Home Based Businesses

WHO NEEDS A BUSINESS LICENSE?
- All businesses operating from a residence within the Las Cruces city limits are required to have a Home Occupation Registration. This ensures that all businesses meet applicable City Codes.

SPECIAL REQUIREMENTS:
- The operation of a business from a residential area may not negatively impact the neighborhood. Home based businesses must comply with all zoning code restrictions related to doing business in a residential area and must complete the Home Occupation Acknowledgement Form each year.
- Some Home Occupations also require State Licenses and inspection by the City of Las Cruces (i.e. child care with more than 6 children, food preparation, etc)

FEE: annual fee is $35.

STANDARD REQUIREMENTS:
- All businesses must have a State of New Mexico Tax Identification Number. This may be obtained from:
  New Mexico Taxation and Revenue Department
  Office: 2540 El Paseo, Las Cruces, NM 88001 575-524-6225
  Online: www.tax.newmexico.gov >> Businesses

- Businesses with employees, other than owners, must obtain a Federal Employee Identification number for those employees. This may be obtained from:
  Internal Revenue Service
  Office: 505 S Main St, Las Cruces, NM 88001 575-527-6903
  Online: www.irs.gov >> Businesses >> Employer ID

PROCESS:
- Assemble a complete application to include the following:
  - City of Las Cruces License and Registration Application
  - Home Occupation Acknowledgement Form
  - Application fee in cash or check payable to City of Las Cruces
  - Proof of or Copy of State of New Mexico tax ID number (Also known as Combined Reporting System or CRS number)

- Deliver the application to the business registration office
  - Mail to: PO Box 20000 Las Cruces NM 88004 (Do NOT mail cash)
  - Hand deliver to City Hall at 700 N Main Street, Ste 1100 Las Cruces, New Mexico

- Application will be reviewed to verify that the type of activity is allowed in residential area. Approved applications will be issued and mailed to the applicant. If there are questions about the activity, the applicant will be contacted to follow up directly with the inspector.

- A Home Occupation Business License and/or Registration are valid for one year of issuance. As a courtesy the Business Registration office will send a notice 30 days in advance of renewal due date. **It is the responsibility of the business or appointed representative to renew and update information with the Business Registration Office as changes occur.**

If you have questions, contact the Business Registration Office at (575)541-2287
Online at www.las-cruces.org >> Business >> Business Registration
State Tax ID Number: _____ _____ - _____ _____ _____ _____ _____ _____ - _____ _____ _____

Application Type:  New _____  Change of Location or Use _____  Renewal _____

Anticipated Start Date: ____________________________

Name of Business: ________________________________________________________________

DBA (if different than business name) _______________________________________________

Physical location of Business: ____________________________________________________ Zip: _____

Mailing Address: __________________________________________ City: __________ State: _____ Zip: _______

Business Owner’s Name (if corporation, name of CEO/President) ________________________________

Business is:  _____ Individual  _____ Partnership  _____ LLC

  _____ Corporation  _____ Non-profit Organization

Business Phone: __________________________ other contact number: _________________________

Type of Business (describe): _________________________________________________________

Business location is:  _____ Home based  _____ Commercial  _____ Mobile

BUSINESS & PROPERTY INFORMATION

Number of Employees (include owner): ________  Days of Operation: ______________________________

Sq. Footage of Building: _______________________  Hours of Operation: ____________________________

On site contact name and number: ______________________________________________________

  Will there be/Is there outside storage?  Y  N
  Will there be/Is there an outside retail sales area?  Y  N
  Does the business sell aerosol spray paint in can?  Y  N
  Does the business sell tobacco products?  Y  N

APPLICANT’S SIGNATURE: ___________________________  DATE: ___________________________

BY ACCEPTING THIS APPLICATION, THE CITY DOES NOT GUARANTEE APPROVAL OF THE APPLICATION.

<table>
<thead>
<tr>
<th>OFFICE USE ONLY</th>
<th>Date Rec’d:</th>
<th>Received by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLC Receipt #:</td>
<td>Cash / Credit / Check #:</td>
<td>Amount:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Department Approval</th>
<th>Fire Department Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y     N</td>
<td>Y     N</td>
</tr>
</tbody>
</table>

Inspected by: ___________________________  Date: ___________________________

<table>
<thead>
<tr>
<th>Zoning Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y     N</td>
</tr>
</tbody>
</table>

Reviewed by: ___________________________  Date: ___________________________

<table>
<thead>
<tr>
<th>Issued - By: Cert #:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>White – File</td>
<td>Yellow – other review</td>
</tr>
<tr>
<td>Pink – Fire</td>
<td>White – File</td>
</tr>
</tbody>
</table>

County Parcel ID: 02- _____ _____ _____ _____ _____  Zoning: ___________________________
A business is allowed to operate out of a home only as long as it has an annual Home Occupation Business Registration and the existence of the business does not negatively impact the residential area. A home based business must meet the requirements of the Las Cruces Zoning Code. PLEASE ACKNOWLEDGE YOUR UNDERSTANDING OF HOME OCCUPATION REGULATIONS BY SIGNING YOUR INITIALS AFTER EACH ITEM. (Initials)

1. No more than one (1) person, other than permanent residents of the home, works at the home. 

2. The business use of the home is secondary to its residential use. Except for babysitting and child care services, no more than twenty-five (25) percent of the home’s gross floor area, no more than five hundred (500) square feet, is used in conducting the business.

3. Any business, or storage in connection with the business, must be totally enclosed inside the home or accessory building(s) and limited to services and items that are necessary to conduct the business or have been ordered, but not yet delivered. No for-sale alcoholic beverages are stored on the property.

4. No direct sale of products off display shelves or racks occurs. Retail sales can only be conducted if product orders are placed in advance. Sales or service to customers must be arranged by appointment and scheduled so that no more than one customer vehicle is at the home at any time. This requirement includes the sale of firearms, but does not apply to a sales party or babysitting services.

5. There must be no evidence of the conduct of a business from outside the property and no more than one (1) company-owned vehicle, (one (1) ton or less) which is also used for personal transportation purposes. This vehicle can have signs and advertising in accordance with the vehicle sign provisions of the Sign Code.

6. No signs advertising a home based business or its products, except one sign up to one square foot in size, not lighted, and mounted flush against the building.

7. No equipment or process that creates noise, vibration, glare, fumes, odor or electrical interference detectable at the property line can be used in a home based business, and no equipment or process that creates visual or audible interference for any radio or television receivers on and near the premises can be used in a home based business other than those normally found in a residential area.

8. Toxic (pesticides, herbicides, rodenticides), explosive, highly flammable, combustible, corrosive, radioactive or restricted materials will not be used or stored at a home based business beyond the amount kept at a normal home or kept on hand to operate or maintain equipment and permitted by the City Fire Code.

9. Home based business can not cause the use of a public utility (water, sewer, electricity or garbage collection) to more than double. The combined utility usage of the home and business cannot exceed twice the average usage for the twelve (12) months prior to the home based business beginning.

10. A home based business can not cause the elimination of any required off-street parking for the home. On-street parking is allowed only if the residential appearance is maintained. Except for instructional, babysitting and child care services, no more than two customer vehicles per hour may frequent a home business. Deliveries in connection with and to the business is limited to: 1) no more than two deliveries per week for two-axle vehicle, 2) no more than one delivery per month for a three-axle vehicle, 3) no deliveries from vehicles with four or more axles, and 4) on-street parking by delivery vehicles near a home business is for delivery purposes only.

By completing this form, the applicant/business owner acknowledges that he/she understands and will comply with the regulations for conducting a home occupation in accordance with the City’s Municipal and Zoning Codes. All requirements to conducting a home occupation may be found in Section 38-52 of the Las Cruces Zoning Code, 2001, as amended. Applicant/Business Owner/property owner may be subject to misdemeanor prosecution for any violation of these regulations which may result in the Home Occupation being revoked. ALL HOME OCCUPATIONS ARE SUBJECT TO INSPECTION AT ANY TIME.

SIGNATURE: _____________________________ DATE: __________
City of Las Cruces

BUSINESS REGISTRATION - RENEWAL APPLICATION

Mail to: City of Las Cruces Business Registration  PO Box 20000, Las Cruces, NM 88004
Hand Deliver at City Hall: 700 N Main Street, Las Cruces NM 88001

NM CRS Number: _____________________________

Name of Business/Corporation: ______________________________________________________

          DBA Name: _____________________________________________________

Physical Address: _______________________________________ Las Cruces, NM ___________

Mailing Address: _________________________________________________________________

Business Phone: _____________________________

Owner’s Name (President/CEO): ____________________________________________________

Type of Business: ________________________________________________________________

THIS QUESTIONS/INFORMATION MUST BE ANSWERED EACH YEAR:

Sq ft of building/business space: _____________________________

# of Employees at this location: _____________________________

Local Contact Name: ________________________________ Local Phone #: _______________________

Owner/Corporate Phone #: ________________________________

SIGNATURE: ________________________________ Date: ________________________________

Payment must be included with renewal application:

- Commercial or home based business  $ 35.00
- Food vending wagons and trucks (per vehicle) $ 40.00
  Proof of or Copy of State of New Mexico tax ID number  
  (Also known as Combined Reporting System or CRS number)
- Non-Profit Organization (attach documentation of non-profit status) $ 25.00

Additional $10.00 for late fee if renewal will not be not received within 8 calendar days after expiration.

Additional requirements in place for door-to-door activity, security and alarm services, and pawnbrokers. 
Contact the Business Registration Office to renew these licenses.