

# **INSTRUCTIONS & FAQ FOR FILING A BUSINESS CERTIFICATE**

MASSACHUSETTS GENERAL LAWS, CHAPTER 110, SECTION 5

## **PLEASE START BY CONTACTING THE TOWN CLERK'S OFFICE IN PERSON OR BY PHONE**

The Business Certificate is a (2) sided form and MAY require prior approval from other Town Departments before the Business Certificate will be issued by the Town Clerk. Approval is not always necessary, please check with the Town Clerk's Office to see what approvals will apply to your business. (Examples are listed below)

### **Business Certificate vs DBA?**

A Business Certificate is commonly called a DBA (Doing Business As) and serves the same purpose, there is no difference. A Business Certificate is the registration of a business that is being conducted and located within the Town of Burlington. Its primary purpose is to protect consumers or creditors by identifying the names and address of the owners of the business.

### **Who must file?**

Any person conducting business in Burlington that is doing business under any name/title other than the **COMPLETE** real name of the owner, whether individually or as a partnership (Ex: John W. Smith) OR any corporation doing business in a name other than the corporate name. **(Only corporations can use Inc., LLC, Ltd. (Must be filed by a corporate officer)**

### **Can I have a Business Certificate at my apartment?**

Yes but you **MUST** get a written letter on the landlord's letterhead stating that they are allowing you to do business at your apartment. They may have restrictions (Ex: No Commercial Vehicles) and that is determined by them, not the Town of Burlington.

### **Where does one file?**

File with the Town Clerk's Office in the city or town in which your business is located, either in person or by mail. If filing a home business, you file where your home is located. If filing a business with a legal business address, file where your physical business building will be located.

### **Can you change any information on the Business Certificate?**

Yes. You can change the business name, location of business, your residential address (within Burlington), discontinue or withdraw your business on the same form. If you are changing ownership, the old owner must discontinue the current Business Certificate then the new owner will start with a fresh Business Certificate.

### **Does a Business Certificate expire?**

Yes. It is valid for (4) years from the date of issue. A new filing must be made every four years as long as the business is functioning. It is the owner(s) responsibility to renew the form. Renewal forms **will** be automatically mailed out one month before expiration to the mailing address on file.

### **Do I have to display the Business Certificate?**

No but you must provide a copy on request during regular business hours, to any person who has purchased goods or services from such business.

### **Fees:**

Business Certificate (New or Renewal)  
Changes

**\$40.00 / 4 years** - includes original and (1) copy  
**\$20.00/until original renewal date** – includes (1) copy

### **Can I file by mail?**

Yes, obtain the form in person (Town Clerk's Office) or online ([Burlington.org](http://Burlington.org)). Sign form in front of a **NOTARY PUBLIC**. Mail application with a check made out to the Town of Burlington. There are Notary Publics available in the Town Clerk's Office during normal business hours.

### **Prior Approval Examples:**

Tax Collector: Up to Date on **ALL** Tax payments

Board of Health: Food Permits, Body Art, Tanning, Tobacco Sales

Select Board Office: Taxi/Livery License, Victualler License, Auto Dealers, Entertainment

Planning Department: Zoning Bylaw compliance (Ex: Massage Therapy would need a Special Permit)

Building/ Zoning Inspector: Space is zoned correctly for the type of business that will be occupying the space, Demo/Renovations