

Sec. 5-3. Fortunetellers, etc.; license.

(a) Every palmist, astrologer, clairvoyant, fortuneteller, soothsayer or any person wishing to conduct a similar activity shall obtain a license from the finance and technology director or designee before carrying on such activity within the city. In addition, these activities are specifically declared to be an amusement subject to tax and license requirements established by chapter 16 of this code.

(b) Any applicant desiring to obtain a license shall make application to the finance and technology director or designee. All information required for any license application is deemed necessary in order to conduct a complete background investigation. It shall be unlawful to provide false information on any application. The application shall be accompanied by an application fee, a license fee, a fingerprinting fee and a photographing fee as established by the city council (see Appendix A). All fees are nonrefundable.

(c) Each applicant shall be required to have two (2) satisfactory full-face identification photographs taken by the city.

(d) The applicant shall submit a full set of fingerprints to the Tempe police department for the purpose of obtaining a state or federal, or both, criminal records check pursuant to A.R.S. § 41-1750 and Public Law (PL) 92-544. The Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation. Fingerprints must be submitted on fingerprint cards provided by the finance and technology director or designee.

(e) All applicants must be approved by the chief of police or designee before carrying on any activities regulated by this section. The chief of police or designee shall approve or disapprove each application within forty-five (45) days after it is filed. Approval shall not be given if there is any evidence of a conviction for a felony or for any misdemeanor involving moral turpitude.

(f) License shall be valid only for the calendar year in which it is issued. Any license may be renewed by filing a renewal application for approval and paying the renewal fee as established by the city council (see Appendix A) before the first day of the year in which they wish to be licensed. Any license renewal application or fee received on or after the first day of the year will be subject to a late renewal penalty as established by the city council (see Appendix A). Licenses are not transferable.

(g) Failure of a licensee to timely renew their license for the current year will result in the licensee applying for a new license and paying all applicable fees.

(h) A licensee must operate their business in a permanent structure that meets building code, fire code and zoning code requirements.

(i) A licensee who desires to change their business location shall notify the city in writing at least thirty (30) days in advance of such intention and pay a relocation fee as established by council (see Appendix A). No business shall be conducted until the appropriate city departments have stated in writing that building code, fire code and

zoning code requirements have been met at the new business location.

(j) Licenses issued under this section will be revoked if at any time there is evidence of a felony conviction or of a misdemeanor involving moral turpitude or a violation of this code section or a violation of other city codes. Notification of revocation of this license will be by certified mail to the last known address of the licensee.