



# CHILD CARE LAW CENTER TOOLKIT

FOR LARGE FAMILY CHILD CARE  
HOME PROVIDERS

## WHAT TO DO

if Your City  
Requires You to Get  
a Business License  
or Zoning Permit



CHILD CARE LAW CENTER.

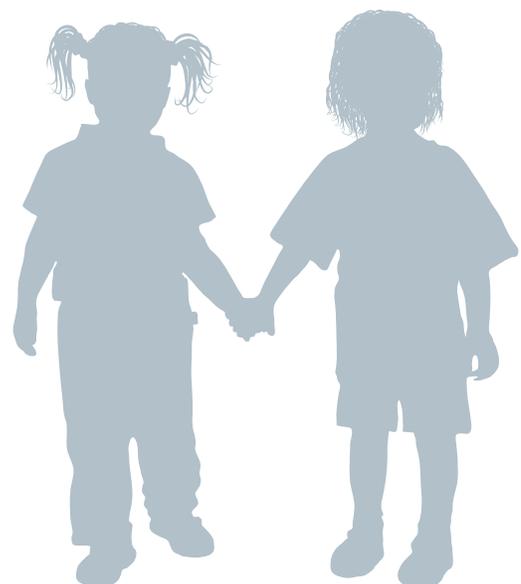
# STEP 1

## KNOW THE LAW

**READ** Learn about the rules your city must follow if it requires you to get a business license or zoning permit.

**Child Care Law Center’s “Know the Law About Business Licenses and Zoning Permits for Family Child Care Homes in California” at [childcarelaw.org](http://childcarelaw.org).**

<http://childcarelaw.org/wp-content/uploads/2015/01/Know-the-Law-About-Business-Licenses-and-Zoning-Permits-for-Family-Child-Care-Homes-in-California.pdf>



# STEP 2

## GATHER THE FACTS

**ASK** the city for a breakdown of all fees and to show you (and give you a copy of) the relevant sections of the municipal code. Ask your city's finance department for information about the business license and ask your city's planning department for information related to the zoning permit for large family child care home providers.

**REQUEST** a written breakdown of fees the city wants to charge you related to the business license or zoning permit.

### AND

a copy of the sections of the municipal code that require a business license or zoning permit. If the office does not have a copy of the code, ask where you can get it and for which section number you should look. Note that the city might charge you for making a photocopy but usually the code will be online.

**KEEP** a written log of all the information you gather, including the name of the person who gave you the information and the date of your conversation. Keep copies of all email exchanges, information the city gives you, and all receipts for fees you have paid.

## TALK TO OTHER LARGE FAMILY CHILD CARE HOME PROVIDERS

- Is the city requiring other large family child care home providers to get a business license or zoning permit?
- How much are they being asked to pay?
- How and when were they informed of these requirements?

## TALK TO YOUR LOCAL RESOURCE AND REFERRAL AGENCY (R&R)

- Has the R&R heard from other large family child care providers who are facing the same problem?
- Does the R&R know of any past action to fight the city's requirements?
- **Ask the R&R about the practices in neighboring cities**
- Do large family child care home providers in neighboring cities face the same requirements?
  - If so, what are the costs?
- Have large family child care home providers in neighboring cities faced the same requirements in the past?
  - If so, how did they convince their city to reduce the cost or get rid of the requirements?

## STEP 3

# ORGANIZE

**ASK** your local R&R to schedule a meeting for all large family child care home providers so you can discuss a plan of action you can take together.  
**There is power in numbers!**

the R&R to write a support letter to the appropriate city official.

the parents of children in your child care to join your effort, and keep them informed of the status of the issue.

**DEVELOP** your plan of action. Visit the Child Care Law Center at <http://childcarelaw.org/> and click on the “**Get Help**” if you want to discuss options.

## TAKE ACTION

### WRITE

a letter to your city council. Write as an individual or jointly with the other large family child care home providers in your city. In some cases, large family child care home providers may wish to elect one or two leaders to represent the group's interests. In the letter:

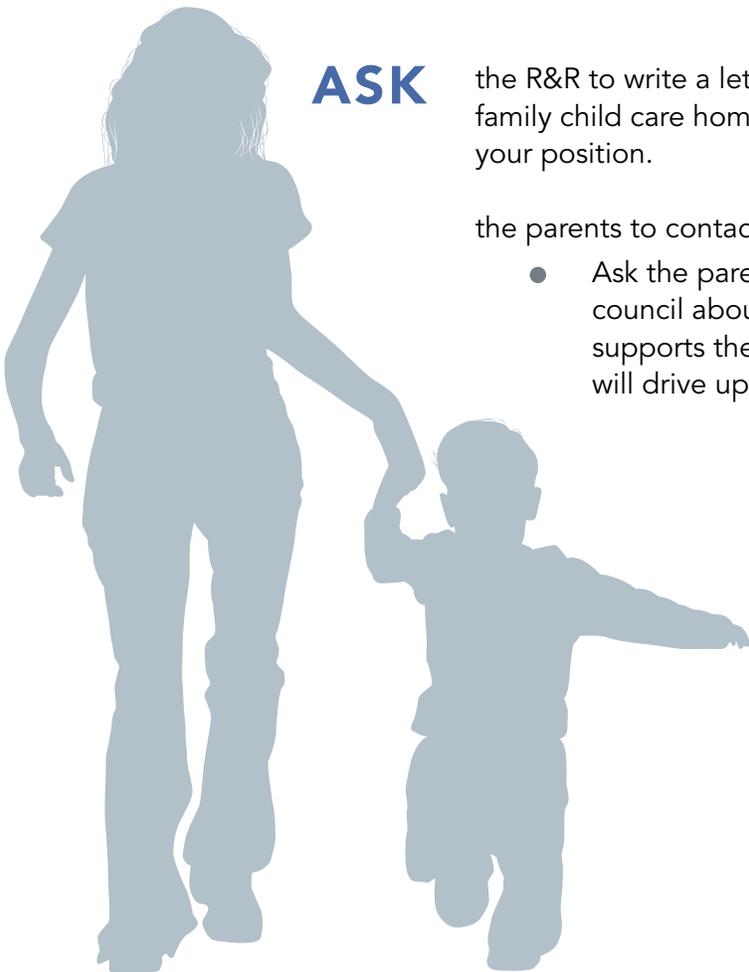
- Clearly explain the business license or zoning permit requirement that you oppose, why the requirement is a problem, and what you want changed.
- **Make it personal – give examples of the work you do,** the families you serve, why your work is important, and how the requirement will harm you, the families, and children in your care.

### ASK

the R&R to write a letter to your city council on behalf of large family child care home providers, stating the R&R's support of your position.

the parents to contact your city council on your behalf:

- Ask the parents of the children in your care to write to the city council about the excellent services you provide, how your work supports their ability to work, and how fees the city wants to charge will drive up the cost of your child care.



# FOLLOW UP

# TO ADVOCATE FOR “CHILD CARE FRIENDLY” LAWS

## ASK FOR A MEETING WITH CITY OFFICIALS TO NEGOTIATE A BETTER SOLUTION

### FOLLOW UP

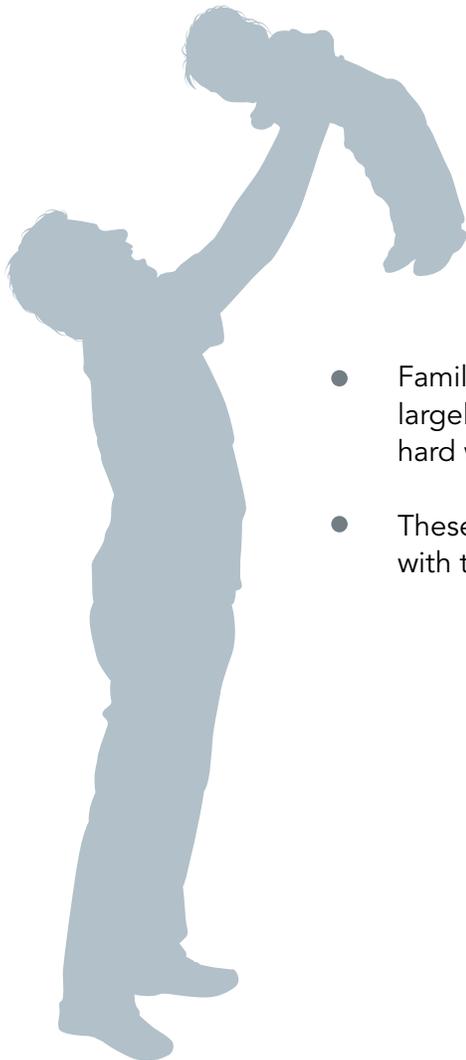
- Contact your city council members, thank them for their attention, and ask for a follow-up meeting. If a city council member or official has or has had children in the family child care home of one of your members, it may be helpful to schedule the meeting with that person.
- Bring letters of support to the meeting from as many family child care home providers as possible, along with copies of their licenses. Be sure the family child care home providers highlight individual stories about their work, how it benefits the community, how they comply with licensing regulations, and how the city’s requirement will undermine their work.
- Be prepared to explain the burden and effects of the new rules, as well as how and when these new rules became a problem.
- Prepare a written legal explanation of why the requirement is wrong or unfair. Use the Child Care Law Center’s at [childcarelaw.org](http://childcarelaw.org), or visit Public Counsel at [www.publiccounsel.org](http://www.publiccounsel.org)  
<http://childcarelaw.org/wp-content/uploads/2015/01/Know-the-Law-About-Business-Licenses-and-Zoning-Permits-for-Family-Child-Care-Homes-in-California.pdf>
- Supplement your legal explanation with heartfelt reasons why and how your issue negatively affects you and other family child care home providers.
- Remind the city official with whom you meet of the positive services to the community that family child care providers offer: making day care available in neighborhoods, increasing young parents’ employment opportunities, offering child care that is high-quality but more affordable than other options, etc.
- Highlight your compliance with state licensing laws and other relevant city laws.
- Bring examples of good laws from other cities that could be a model for your city.

# STEP 5

## CONTACT LOCAL MEDIA

**ARRANGE** an interview. It will raise awareness about how important child care is for the community. Prepare to describe the problem briefly and practice ahead what to say.

### THESE TACTICS WORK!



- Family child care home providers in several cities have been successful, largely because of their effective organization, zeal, attention to detail, hard work, and willingness to reach out to others for help.
- These family child care home providers have also worked collaboratively with their city council to make reasonable changes and develop new rules.

# HELPFUL RESOURCES

**AT ANY POINT AS YOU FIGHT A BUSINESS LICENSE FEE OR ZONING PERMIT FEE, YOU MAY WISH TO CONSULT WITH ANY OF THE FOLLOWING FOR SUPPORT:**

- ***The Child Care Law Center*** is a non-profit legal organization that promotes policies to help low-income working families access high quality child care. CCLC assists parents, child care providers, and legal aid attorneys who assist low-income parents or child care providers. Visit the Child Care Law Center at <http://childcarelaw.org/> and click on "Get Help."
- ***Public Counsel*** is a law firm that provides many different types of services at no cost to low-income clients. As part of its work, it represents low-income child care providers, or child care providers who serve low-income residents in California on licensing and zoning issues. Public Counsel also publishes materials on a variety of issues that affect child care providers. Contact Public Counsel at <http://www.publiccounsel.org/> or (213) 385-2977.
- ***California Community Care Licensing Division*** is the state licensing agency for child care, under the California Department of Social Services. CCLD is the enforcement agency that regulates the health and safety of all child care in California and administers child care licenses. Contact CCLD at <http://www.cclد.ca.gov/pg411.htm> or (916) 651-6040.
- ***Resource & Referral Agencies*** are local, state, and federally-funded agencies located in every county in California. They refer parents to child care providers and support child care providers in getting licensed and obtaining training. You can find contact information for your local R&R at <http://childcareaware.org/parents-and-guardians/childcarefinder#section=searchbyzip>.
- ***The California Day Care Facilities Act*** is the state law that governs the health and safety of child care in California, preempting municipal ordinances that conflict with its provisions. You can find relevant sections of the law as they pertain to business and zoning laws for family child care homes at Cal. Health & Safety Code §§1597.30-1597.621.



This publication was written by the staff of the Child Care Law Center, with research and assistance by Samuel A. Richman, Winter Law Clerk Child Care Law Center and Ana Andrade, Family Child Care Provider.

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This document is intended to provide general information about the topic covered. It is believed to be current and accurate as of October 1, 2014, but the law changes often. This document does not render legal or other professional advice. If you need legal advice, you should seek the services of a competent attorney.

The Child Care Law Center is nonprofit law firm. Our work focuses exclusively on child care-related legal and policy issues. Staff attorneys are experts in the laws that help low-income and vulnerable children get and keep good quality child care.



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