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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 7. GENERAL BUSINESS REGULATIONS [16000 - 18107]** ( *Division 7 added by Stats. 1941, Ch. 61.*  )

**PART 1. LICENSING FOR REVENUE AND REGULATION [16000 - 16550.2]** ( *Part 1 added by Stats. 1941, Ch. 61.*  )

**CHAPTER 2. Licensing by Counties [16100 - 16106]** ( *Chapter 2 added by Stats. 1941, Ch. 61.*  )

**16100.** (a) The board of supervisors may in the exercise of its police powers, and for the purpose of regulation, as herein provided, and not otherwise, license any kind of business not prohibited by law, transacted and carried on within the limits of its jurisdiction, including all shows, exhibitions, and lawful games, and may fix the rate of the license fee and provide for its collection by suit or otherwise.

(b) No license fee levied pursuant to subdivision (a) that is measured by the licensee's income or gross receipts, whether levied by a charter or general law county, shall apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or priest of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.

(c) Before a county issues a business license to a person to conduct business as a contractor, as defined by Section 7026, the county shall verify that the person is licensed by the Contractors State License Board.

(Amended by Stats. 2020, Ch. 312, Sec. 96. (SB 1474) Effective January 1, 2021.)

**16100.1.** (a) (1) A county that licenses businesses carried on within its jurisdiction shall accept a California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number in lieu of a social security number if the county otherwise requires a social security number for the issuance of a business license.

(2) A county that licenses a business carried on within its jurisdiction shall require the applicant to provide an address where the individual consents to receive service of process. An acceptable address for this purpose shall include a post office box or private mailbox that complies with paragraph (2) of subdivision (b) of Section 17538.5. This address shall be available for public inspection.

(3) Personal information collected for purposes of issuing a business license by a county shall be confidential, shall not be available to the public for inspection, and shall not be disclosed except as required to administer the licensure program or comply with a judicial warrant, subpoena, or court order.

(b) For purposes of this section, "personal information" means all of the following:

(1) An applicant's residential address if the applicant provides a different address pursuant to paragraph (2) of subdivision (a).

(2) A California driver's license or identification number, an individual taxpayer identification number, a municipal identification number, and a social security number.

(3) Income and tax information.

(Added by Stats. 2018, Ch. 388, Sec. 3. (AB 2184) Effective January 1, 2019.)

**16100.3.** (a) When applying to a county for an initial business license, equivalent instrument, or permit, or business renewal thereof, a person who conducts a business operation that is a regulated industry, as defined in Section 13383.5 of the Water Code, shall demonstrate enrollment with the National Pollutant Discharge Elimination System (NPDES) permit program by providing all of the

following information, under penalty of perjury, on the initial business license, equivalent instrument, or permit, or renewal thereof, application:

(1) The name and location of facilities operated by the person who conducts that business.

(2) All primary Standard Industrial Classification Codes, as defined in Section 25244.14 of the Health and Safety Code, for the business.

(3) Any of the following for each facility operated by the person of that business:

(A) The stormwater permit number, known as the Waste Discharger Identification number (WDID), issued for the facility by the State Water Resources Control Board.

(B) The WDID application number issued for the facility by the State Water Resources Control Board.

(C) The "notice of nonapplicability" (NONA) identification number issued for the facility by the State Water Resources Control Board.

(D) The "no exposure certification" (NEC) identification number issued for the facility by the State Water Resources Control Board.

(b) Prior to the issuance or renewal of the business license, equivalent instrument, or permit, the county shall determine whether any of the primary Standard Industrial Classification Codes are applicable to a General Permit for Storm Water Discharges Associated with Industrial Activities Excluding Construction Activities, as referenced in Section 13383.5 of the Water Code, and if applicable, the county shall confirm that the WDID, WDID application number, NONA, or NEC corresponds to the business requesting the initial business license or business license renewal. To determine whether any of the primary Standard Industrial Classification Codes are applicable to a General Permit for Storm Water Discharges Associated with Industrial Activities Excluding Construction Activities, as referenced in Section 13383.5 of the Water Code, the county may use information provided by the State Water Resources Control Board, including information posted pursuant to Section 13383.10 of the Water Code for these purposes. To confirm the WDID, WDID application number, NONA, or NEC, the county shall only need to keep record of the applicable documentation.

(c) The county shall transfer compliance information received in subdivision (a) to the State Water Resources Control Board as requested by the board. The county shall make the identification number provided in the applicable documentation available to the public upon request in a manner consistent with the procedures of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(d) For business license, equivalent instrument, or permit renewals, a county may develop a provisional license procedure that provides businesses three months to comply with the requirements of this section.

(e) "County" includes a charter county and a charter city and county.

(f) This section shall apply to applications for initial business licenses, equivalent instruments, or permits, and renewals thereof, submitted on and after January 1, 2020.

(g) This section shall not apply to a county that does not issue or renew, or have an application process for issuing or renewing, business licenses, equivalent instruments, or permits that include a business license.

(h) This section shall not be construed to impose any additional liability on a county under the National Pollutant Discharge Elimination System permit program for nonenrollment under a General Permit for Storm Water Discharges Associated with Industrial Activities Excluding Construction Activities by a person who conducts a business operation that is a regulated industry, as defined in Section 13383.5 of the Water Code.

(i) For purposes of this section, a business license, equivalent instrument, or permit includes a business license, equivalent instrument, or permit issued solely for the purpose of raising revenue.

*(Amended by Stats. 2022, Ch. 678, Sec. 2. (SB 891) Effective January 1, 2023.)*

**16100.5.** Notwithstanding Section 16100, no county or city and county shall require a regulatory license or impose a regulatory license fee with respect to cafe musicians.

"Cafe musician," for the purposes of this section, means any person playing a musical instrument in any place or establishment where food or alcoholic beverages are sold, offered for sale or given away, who is an employee, or independent contractor, of such place or establishment. "Cafe musician" does not include an owner, manager, or operator of such place or establishment.

*(Added by Stats. 1969, Ch. 969.)*

**16100.7.** (a) Notwithstanding Section 37101 of the Government Code, Section 7284 of the Revenue and Taxation Code, or Section 16000 of this code, no county or city and county shall require a regulatory license or impose a regulatory license fee with respect to

the solicitation of donations for the support of veterans by federally chartered veterans' organizations specified in Title 36 of the United States Code.

(b) This section shall not be construed to prohibit licensing and regulation of business-related activities, such as those involving the sale or exchange of goods or services.

*(Added by Stats. 1998, Ch. 138, Sec. 2. Effective January 1, 1999.)*

**16101.** The boards of supervisors in their respective counties may for the purpose of revenue license individuals acting as hawkers, itinerant peddlers or itinerant vendors, other than merchants having a fixed place of business in the county, their employees, and farmers selling farm products produced by them.

*(Added by Stats. 1941, Ch. 61.)*

**16102.** Every soldier, sailor or marine of the United States who has received an honorable discharge or a release from active duty under honorable conditions from such service may hawk, peddle and vend any goods, wares or merchandise owned by him, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license, tax or fee whatsoever, whether municipal, county or State, and the board of supervisors shall issue to such soldier, sailor or marine, without cost, a license therefor.

*(Amended by Stats. 1941, Ch. 646.)*

**16103.** No license fee may be collected from, nor any penalty for the nonpayment thereof enforced against, any commercial traveler whose business is limited to goods, wares and merchandise sold or dealt in at wholesale in this State.

*(Added by Stats. 1941, Ch. 61.)*

**16104.** No license requiring a fee greater than 3 cents (\$0.03) per head shall be imposed by the board of supervisors of any county on the business of raising, grazing, herding or pasturing sheep, nor shall any such license tax be applicable to or on account of lambs under eight months old.

*(Added by Stats. 1953, Ch. 67.)*

**16105.** Any license issued to a business pursuant to this chapter shall be revoked for violation of Section 24185 of the Health and Safety Code, relating to human cloning.

*(Amended by Stats. 2002, Ch. 821, Sec. 3. Effective January 1, 2003.)*

**16106.** A county shall not include in the definition of gross receipts, for purposes of any local tax or fee imposed by the county on a cannabis retailer licensed under Division 10 (commencing with Section 26000), the amount of any cannabis excise tax imposed under Section 34011.2 of, or any sales and use taxes imposed under Part 1 (commencing with Section 6001) of, Part 1.5 (commencing with Section 7200) of, or Part 1.6 (commencing with Section 7251) of, Division 2 of the Revenue and Taxation Code, or Section 35 of Article XIII of the California Constitution.

*(Added by Stats. 2024, Ch. 874, Sec. 2. (SB 1059) Effective January 1, 2025.)*