to allow an inspection of the sexually oriented business premises as authorized by this chapter;
- (3) Has violated applicable provisions of the Show Low City Code;
- (4) Been on the premises of the sexually oriented business while in an intoxicated condition or has committed disorderly conduct as defined in A.R.S. § [13-2904](#), as amended, while on the premises of the business, or knowingly has permitted an employee to be on the business premises while the employee was in an intoxicated condition;
- (5) Knowingly permitted gambling by any person on the premises of the sexually oriented business. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-9)

16.50.100 Revocation.

(A) The city shall revoke a permit if a cause of suspension occurs and the permit has been suspended within the preceding twelve (12) months.

(B) The city shall revoke a permit if it determines any of the following:

- (1) A permittee gave false or misleading information in the material submitted during the application process;
- (2) A permittee has knowingly allowed possession, use, or sale of controlled substances on the premises;
- (3) A permittee has knowingly allowed prostitution on the premises;
- (4) A permittee knowingly operated the sexually oriented business during a period of time when the permittee's permit was suspended;

(5) Except in the case of an adult motel, a permittee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sex act to occur in or on the permitted premises;

(6) A permittee is delinquent in payment to the city, county, or state for any taxes or fees past due; or

(7) On two (2) or more occasions within a twelve (12) month period, a person or persons while in or on the permitted premises committed an offense listed herein for which a conviction has been obtained, and the person or persons were managers or employees of the sexually oriented business at the time the offenses were committed. The permit denial, suspension, or revocation shall be stayed automatically pending judicial review of such administrative action.

(C) When the city revokes a permit, the revocation shall continue for one (1) year, and the permittee shall not be issued a sexually oriented business permit for one (1) year from the date the revocation became effective. If, subsequent to revocation, the city finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date the revocation became effective.

(D) After denial of an application, or denial of a renewal of an application, or suspension or revocation of any permit, the applicant or permittee may seek prompt judicial review of such administrative action in any court of competent jurisdiction. The administrative action shall be promptly reviewed by the court. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-10)

16.50.110 Transfer of permit.

A permittee shall not transfer his/her permit to another, nor shall a permittee operate a sexually oriented business under the authority of a permit at any place other than the address designated in the application. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-11)

16.50.120 Injunction.

A person who operates or causes to be operated a sexually oriented business without a valid permit or in violation of any part of this chapter is subject to suit for injunction as well as prosecution for a civil violation punishable as provided in Section [1.25.010\(A\)](#). Each day a sexually oriented business operates in violation of any part of this chapter is a separate offense or violation. (Ord. No. 494, § 2, 7-3-01; Ord. No. 2003-08, § 3, 9-2-03; Ord. No. 2004-14, § 9, 7-6-04; Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-5-12)

Chapter 16.55 REGISTRATION OF SHORT-TERM RESIDENTIAL RENTALS

Sections:

16.55.010 Registration of short-term residential rental.**16.55.010 Registration of short-term residential rental.**

(A) It is unlawful for any person to operate a short-term residential rental as defined in A.R.S. § [9-500.39](#) in violation of the City Code and this chapter.

(B) A short-term residential rental is defined as any residential property utilized as a residential rental for less than thirty (30) consecutive days. All short-term residential rentals shall comply with the following:

- (1) The owner of the property shall provide to the city the address of the property, and the name, phone number, address, and email of the owner on the form provided by the city.
- (2) The owner of the property shall provide to the city the name, phone number, address, and email of the emergency contact on the form provided by the city.
- (3) The owner of the property is responsible for ensuring that the property complies with all applicable federal, state and local laws, including noise, parking, refuse collection, and property maintenance.
- (4) Short-term rentals shall be utilized for residential purposes only and shall not be utilized for commercial purposes. Short-term rentals shall not be utilized for sober living homes or the housing of sex offenders.
- (5) The owner of the vacation rental must display the phone number and email address of the property owner or property owner's agent who has authority and responsibility to respond to a complaint in person, over the phone, by email, or text at any time of the day. This information must be displayed in a conspicuous place visible to the outside within ten (10) feet of the primary entrance to the short-term rental.

(C) Within thirty (30) days after a verified violation, the city shall notify the Department of Revenue and the owner of the short-term rental of the verified violation of the city's applicable laws, regulations, and ordinances and, if the owner of the short-term rental received the verified violation, whether the city imposed a civil penalty on the owner of the short-term rental and the amount of the civil penalty, if assessed. (Ord. No. 2020-06, § 1, 12-1-20. 1976 Code § 8-8-1)

The Show Low City Code is current through Ordinance 2021-01, passed January 5, 2021.

Disclaimer: The city clerk's office has the official version of the Show Low City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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[City Website: www.showlowaz.gov](http://www.showlowaz.gov)

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