

FILING A BUSINESS CERTIFICATE

(Mass. General Laws, Chapter I IO, Section 5)

WHO MUST FILE?

A business certificate is also called a d/b/a, which stands for "doing business as."

Any person, whether individually or as a partnership, conducting business under any title other than the complete real name of the owner(s) must file a business certificate.

Any corporation doing business in a name other than its corporate name must also file. The certificate must be completed and filed by a corporate officer.

WHO DOES NOT HAVE TO FILE?

You do not have to file a d/b/a when you are doing business as a sole proprietor under your own complete name, such as John Smith Company, or if you are incorporated and are doing business under the true incorporated name.

WHAT DOES IT DO?

A business certificate primarily allows consumers and/or creditors to identify the names of the actual owners of a business. This information is a public record and is furnished to the Massachusetts Department of Revenue under the authority of Mass. G.L. 62C, S 49a.

WHAT DOESN'T IT DO?

Your filing of a business certificate at the local Town Clerk's office does **NOT** protect your name or reserve it as does a corporate filing or a trademark registration (which is done through the State). It also does not give you permission to operate a business in the town - it only registers your name. In order to legally operate a business in the town you must get the appropriate permits, licenses, variances, etc., that are required by the issuing departments of the town.

WHERE DOES ONE FILE?

File with the Town Clerk, either in person or by mail, in every city or town where an office of said business may be situated. In Lancaster, the filing process begins with the Building Commissioner & Zoning Enforcement Officer. If filed by mail, the signature(s) of all partners must be notarized; if filed in person, all partners must be present, or the signatures of any missing partners must be notarized.

Town of Lancaster, Massachusetts
Department of Building Inspection
695 Main Street, P.O. Box 428
Lancaster, MA 01 523

APPLICATION FOR A BUSINESS CERTIFICATE

All applications must meet the Lancaster Zoning Bylaws Section 3.34

Fee \$30.00 for four (4) year certificate

Building Commissioner &
Zoning Enforcement Officer

Phone: (978)368-4010
Fax: (978) 368-4009

Date: _____

Street Address: _____ Zoning District: _____

Owner or Tenant: _____

Second Signature (Business Partner): _____

Business Name: _____ Telephone No. _____

Detailed Description of the Proposed Business:

Certification Clause:

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

*Signature of Individual or Corporate Name (Mandatory)

By Corporate Officer (Mandatory if Applicable)

** Social Security Number or Federal I. D. Number

This license will not be issued unless this certificate is signed by applicant.

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to License suspension or revocation. This request is made under the authority of Mass. G.L. 62C, S 49A.

Fee Paid: _____ Check No. _____

owner's Signature: _____ Date: _____

Building Commissioner: _____ Date: _____

Town Clerk: _____ Date: _____

WHAT ABOUT A CHANGE?

Upon discontinuing, retiring or withdrawing from such business, or in the case of a change of residence of such person or of the location where the business is conducted, a form must be filed with the office of the Town Clerk.

DOES A BUSINESS CERTIFICATE EXPIRE?

A business certificate is in full force and effect for four (4) years from the date of issue. A new filing must be made every four years as long as the business is being conducted.

DOES THE CERTIFICATE HAVE TO BE DISPLAYED?

No. However, you must provide a copy upon request.

FEES

Business Certificate Filing	\$30.00
Withdrawal, Discontinuance, Change, etc.	No Charge
Additional Certified Copies of Business Certificate	\$ 5.00 per copy

FILING

Complete application form, sign and mail or deliver with a check payable to the Town of Lancaster to:

Richard Pauley
Building Commissioner & Zoning Enforcement Officer 695 Main Street, P.O. Box 428
Lancaster, @ 01523
(978) 368-4010

PENALTIES

Violators of these provisions shall be subject to a fine of not more than three hundred (\$300.00) dollars for each month during which said violation continues.