
Auto Body Shop
Auto Repair Shop
Barber Shop
Beauty Salon
Catering
Child Care
Cleaning Service
Dry Cleaner
Flower Shop
Home Improvement
Interior Decorator
Landscaper
Laundromat
Livery
Retail Store
Sewing Shop
Shoe Repair
Small Grocery Store
Small Restaurant
TV/Radio Repair Shop

Navigating

T H R O U G H

Regulations & Licensing Requirements

A Guide for
LOWELL
Entrepreneurs in
20 Business Types

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Introduction

The Guide will be a real asset to the City in its efforts to build a business base in Lowell. Its genius is in its organization around specific businesses. Like the way it takes them by the hand and leads them through.”

-Russ Smith, Executive Director, Lowell Small Business Assistance Center

Navigating through Regulations and Licensing Requirements: A Guide for Lowell Entrepreneurs in 20 Business Type is designed to provide a quick grasp of the requirements for starting a business in the City of Lowell. The guide presents the most efficient paths to full compliance with existing regulations.

This publication will be of use to a variety of groups:

- Individuals who would like to start a *sole proprietorship* business in Lowell
- Agencies, both public and private, that advise and assist entrepreneurs in the start-up stage
- Research organizations interested in business development and small business regulatory policy

The guide provides step-by-step instructions for starting a business in 20 selected business types in Lowell. For each business type, there is a checklist of all the permits, licenses, and forms required and detailed steps on how to meet local, state, and federal requirements. Subsections addressing business plans, zoning, all levels of taxes, and insurance are numbered in both in checklist format and in detailed steps to facilitate use of the guide. For example, to find information on licensing users can initially get a brief overview of required processes at Step 2 on the checklist, then can refer Step 2 in the *Detailed Steps* section for in-depth information.

There are two appendices attached:

- **Appendix I** offers an overview of the necessary steps that must be taken with state and federal authorities once the entrepreneur opts to hire additional employees.
- **Appendix II** lists organizations that offer legal advice, accounting, financial, and other services to entrepreneurs.

We hope that entrepreneurs and business assistance professionals will find this guide easy to use and helpful in starting or assisting small businesses in Lowell.

User feedback is welcome. Please send all emails to Alla Yakovlev at ayakovlev@pioneerinstitute.org.

Disclaimer

The information contained in this guide is limited to the procedures and requirements for entrepreneurs who are starting sole proprietorships. This guide cannot reflect changes in federal, state, or municipal laws, rules, regulations, or filing fees that occur following its publication. While municipalities outside Lowell may have similar regulations, this guide only addresses the regulations and tax requirements in effect in Lowell. This guide should not be used for starting a business in other cities and towns.

Auto Body/Repair Shop



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - Obtain all necessary licenses and permits
 - File for the appropriate permits from the **Massachusetts Department of Environmental Protection**
 - Obtain any other additional applicable licenses
- 4 ZONING AND PERMITTING**
 - Contact the **Zoning Department** and run a zoning check
 - If needed, get a **Building Permit** and then a **Certificate of Occupancy** from the **Building Department**
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”)
 - Get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique **Commercial Site Finder** services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
<http://www.lowellma.biz>

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property will look like when the work is complete. The floor plan does not need to be prepared professionally.

but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

Obtain all necessary licenses and permits

- 3a. Operating an auto repair shop requires that you deal properly with hazardous wastes such as waste oil, waste gasoline, and waste generated from degreasing auto parts. You must file the appropriate forms with the **Massachusetts Department of Environmental Protection (DEP)**.

Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108
617-292-5500
<http://www.state.ma.us/dep>

You will also need to register with the DEP as a generator of hazardous waste and/or waste oil. Complete the Hazardous Waste Generator Registration Form for Very Small Quantity Generators (VSQG) if your business generates less than 220 pounds of hazardous waste and/or 27 gallons of waste oil per month. You can download the form from the DEP website:
<http://mass.gov/dep/recycle/approvals.htm#gen>

If your business will be a Small Quantity Generator (SQG) of hazardous waste and/or waste oil (220-2,200 pounds or 27 to 270 gallons per month) or a Large Quantity Generator of hazardous waste and/or waste oil (more than 2,200 pounds and/or 270 gallons per month), you need to file a Notification of Hazardous Waste Activity Form. Go to DEP's website:
<http://www.mass.gov/dep>

Click on the e-DEP icon, and register with e-DEP. Log in, then click online forms. The Notification of Waste Activity is in the drop down list. You will be prompted for your EPA ID number and your Tax ID number.

If DEP does not have this information on file for your facility, or if you do not have an EPA ID number, you should submit the "RCRA Notification of HW Activity Preliminary Form." DEP will use the information from the preliminary form to set up your facility, and will send back an email with the code needed to complete the notification. As a Lowell business owner, you will need to return the completed form to the **DEP Northeastern Office** (Attn: BWP).

Massachusetts Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, Massachusetts 01887
978-694-3314
dep.neroinfo@state.ma.us

If spray painting will be performed on site, MassDEP requires auto body/repair

businesses to comply with air pollution control regulations to minimize Emissions of volatile organic compounds (VOCs) and other pollutants. Call the MassDEP Southeast Regional Service Center at 508-946-2714 and ask to speak to a BWP permit engineer or inspector to understand your compliance options." For additional information on technical compliance, vendors, pollution prevention, and cost reduction at your shop, download the EPA's publication "Auto refinishing best practices kit" available at:

<http://www.epa.gov/opptintr/dfe/pubs/auto/trainers/index.htm>

Contact the Office of Technical Assistance for Toxics Use Reduction guidance manual, "Crash Course for Compliance and Pollution Prevention " (October, 1998) available online in both English and Spanish versions at:

http://www.mass.gov/envir/ota/publications/tech_reports.htm

MassDEP compliance assistance fact sheets are available at:

<http://www.mass.gov/dep/recycle/compliance/factguid.htm#hwm>

To learn more about various policies pertinent to auto body/repair shops. Go to:

<http://www.mass.gov/dep/recycle/laws/policies.htm>

- 3b. Additional licenses are required through the **Massachusetts Division of Standards** if you plan to sell antifreeze, motor fuel and/or lubricating oil. Applications for these permits can be downloaded at the Division of Standards website. Alternatively, you may also call the Division of Standards to request a paper copy. You will be instructed to leave a message with your name and mailing address.

*Massachusetts Division of Standards
One Ashburton Place, Room 1115
Boston, MA 02108
617-727-3480*

<http://www.state.ma.us/standards/license.htm>

If auto body or glasswork will be done, a license is also required through the Division of Standards. The completed application must include the following:

- Two letters of recommendation from individuals who are either Registered Motor Vehicle Repair Shop operators, elected public officials, or members of the Massachusetts Bar
- A registration fee of \$450 payable by business check or money order to the Commonwealth of Massachusetts
- A surety bond or letter of credit for \$10,000.

- 3c. If your business will include the sale of salvaged auto parts or used cars, you must also obtain a **Junk Dealer's License**. After obtaining the application from the **Licensing Department**, submit the form and schedule a public hearing with the Licensing Commission. If approved, the annual fee is \$300.

For more information contact the City of Lowell License Commission:

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

- 3d. Snack or soda machines in your shop require permits from the Massachusetts Food Protection Program (FPP). Applications are available for download at the FPP website or you can contact the FPP directly:

*Food Protection Program
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130
617-983-6700
<http://www.mass.gov/dph/fpp/vendinglic.htm>*

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-4467108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its

decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

*JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction

- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4'' - 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell

Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the Commissions Section of the Secretary of the Commonwealth's Office at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the City Assessor's Department to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Tel: 978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Tel: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Barber Shop



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - Obtain all necessary licenses and permits
 - Become (or hire) a registered master barber and obtain a barber shop license
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** at the City of Lowell to run a zoning check on your location
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”) and get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
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 - File the appropriate forms, then begin bill payments in person, by mail, or online.
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 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

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Lowell Small Business Assistance Center
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978-322-8400
www.lowellsbac.org

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Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan for submission to the **Board of Registration of Barbers**. If you plan to make repairs or do renovations, the floor plan should show what the property **would** look like when the work is complete. The floor plan does not need to be prepared

professionally, but must show all planned rooms, equipment, both front and back doors, bathrooms and sinks, and shop set-up. You must also indicate where the barber pole or decal will be located (legally required to be on a window or door that is clearly visible to the public). Don't forget to include your name, two numbers where you can be contacted, the shop address (not a post office box), and the anticipated opening date. If you are purchasing an already licensed shop you will either need to submit a copy of the original license or the name and license number of the previous shop owner with your floor plan.

*Board of Registration of Barbers
Massachusetts Division of Professional Licensure
239 Causeway Street, Suite 500
Boston, MA 02114
617-727-7367*

3 LICENSING

Every barbershop must be under the supervision of a licensed master barber during hours of operation and have a barbershop license.

- 3a. To become a master barber, you must be a licensed apprentice for at least 18 months. Then you may request an application from the Board of Registration of Barbers. Visit the office in person to present a copy of your apprentice license and discuss the application process. Before you can become a Master Barber, you will also be required to take a computer based assessment test and a practical examination. After pre-approval by the Board or your school, call Promissor to schedule an appointment at 1-800-274-2021. For further information contact the Board of Barbers or visit their website:

<http://www.mass.gov/dpl/boards/br/default.htm>

- 3b. To apply for a license for your shop from the Board of Registration of Barbers, submit two copies of your shop floor plan, a new shop application, a copy of your occupancy permit, and the non-refundable application and license fee to the Board, attn: New Shop.
- 3c. After your application has been reviewed, the shop-opening investigator will contact you. If your floor plan is approved, the investigator will schedule an inspection appointment with you. If you miss this inspection appointment, your shop application will automatically be denied and you will have to reapply and re-pay the fee. On the day of your inspection appointment, you will need a driver's license or photo ID and a current copy of 232 CMR, the Board of Barbers Rules and Regulations. The rules and regulations can be obtained from the Statehouse Bookstore, 617-727-2834, or online at:

<http://www.mass.gov/dpl/boards/br/cmr/232201.htm>

The shop inspector will look for several critical things in your shop:

- hot and cold running water
- a sink or sinks capable of disposing of all wastewater
- an available bathroom, with a toilet and an adequate sink for hand washing
- a sink for hand washing in addition to the bathroom sink

- proper lighting and ventilation.

If the inspector finds the facility up to code, then he/she will allow the shop to open and the registration board will issue a license for the barbershop. Licenses for barbershops are renewed biennially.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
(978) 446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
(978) 970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a “Notice of Intent” with the Conservation Commission prior to work on your project. The “Notice of Intent” is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all “Notice of Intent” forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an “Order of Conditions,” which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City’s historic preservation agency. Central to the Board’s responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board’s staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts’ historic settings and design review standards.

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50 Arcand Drive
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978-446-7200
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Work classified as Minor Development includes, but is not limited to, cleaning,

painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are ¼ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are ½ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district

- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at

<http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 **MASSACHUSETTS DEPARTMENT OF REVENUE**

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business’s needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, “key man,” automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Beauty Salon



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location, draft a detailed floor plan, and submit it for review and approval to the **Board of Cosmetologists, Massachusetts Division of Professional Licensure.**
- 3 LICENSING**
 - Obtain all necessary licenses and permits
 - Become (or hire) a Manager (Level 1), licensed cosmetologist and obtain an operating license
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
 - Complete zoning check and get location approved
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”) and get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique **Commercial Site Finder** services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Select a location for your shop and draft a detailed floor plan for submission to the Board of Registration of Cosmetologists. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete. The floor plan

does need not to be prepared professionally, but must show all planned rooms/equipment, front door/back door, bathroom location, and salon set-up on an 8.5" x 11" sheet of paper. Each room must be labeled with its specific use. The floor plan should also include your name, two numbers where you can be contacted, the shop address (not a post office box), and the anticipated opening date. If you are purchasing an already licensed shop you will also need to submit a copy of the original license or the name and license number of the previous shop owner with your floor plan.

*Board of Registration of Cosmetologists
239 Causeway Street, Suite 500
Boston, MA 02114
617-727-9940*

<http://www.mass.gov/dpl/boards/hd/default.htm>

- 2a. If this property is attached to your home, the shop and home must comply with the regulations of the Board of Registration of Cosmetologists.
- Home operation requires licensure from the Division of Professional Licensure.
 - You must have a room or rooms separated from the living quarters in the house, and there must be an available bathroom facility for employees and customers that is separate from the facility used by residents of the home.
 - The door leading into the salon must be visible from the street and must not require customers to pass through the living quarters of the residence.

For more information on facility and sanitation requirements (e.g. signage, presence of animals, and smoking) see Salon Rules & Regulations at the Board of Registration of Cosmetologists website.

3 LICENSING

Become (or hire) a MANAGER LEVEL (TYPE 1) licensed cosmetologist and obtain an operating license.

- 3a. In order to become a licensed cosmetologist, you must complete several levels of instruction and certification. The full listing of cosmetology licenses is available on the Board of Registration of Cosmetologists' website.

<http://www.mass.gov/dpl/boards/hd/cmr/24002.htm>

- 3b. To get your shop/salon licensed, mail a completed application package to the Board of Cosmetology, Attn: New Salon. Your completed application should include:
- two copies of the floor plan
 - original and one copy of completed application
 - the non-refundable application and license fee (currently \$113, in a cashier's check or money order made payable to the Commonwealth of Massachusetts)
 - a passport photo (2" x 2")
 - a copy of your driver's license or photo ID
 - a copy of the Business Certificate and/or an Occupancy Permit (if an occupancy permit cannot be obtained, then you may submit either the plumbing and electrical forms or the "no work required" form instead).

- 3c. When applying for a new salon-operating license, every owner also has the option of applying for a Booth Renter’s license. A Booth Renter’s license allows you to rent salon space to other licensed cosmetologists. If you do not intend to rent space initially but think you will do so in the future, the Board of Cosmetologists still recommends that you apply for this supplemental license. Otherwise when you do decide to rent, you will have to complete a new application for a shop license and repay the associated fees.
- 3d. Once your application form has been received and approved, a salon investigator will contact you to schedule an inspection appointment. Processing generally takes 3-4 weeks.

At the time of the inspection, you will need the following documents:

- your driver’s license or photo ID
- manager’s (if not the owner) driver’s license or photo ID and current cosmetology license
- current copy of the CMR 240, Board of Cosmetology Rules and Regulations, available at the Statehouse Bookstore, 617-727-2834, or online at:

<http://www.mass.gov/dpl/boards/hd/cmr/24003.htm>

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*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

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978- 970-4149*

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and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

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JFK Civic Center
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978-446-7200*

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Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
(978) 970-4036

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)

- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being

enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

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- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

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*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978- 970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

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The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

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City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.

- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - File for appropriate licenses with the **Lowell Health Department**.
 - File for the appropriate alcohol license (if applicable) with the **City of Lowell License Commission**
 - File for appropriate Entertainment Licenses with the **City of Lowell's License Commission**
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
 - Complete zoning check and get location approved
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA) and get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**; obtain a federal tax ID number
 - File federal tax forms for your business
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

Select a location and draft a detailed floor plan.

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique **Commercial Site Finder** services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Your facility should conform to the standards of the Federal Food Code. If you plan to make

repairs or do renovations, the floor plan should show what the property would look like when the work is complete. The floor plan does not need to be prepared professionally, but must show all planned rooms, equipment, doors, windows, bathrooms and sinks, and electrical outlets. You must also include your name, two numbers where you can be contacted, and the business address (not a post office box).

Note: A catering business cannot be operated from a residential kitchen; you **must** have a licensed food service establishment as your base of operations. It is possible to rent a commercial kitchen, which may be less expensive than owning your own. Some social clubs rent their kitchens specifically for this purpose.

3 LICENSING

Obtain all necessary licenses and certifications.

- 3a. Become or hire a certified Food Safety Manager. For more information on the certification process, contact the Lowell Health Department.

Note: Massachusetts currently does not require training for certification. It is, however, strongly recommended. Call the Health Department to request a list of training courses available in your area.

*Health Department
341 Pine St.
Lowell, MA 01851
Phone: (978) 970-4010
Fax: (978) 970-4011*

If you do not plan to hire an employee who is a certified Food Safety Manager, then you must be a certified Food Safety Manager to operate a small restaurant business. Food Safety Certification courses are offered by the Massachusetts Restaurant Association (MRA):

- The MRA ServSafe Food Safety Training Classes are offered at varying times in Lowell and Haverhill. Check the MRA website at <http://www.marestaurantassoc.org> to view their calendar for the course offering schedule. Cost for non-members is \$175, while MRA members are charged \$120. Courses are also offered by the Brunetta Association at its Lowell training facility.
- To request an application be sent to you, call the Brunetta Association at 978-688-8745. Once your application has been processed, you will receive a course workbook approximately 2 weeks before your course is scheduled to start. Cost is \$139.95. Northern Essex Community College offers ServSafe food safety certification courses through Continuing Education Services at its Haverhill campus. Cost is \$120 + \$59 for materials.
- To register for the course by phone with a credit card, call NECC Continuing Education at 1-800-632-2123 ext.4

- 3b. Contact the Health Department at 978-970-4156 to obtain the necessary permits:

As a caterer, you will be required to obtain an annual Caterer's Permit (\$250), and also may be subject to permitting for frozen desserts (\$50/yr), eliminated, combined with annual food permit, ice cream (\$20/yr), carbonated non-alcoholic beverages (\$75/yr).

The process for obtaining a permit or license through the Health Department is composed of the following steps:

- Any person desiring to open a food service establishment should file a written application for a license on a form provided by the Health Department along with the appropriate fee. The application should include the following information:
 - the applicant's name
 - the name and location of the food service establishment
 - the type of food establishment (i.e. food service establishment, retail food store, or residential kitchen)
 - the type of permit (i.e. annual, seasonal, or temporary)
 - the signature of the applicant.
- After your application is reviewed, an inspector will visit your site and will perform a comprehensive inspection to ensure that the standards of the State Sanitary Code have been followed. If violations of the State Sanitary Code are present at the site, the inspector will work with the proprietor(s) to resolve these issues. Barring any problems being found during inspection, the Health Department will issue your permit within several working days.
- There will be a bi-annual review and inspection of your food establishment to ensure that the proprietor continues to comply with the State Sanitary Code.
- All permits will expire no later than one year from the date issued. All food service establishments must apply for permit or license renewal at least thirty days prior to the expiration of the permit.

3c. If you want to serve alcohol, you must obtain a liquor license through the **License Commission**. Obtain an application from the License Commission.

License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156

Within 10 days after the receipt of an application, the City's License Commission must publish, at the applicant's expense, a notice of the application in a Lowell newspaper. The License Commission must hold a hearing on the license application no sooner than 10 days after the notice appears in the newspaper. *If a notice is not sent to any abutter as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

If the proposed premises are within 500 feet of a church, hospital or school, a copy of the published notice must be sent, by registered mail, to any of these institutions. Applicants who are inn-holders and applicants who are located 10 or more floors above street level are not required to send these notices. The notice must state that a written objection by the governing body of the church, hospital or school must be filed with the City's License Commission to oppose the issuance of this license. *If a notice is not sent to any church, hospital or school as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

After the submission of a notice to a Lowell newspaper, the License Commission must act on your application within 30 days. Within three days of local approval, the License Commission must submit your application to the State Alcoholic Beverages Control Commission (ABCC)

for review and approval. Within 7 days of receipt of ABCC approval, the License Commission will issue your license. For more information about the state investigative process contact the ABCC or go to their website:

*Massachusetts Alcoholic Beverage Control Commission
239 Causeway St.
Boston, MA 02114
617-727-3040*

The ABCC will have an investigator visit or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' questions.

- 3d. Your catering business may also require additional licenses for various forms of entertainment, including but not limited to: automatic amusement devices (coin-controlled games), public dances, non-live entertainment (jukeboxes, radios, or televisions), and live entertainment. Contact the License Commission for application forms and fee info, or available through the Department of Economic Development.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its

decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The **Lowell Historic Board** is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

*JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

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*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent recordkeeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

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City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205*

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Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

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City Hall
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Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

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<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Child Care-Home Based



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- Become a licensed child care provider
- Complete the **Massachusetts Department of Early Childhood (DEEC) New Provider Orientation Program**
- Obtain the Massachusetts Child Care Provider's License application from DEEC
- Before submitting the application, fulfill medical and information requirements as outlined in "Detailed Steps"
- Submit the application along with a signed check or money order to DEEC

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable
- Obtain a conspicuous sign permit
- Obtain a Drinking Water Permit if you serve 20 or more children

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – "Doing Business As")
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

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978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

Draft a detailed floor plan, ensuring that your property conforms to DEEC guidelines. Note: address mentioned on the next page. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work has been completed. The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing, and electrical outlets. You must have a minimum of 150 square feet of usable indoor space if caring for one or two children and a minimum of 225 square feet of approved usable floor space if caring for three to six children.

Bathroom, hallways, and adult only zones do not count for square footage requirements.

- 3a. The following home safety questions need to be addressed in your child care providers’ license application and should be taken into consideration as you draft a floor plan.

Outdoor Space

- Are you using your own yard for an outdoor play area? Do you have at least 75 square feet per child? (required)
- Is the yard fenced, and, if so, how high is the fence? Is it on a busy street?
- Do you have a porch that is more than three feet high?

- Do you own a swimming pool (not a wading pool)? How is this pool kept safe for children?
- Do you have a private well? (Well water must pass State purity and quality tests)
- Is there standing water, steep drop offs, railroad tracks or other hazards on or near your property?

Indoor Space

- How many exits are in your home? Where are they located?
 - Do you have smoke and carbon monoxide detectors on each floor of the establishment?
 - Do you have a written evacuation plan in case of fire, gas leak, or other emergency?
 - Do you have locks on all bathroom and closet doors? Are these locks easily opened from inside and out?
 - Do you have to pass through someone else's living space to leave the facility?
 - Are all accessible windows securely screened, barricaded, or do they open only from the top?
 - Is there a working flashlight on each floor of the home?
 - Is there peeling, flaking, or chipped paint on the premises? Do you have broken plaster? (Must be addressed before you may operate a child care center.)
 - Was your property constructed prior to 1978? Have you checked for lead paint? (Must be professionally removed before you may operate a child care center.)
 - Do you keep firearms or ammunition in your home? How do you store these firearms and ammunition so they are inaccessible to children?
 - Are all potentially hazardous materials (cleaning supplies, razors, cosmetics, medications, etc.) stored so they are inaccessible? The state will inspect the facility room by room to ensure this, particularly bathrooms and kitchens.
 - Are all heating sources (e.g. radiators, hot water pipes, fuel-burning stoves, and fireplaces) inaccessible to children?
 - Are all accessible unused electrical outlets covered?
 - Are all stairways of four or more stairs barricaded? (Required when caring for children under three.) Do you have pressure gates? Where will they be located? (Not allowed at the top of stairs.)
- 3b. Your childcare facility must have an operable telephone. Next to the telephone a list of emergency telephone numbers (including Fire, Police, Ambulance, Poison Control Center, and the nearest emergency health care facility), the names and numbers of two emergency contacts, and your name, address, and phone number must be posted.
- 3c. Before you are permitted to open for business, DEEC will inspect your facility to determine if it meets state standards. The inspector will indicate any changes that need to be made to the property, or certifications you must obtain before you can open for business. Ask for copies of any paperwork from the inspection(s). If you are certified, your license will be valid for up to three years.

3 LICENSING

Before you begin providing childcare services, you must be licensed by the **Massachusetts Department of Early Education (DEEC)** as a childcare provider.

*Massachusetts Department of Early Education Central Office
600 Washington Street, Suite 6100
Boston, MA 02111
617-988-6600
<http://www.qualitychildcare.org>*

Call Acre Family Day Care to learn more about becoming a licensed childcare provider.

*Acre Family Day Care
14 Kirk Street
Lowell, MA 01852
978-937-5485*

- 3a. Complete the DEEC New Provider Orientation Program. DEEC has a number of Child Care Resource and Referral agencies (CCR&R) throughout Massachusetts. These organizations offer information, referral, education, training, technical assistance, and resource development to parents, childcare providers, employers, and community groups.

For additional information, please contact:

*Essex and Eastern Middlesex Counties Child Care Circuit
190 Hampshire Street
Lowell, MA
01840
Lowell (978) 686-4288
Beverly (978) 921-1631
www.childcarecircuit.org*

- 3b. Request a copy of the Massachusetts Child Care Provider's License for Home Providers application from DEEC or download the forms online:

http://www.eec.state.ma.us/kr_licensing.aspx

The childcare license application you should obtain will depend on the number and ages of children that you intend to watch in your home.

- Regular Family Child Care License: up to six children.
- Family Child Care Plus License: up to six children under the age of 7 and two children over the age of 7.
- Large Family Child Care: up to 10 children.

Before you submit the application to open your facility, there are number of requirements you will have to meet. For additional guidance, call the DEEC or read their electronic guide online:

<http://www.eec.state.ma.us/docs/TAFCCOnlineOrientation.pdf>

- 3c. Medical requirements:
- Obtain current certification in basic first aid and CPR for infants and children.
 - Obtain measles, mumps, and rubella immunizations.
 - Have a recent, negative test on record for tuberculosis (TB) on a Mantoux TB test.

- Receive a complete physical.
 - Have your physician fill out the medical form in the application packet.
- 3d. Information requirements:
- Submit a list of persons living in your household and detail any physical, mental, or emotional problems that could affect your provision of day care.
 - Submit a Criminal Offender Record Information (CORI) Form. Every individual 17 or older who regularly visits or lives in the house must undergo this background check. Certain criminal offenses may disqualify a home for a Family Child Care license. You can file CORI forms electronically.
 - For further information, contact your regional DEEC representative at 617-472-2881.
 - Compile a list of references.
 - Compile a list of childcare jobs that you have held in the past.
 - Find two persons who live within ten minutes of your day care location who could help you in case of an emergency.
 - Submit a written activities plan in compliance with the requirements of the state law listed under
 - Section 102 CMR 8.12 to your DEEC inspector.
- 3e. Submit the application and a signed check or money order in the amount of the licensing fee to DEEC as specified in the application packet.

Note: You will be required to maintain health and attendance records for each child that you or an assistant supervises. For more information on licensing and operating regulations, visit the DEEC website:

http://www.eec.state.ma.us/kr_regulations_main.aspx

4 ZONING AND PERMITTING

Consult the Zoning Office of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City’s zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a “special permit” in order to be permissible in certain areas of the City, and certain aspects of your project may require a “variance” in order to conform with the requirements of the City’s Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a “letter of denial” for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
(978) 970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. **The Lowell Historic Board** is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the

annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond "Ordinary repairs," you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036

Renovations outside of "ordinary repairs" include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor

shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4" - 1'-0" min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district.

The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
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Cleaning Service



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- There are no unique licensing requirements for operating a cleaning service, sewing shop, or shoe repair shop

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

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- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

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DETAILED STEPS

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TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements for operating a cleaning service, sewing shop, or shoe repair shop in Lowell.

- 3a. However, your dry cleaning/Laundromat business may also require additional licenses for various forms of entertainment offered to customers, including but not limited to: automatic amusement devices (arcade games, usually \$100/yr) and non-live entertainment (jukeboxes, radios, or televisions, typically \$100/yr). Contact the License Commission for application forms and fee info and available through the Office of Economic Development.

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

<https://secure.lowellma.gov/depts/dpd/services/econdev/assistance/businessguide.pdf>

- 3b. Snack or soda machines in your shop require permits from the **Massachusetts Food Protection Program** (FPP). Applications are available for download at the FPP website or you can contact the FPP directly:

*Food Protection Program
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130
617-983-6700*

<http://www.mass.gov/dph/fpp/vendinglic.htm>

In addition, licensing for Retail Vendors of Soft Drinks must be obtained through the Licensing Commission, at a fee of \$10/yr.

Note: Like every sewer user in Lowell, these dischargers are subject to the provision of the Lowell Sewer Use Ordinance. Contact Utility Pretreatment at 978-970-4248.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

Provide information about the type of business you plan to open and the address. According

to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

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After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

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- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978- 446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. **The Lowell Historic Board** is the City’s historic preservation agency. Central to the Board’s responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

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www.historiclowell.net

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Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are ¼ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are ½ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
(978) 970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor’s ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4”- 1’-0” min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor’s certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of

corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**.

Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
(617) 887-MDOR (6367)
(800) 392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Dry Cleaner



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - Obtain the appropriate permits from the **Massachusetts Department of Environmental Protection** and, if applicable, receive ERP Compliance Certification.
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
 - Complete zoning check and get location approved
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”)
 - Get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique **Commercial Site Finder** services.

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In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would

look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets. Depending on the nature of your intended dry cleaning operation, your floor plan should have adequate aisle space, a clear path to all exits in the event of an emergency, and an area designated for hazardous waste storage that is securely away from the public. You must also include your name, two numbers where you can be contacted, and the business address (not a post office box).

3 LICENSING

File the appropriate forms with the **Massachusetts Department of Environmental Protection (DEP)**.

Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108
617-292-5500
<http://www.state.ma.us/dep>

- 2a. Operating a dry cleaning facility requires that you deal properly with potential pollutants such as:
- industrial wastewaters from your separator, vacuum, washing machine or boiler;
 - air contaminants from the perchloroethylene, dry cleaning machines, boilers, or spotting solvents;
 - hazardous waste including waste perchloroethylene, muck, used filters, saturated rags, lint, or wipes.

You will also need to register with the DEP as a generator of hazardous waste. Complete the Hazardous Waste Generator Registration Form if your business is a Very Small Quantity Generator (VSQG) of hazardous waste (less than 220 pounds per month). You can download the form from the DEP website:

<http://www.mass.gov/dep/bwp/dhm/hwforms.htm>

If your business will be a Small Quantity Generator (SQG) of hazardous waste (220-2,200 pounds per month) or a Large Quantity Generator of hazardous waste (more than 2,200 pounds per month), you need to file a Notification of Hazardous Waste Activity Form. Go to DEP's website:

<http://www.mass.gov/dep>

Click on the e-DEP icon, and register with e-DEP. Log in, then click online forms. The Notification of Waste Activity is in the drop down list. You will be prompted for your EPA ID number and your Tax ID number.

If DEP does not have this information on file for your facility, or if you do not have an EPA ID number, you should submit the "RCRA Notification of HW Activity Preliminary Form." DEP will use the information from the preliminary form to set up your facility, and will send back an email with the code needed to complete the

notification.

As a Lowell business owner, you will need to return the completed form to the **DEP Northeastern Office** (Attn: BWP).

*Massachusetts Department of Environmental Protection
Northeastern Regional Office
205B Lowell Street
Wilmington, Massachusetts 01887
978-694-3314
dep.neroinfo@state.ma.us*

- 2b. Obtain Environmental Results Program (ERP) Certification from the Massachusetts DEP **unless** your dry cleaning business will not conduct cleaning operations onsite, will not use perchloroethylene, or will use only coin operated dry cleaning machines. ERP is an annual certification process covering air pollution, industrial waste, and hazardous waste management requirements.
- 2c. In some cases, your facility could require additional permitting beyond ERP to comply with federal, state, or local environmental regulations. This may include (but is not limited to) the following:
 - industrial wastewater from your facility, including wet laundry wastewater, will discharge into a storm drain, waterbody, waterway, certified wetland, the ground, or sewer;
 - in a year, your facility will use more than 2,100 gallons of perchloroethylene in dry-to-dry machines or 1,800 gallons of perchloroethylene facility-wide where transfer machines are in use.
 - in a year, your facility will use more than 10,000 pounds of toxic chemicals on the federal CERCLA or EPCRA chemical lists.

Note: The use of alternative cleaning methods (e.g. wet cleaning) provides cleaning professionals some relief from environmental regulations and generally poses fewer health risks. For information, contact the Toxic Use Reduction Institute (TURI) at UMass-Lowell. TURI offers a number of educational and instructional products for the small business owner on toxic pollution prevention and mitigation and can help you make an informed decision about the most effective way to operate your business.

*TURI/University of Massachusetts at Lowell
One University Avenue
Lowell, MA 01854-2866
978-934-3346
<http://community.turi.org/smallbusiness/resourcelinks.shtml#2>*

- 2c. Your dry cleaning/Laundromat business may also require additional licenses for various forms of entertainment offered to customers, including but not limited to: automatic amusement devices (arcade games, usually \$100/yr) and non-live entertainment (jukeboxes, radios, or televisions, typically \$100/yr). Contact the License Commission for application forms and fee info.

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Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
(978) 970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction

- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4'' - 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell

Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

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The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

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City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
(617) 887-MDOR (6367)
(800) 392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Flower Shop



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- Obtain the appropriate license(s) or certificate(s)
- If you plan to *grow* “woody plants,” obtain a Agriculture Grower’s certificate from the Massachusetts Department of Food and Agriculture
- If you plan to *sell* “woody plants,” obtain an Agent’s certificate from the **Massachusetts Department of Food and Agriculture**
- If you plan to sell flowers on the sidewalk, obtain Hawkers and Peddlers licenses from the **Massachusetts Division of Standards** and the **Lowell License Commission**

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk’s Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business’s facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: (978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property will look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no specific licenses for florists vending cut flowers and annuals, but other licenses or certificates may apply.

- 2a. If you intend to open a shop that will grow or sell “nursery stock” then your business will be subject to regulation by the **Massachusetts Department of Food and Agriculture’s Bureau of Farm Products & Plant Industries**. Nursery stock includes “woody plants” such as rose bushes, shrubs, trees, rhododendrons (including azaleas), and many household plants.

*Massachusetts Department of Food and Agriculture
Bureau of Farm Products & Plant Industries
251 Causeway Street #500
Boston, MA 02114
617-626-1700
<http://www.state.ma.us/dfa>*

If you intend to sell regulated nursery stock, you will need an Agent’s License. You can obtain an application by calling the Massachusetts Department of Food and Agriculture or visiting their website:

http://www.mass.gov/agr/farmproducts/plants/agent_application.htm

If you intend to cultivate nursery stock for subsequent sale, you will need a Grower’s Certificate. Your business will also be subject to an inspection fee based on the size of your operation. For a fee schedule and an application for your certificate, visit the Bureau of Farm Products and Plant Industries website:

http://www.mass.gov/agr/farmproducts/plants/nursery_fee_schedule.htm

- 2b. The License Commission does not process the state license for hawker and peddler. The License Commission grants and issues for the City of Lowell, a hawker and Peddler license for **fruits and vegetables** (a person is not required to have this license if he or she grows their own produce to sell), and a license for **fish**.

There is no local hawker and peddler permit required to sell hot dogs, sausage, tee shirt, frozen ice, ice cream.

A prospective street vendor with a state license issued by the Massachusetts Division of Standards who looks to operate from a site in the **downtown central business district**, bordered by Market, Dutton, French, and Bridge Streets, needs prior approval from the License Commission but must first consult the Special Events Coordinator. The annual fee is \$500 for a specific site, or \$50 per day for a specific site, if a site is approved. Areas surrounding Tsongas Arena, and LeLacheur Arena are off limits to street vendors per city ordinance.

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 0185
978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
(978) 970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a “Notice of Intent” with the Conservation Commission prior to work on your project. The “Notice of Intent” is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all “Notice of Intent” forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an “Order of Conditions,” which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City’s historic preservation agency. Central to the Board’s responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board’s staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts’ historic settings and design review standards.

*JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

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Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

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Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

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Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

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- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Home Improvement



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LICENSING

- Become a registered Home Improvement Contractor

3 LOCATION

- Choose a location and draft a detailed floor plan

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LICENSE

Select a location and draft a detailed floor plan. To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique **Commercial Site Finder** services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: (978) 970-4262
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property will look like when the work is complete. The floor plan does not need to be prepared professionally.

but must show all planned furniture, 5doors, windows, equipment, plumbing and electrical outlets.

3 LOCATION

Register with the **Massachusetts Board of Building Regulations and Standards (BBRS)**.

- 2a. If you plan to do residential contracting including, but not limited to, carpentry, roofing, siding, and/or window work, then you must register with the BBRS **Massachusetts Home Improvement Contractor Program**. Call the Home Improvement Contractor Program office at 617-727-7532 to request an application or download the forms online. Depending on scope of your intended business or your professional background, you may be exempt from the registration requirement.

*Massachusetts Home Improvement Contractor Registration Program
State Board of Building Regulations and Standards
One Ashburton Place, Room 1301
Boston, MA 02108
617- 727-7532
<http://www.state.ma.us/bbrs/hic.htm>*

- 2b. Return your completed application and two certified checks or money orders for your registration fee and one-time Guaranty Fund contribution. Licensed constructions supervisors in good standing are exempt from the registration fee but everyone is required to donate to the Guaranty Fund, which reimburses up to \$75,000 of any damages incurred by a home owner whose contractor violates the law. As a sole proprietor, your mandatory donation will be \$100.

Note: Home Improvement Contractor Registration does not give you the authority to perform the duties of a licensed tradesman such as a plumber or electrician. If you plan to become a licensed plumber or electrician, please contact the **Massachusetts Division of Professional Licensure** for details.

*Massachusetts Division of Professional Licensure
239 Causeway Street, Suite 500
Boston, MA 02114*

- *Board of State Examiners of Plumbers & Gasfitters, 617-727-9952,
<http://www.mass.gov/dpl/boards/pl>*
- *Board of State Examiners of Electricians, 617-727-9931,
<http://www.mass.gov/dpl/boards/el>*

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978- 446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the

Conservation Commission.

- 4c. The Lowell Historic Board is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
(978) 446-7200
www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are ¼ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are ½ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond "Ordinary repairs," you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor’s ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4”- 1’-0” min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor’s certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of

corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

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Interior Decorator



CHECKLIST

- 1 BUSINESS PLAN**
 - . Draft a business plan
- 2 LOCATION**
 - . Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - . There are no unique licensing requirements for operating an interior decorator business
- 4 ZONING AND PERMITTING**
 - . Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
 - . Complete zoning check and get location approved
 - . Obtain a Building Permit for any planned renovation or construction on the property
 - . Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - . Visit the **Lowell City Clerk's Office**
 - . File for a City of Lowell business certificate (DBA – “Doing Business As”)
 - . Get form notarized
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- 6 TAXES**
 - . Visit the **City of Lowell Assessing Department**
 - . File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - . Contact the **Massachusetts Department of Revenue**
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- 8 INTERNAL REVENUE SERVICE**
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- 9 INSURANCE**
 - . Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
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For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

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The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

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Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements to operate an interior decorating business in Massachusetts. Interior decorators can and often do work without formal credentials or training. However, decorating is a very competitive field and you may want to consider becoming certified with the American Society of Interior Designers (ASID) or a similar trade association before starting your business. To become certified you will need to pass the National Council of Interior Design Qualification exam. This exam tests your understanding of national, state, and local building and fire safety codes, spatial planning, and project management. For more information on interior design versus interior decorating, contact ASID or visit their website:

American Society of Interior Designers
608 Massachusetts Ave., NE
Washington, DC 20002
202-546-3480
<http://www.asid.org>

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

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JFK Civic Center
50 Arcand Drive
Lowell, MA 01852

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Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)

- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
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The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Landscaper



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- There are no unique licensing requirements for becoming a landscaper

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements for landscaping businesses in Lowell. However, both the Massachusetts Arborists Association and Associated Landscape Contractors of Massachusetts offer optional certification and professional development programs. For more information on becoming a Massachusetts Certified Landscape Professional, contact either the MAA or ALCM.

Massachusetts Arborists Association
8D Pleasant Street
South Natick, MA 01760
508-653-3320
<http://www.massarbor.org>

Associated Landscape Contractors of Massachusetts
8D Pleasant Street
South Natick, MA 01760
508-653-3373
<http://www.alcom.org/membership/program.html>

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list,

and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. **The Lowell Historic Board** is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

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Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

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- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- Obtain all necessary licenses and permits
- File for the appropriate permits from the **Massachusetts Department of Environmental Protection**
- Obtain any other additional applicable licenses

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

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978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

As long as your facility will not service industrial facilities, hospitals/clinics, or commercial uniforms, there are no specific permitting requirements for operating a Laundromat. However, your facility will need to be connected directly to Lowell's Sewer System. The engineer that designs your Laundromat will need to calculate the volume of water discharged into the City sewer system and then check with the Department of Environment Protection as to whether or not you will need a Sewer Extension Permit that would need to be filed with the state.

*City Engineer
375 Merrimack Street
Lowell, MA Lowell, MA 01852
978-970-3331*

- 2a. Laundromats do not typically require additional permits from the **Massachusetts Department of Environmental Protection** (DEP). Depending on the amount of wastewater discharged from your facility, however, your Laundromat may need permits for groundwater discharge. For more information on this and other environmental regulations that could affect your business, contact the DEP Division of Business Compliance or visit their website:

*Division of Business Compliance
Massachusetts Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, Massachusetts 01887
978-694-3314
dep.neroinfo@state.ma.us*

- 2b. If you intend to place snack or soda machines in your Laundromat, you will need permits from the **Massachusetts Food Protection Program** (FPP). Applications can be downloaded at the FPP website or you can contact the FPP directly:

*Food Protection Program
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130
617-983-6700
<http://www.mass.gov/dph/fpp/vendinglic.htm>*

In addition, licensing for Retail Vendors of Soft Drinks must be obtained through the **Licensing Commission**, at a fee of \$10/yr.

- 3d. Your dry cleaning/Laundromat business may also require additional licenses for various forms of entertainment offered to customers, including but not limited to: automatic amusement devices (arcade games, usually \$100/yr) and non-live entertainment (jukeboxes, radios, or televisions, typically \$100/yr). Contact the

License Commission for application forms and fee information, or available through the Office of Economic Development:

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156
www.lowellma.gov*

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

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- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a

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*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a “Notice of Intent” with the Conservation Commission prior to work on your project. The “Notice of Intent” is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all “Notice of Intent” forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an “Order of Conditions,” which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

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Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the

Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address

- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within

seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

Visit the **City Assessor's Department** to file a Form of List for your business. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city.

*City Assessor's Office
City Hall, Room 36
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205*

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business’s needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common

coverage types include liability, property, business interruption, “key man,” automobile, and home office.

- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- Obtain all necessary licenses and permits
- Register your vehicle(s) with the **Massachusetts Registry of Motor Vehicles** to obtain livery plates
- Obtain any other additional applicable licenses

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
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- Obtain a Building Permit for any planned renovation or construction on the property
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The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

Obtain all applicable licenses and permits.

- 3a. Visit your local branch of the Massachusetts Registry of Motor Vehicles (RMV). Obtain the appropriate license for operating the vehicle(s) you will use to transport passengers. Your vehicle(s) must have livery plates and meet Massachusetts' inspection standards. Upon receiving your federal tax ID number (see Step 8), you may register your livery vehicles with the Registry of Motor Vehicles:
- You must acquire livery plates for each vehicle that you intend to use to carry passengers.
 - You will pay a minimum of \$80 dollars for each vehicle. If a vehicle has seven or fewer passenger seats, the additional fee per seat is \$6. If the vehicle has more than seven seats, it will cost you \$8 per seat in addition to the \$80 minimum fee.

For information on fees for registering your vehicle(s), visit the RMV website:

<http://www.mass.gov/rmv/fees/registration/index.htm#otherspecialty>

A designated livery vehicle is not permitted to have more than 15 passengers. There are different rules pertaining to vehicles that are legally considered buses. If you need to check on the status of your vehicle, call the RMV at 617-351-4500.

- 3b. Livery vehicles transporting more than nine passengers are required to have a Certificate of Compliance for Charter Service from the **Transportation Division** of the **Massachusetts Department of Telecommunications and Energy** (DTE).

Massachusetts Department of Telecommunications and Energy
One South Station
Boston, MA 02110
617-305-3559
<http://www.mass.gov/dte>

After you have submitted your application, you will be contacted by the DTE to discuss additional requirements for charter services.

- 3c. Livery services traveling on I-90, the I-93 tunnel, the South Station tunnel, and the Boston Harbor tunnels need a Common Carrier License from the **Massachusetts Turnpike Authority**.

Massachusetts Turnpike Authority
State Transportation Building
10 Park Plaza, Suite 4160
Boston, MA 02116
617-248-2847

- 3d. Vehicles that transport passengers across state lines and weigh more than 10,000

pounds need to register with the **U.S. Department of Transportation**.

*Department of Transportation
Motor Carrier Safety
55 Broadway, Bldg. 3
Cambridge, MA 02142
617-494-2270
<http://www.fmcsa.dot.gov/index.htm>*

- 3e. Vehicles operating in and out of Logan Airport must obtain a letter from a city official (on official letterhead) stating that the city has no objections to your business before filing for permission from the **Massport Ground Transportation Unit (GTU)**. Your operating agreement will require the following:
- proof of insurance for the certificate holder that covers at least: \$250,000 of bodily injury per person, \$500,000 of bodily injury per accident, and \$100,000 in property damage;
 - a Certificate of Insurance with a broker's stamp, authorized signature, and the name of the certificate holder;
 - a list of fleet vehicles;
 - a certified check or money order for the appropriate fee. (You will have to pay 3 months of operating fees in advance);
 - vehicles with operational air conditioning, a clean luggage compartment, and working seat belts.

For more information, visit the Massport website:

<http://www.massport.com/logan/faq.html>

You should also request a copy of *740 CMR23.00 – Rules and Regulations for the Operation of Commercial Ground Transportation Services at Boston-Logan International Airport*.

*Massport Authority
1 Harborside Drive, Suite 200A
East Boston, MA 02128
617-561-1633*

Note: Massport offers commercial vehicles using alternative fuel and/or power sources recognized by the Energy Policy Act a 25 percent discount per outbound trip. This could be cost-effective if your business will make frequent trips to and from the airport. For more information contact Logan Ground Transport: 800-23-LOGAN.

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*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
978-446-7108*

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(978) 970-4149*

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www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

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Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are ¼ of 1% of the total

project cost (minimum of \$25, maximum of \$1,000). Major Development fees are ½ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor’s ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4”- 1’-0” min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor’s certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

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Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

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5 BUSINESS CERTIFICATE

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*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
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After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

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6 TAXES

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.

- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Restaurant



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- Obtain all necessary licenses and permits
- Visit the **City of Lowell Licensing Board** to file for a Common Victuallers
- License and obtain any other applicable licenses
- If you plan to sell or serve milk or frozen desserts, visit the **Food Division** of the **City of Lowell Inspectional Services Department** and complete the Application to Dispense Milk or Frozen Desserts
- Become a certified Food Safety Manager, if applicable

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

Become or hire a certified Food Safety Manager. For more information on the certification process, contact the Lowell Health Department.

Tip: Massachusetts currently does not require training for certification. It is, however, strongly recommended. Call the Health Department to request a list of training courses available in your area.

*Health Department
341 Pine St.
Lowell, MA 01851
Phone: 978-970-4010
Fax: 978-970-4011*

If you do not plan to hire an employee who is a certified Food Safety Manager, then you must be a certified Food Safety Manager to operate a small restaurant business. Food Safety Certification courses are offered by the Massachusetts Restaurant Association (MRA):

- The MRA ServSafe Food Safety Training Classes are offered at varying times in Lowell and Haverhill. Check the MRA website at <http://www.marestaurantassoc.org> to view their calendar for the course offering schedule. Cost for non-members is \$175, while MRA members are charged \$120. Courses are also offered by the Brunetta Association at its Lowell training facility.
- To request an application be sent to you, call the Brunetta Association at 978-688-8745. Once your application has been processed, you will receive a course workbook approximately 2 weeks before your course is scheduled to start. Cost is \$139.95. Northern Essex Community College offers ServSafe food safety certification courses through Continuing Education Services at its Haverhill campus. Cost is \$120 + \$59 for materials.
- To register for the course by phone with a credit card, call NECC Continuing Education at 1-800-632-2123 ext.4

3a. Contact the Health Department to obtain the necessary permits:

As a restaurant owner, you will be required to obtain an annual Common Victualler's Permit (\$50), and also may be subject to permitting for frozen desserts (\$50/yr), eliminated, combined with annual food permit, carbonated non-alcoholic beverages (\$75/yr).

The process for obtaining a permit or license through the Health Department is composed of the following steps:

- Any person desiring to open a food service establishment should file a written application for a license on a form provided by the Health Department along with the appropriate fee. The application should include the following information:
 - the applicant's name
 - the name and location of the food service establishment

- the type of food establishment (i.e. food service establishment, retail food store or residential kitchen)
- the type of permit (i.e. annual, seasonal, or temporary)
- the signature of the applicant.
- After your application is reviewed, an inspector will visit your site and will perform a comprehensive inspection to ensure that the standards of the State Sanitary Code have been followed. If violations of the State Sanitary Code are present at the site, the inspector will work with the proprietor(s) to resolve these issues. Barring any problems being found during inspection, the Health Department will issue your permit within several working days.
- There will be a bi-annual review and inspection of your food establishment to ensure that the proprietor continues to comply with the State Sanitary Code.
- All permits will expire no later than one year from the date issued. All food service establishments must apply for permit or license renewal at least thirty days prior to the expiration of the permit.

Note: We require restaurants (with seating for 25 or more) to employ one person Trained in anti choking procedures. We also require conformance with state tobacco Regulations.

- 3b. If you want to serve alcohol, you must obtain a liquor license through the **License Commission**.

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852*

Within 10 days after the receipt of an application, the City's License Commission must publish, at the applicant's expense, a notice of the application in a Lowell newspaper. The License Commission must hold a hearing on the license application no sooner than 10 days after the notice appears in the newspaper. *If a notice is not sent to any abutter as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

If the proposed premises are within 500 feet of a church, hospital or school, a copy of the published notice must be sent, by registered mail, to any of these institutions. Applicants who are inn-holders and applicants who are located 10 or more floors above street level are not required to send these notices. The notice must state that **any** written objection by the governing body of the church, hospital or school must be filed with the City's License Commission to oppose the issuance of this license. *If a notice is not sent to any church, hospital or school as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

After the submission of a notice to a Lowell newspaper, the License Commission must act on your application within 30 days. Within three days of local approval, the License Commission must submit your application to the State Alcoholic Beverages Control Commission (ABCC) for review and approval. Within 7 days of receipt of ABCC approval, the License Commission will issue your license. For more information about the state investigative process contact the ABCC or go to their website:

*Massachusetts Alcoholic Beverage Control Commission
239 Causeway Street
Boston, MA 02114
617-727-3040*

The ABCC will have an investigator visit or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' questions.

Upon final approval, you will be assessed a fee of \$2,500.00/Year by the License Commission for a restaurant liquor license.

- 3d. Your restaurant may also require additional licenses for various forms of entertainment, including but not limited to: automatic amusement devices (coin-controlled games), public dances, non-live entertainment (jukeboxes, radios, or televisions), and live entertainment. Contact the License Commission for application forms and fee information and available through the Office of Economic Development:

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of

your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. **The Lowell Historic Board** is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

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City Hall, First Floor
375 Merrimack Street
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978-970-4161*

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Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

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The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1

to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business’s needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, “key man,” automobile, and home office.

- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Retail Store



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - There are no unique licensing requirements for retail stores (unless you intend to vend tobacco, alcohol, junk, pawned goods, or antiques)
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
 - Complete zoning check and get location approved
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”)
 - Get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder program.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements for starting a retail store in Lowell. However, you should be aware that certain products are subject to additional regulation. If you intend to vend any of the following products, please contact the appropriate agency for more information.

- Tobacco: **Massachusetts Department of Revenue**, Cigarette Tax Unit at 617-887-5090 or visit <http://www.dor.state.ma.us/cigarette/cigarette.htm>
- Antiques, pawned goods, junk: Contact the **Lowell License Commission** at 978-970-4156 for permitting info:
 - Junk Collector \$10.00/Year
 - Junk Dealer \$300.00/Year
 - Old Gold, Silver and Platinum \$50.00/Year
 - Pawnbroker \$100.00/Year
 - Second-Hand Articles and/or Clothing \$25.00/Year

Alcohol: If you want to sell alcohol, you must obtain a retail liquor license through the **License Commission**.

Obtain an application from the License Commission.

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852*

Within 10 days after the receipt of an application, the City's License Commission must publish, at the applicant's expense, a notice of the application in a Lowell newspaper. The License Commission must hold a hearing on the license application no sooner than 10 days after the notice appears in the newspaper. *If a notice is not sent to any abutter as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

If the proposed premises are within 500 feet of a church, hospital or school, a copy of the published notice must be sent, by registered mail, to any of these institutions. Applicants who are inn-holders and applicants who are located 10 or more floors above street level are not required to send these notices. The notice must state that any written objection by the governing body of the church, hospital or school must be filed with the City's License Commission to oppose the issuance of this license. *If a notice is not sent to any church, hospital or school as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

After the submission of a notice to a Lowell newspaper, the License Commission must act on your application within 30 days. Within three days of local approval, the License Commission must submit your application to the State Alcoholic Beverages Control Commission (ABCC) for review and approval. Within 7 days of receipt of ABCC approval, the License Commission will issue your license. For more information about the state investigative

process contact the ABCC or go to their website:

*Massachusetts Alcoholic Beverage Control Commission
239 Causeway Street
Boston, MA 02114
617-727-3040*

The ABCC will have an investigator visit or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' questions.

TIP: If you wish to sell items on the sidewalk outside of your store, you may need a sidewalk stand permit. Please contact the Lowell License Commission for more information: 978-970-4252.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's

Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a “Request for Determination of Applicability” form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a “Notice of Intent” with the Conservation Commission prior to work on your project. The “Notice of Intent” is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all “Notice of Intent” forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an “Order of Conditions,” which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City’s historic preservation agency. Central to the Board’s responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board’s staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts’ historic settings and design review standards.

*JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure,

or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)

- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code

regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978- 970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

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The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

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In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR's Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts' sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

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Internal Revenue Service
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Boston, MA 02203
617-316-2850
<http://www.irs.gov>

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Sewing Shop



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- There are no unique licensing requirements for operating a sewing shop

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements for operating a cleaning service, sewing shop, or shoe repair shop in Boston.

- 3a. However, your dry cleaning/Laundromat business may also require additional licenses for various forms of entertainment offered to customers, including but not limited to: automatic amusement devices (arcade games, usually \$100/yr) and non-live entertainment (jukeboxes, radios, or televisions, typically \$100/yr). Contact the License Commission for application forms and fee info, or refer to the matrix on pages 18-19 in the Lowell Guide For Businesses, available through the Office of Economic Development:

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

<https://secure.lowellma.gov/depts/dpd/services/econdev/assistance/businessguide.pdf>

- 3b. Snack or soda machines in your shop require permits from the **Massachusetts Food Protection Program** (FPP). Applications are available for download at the FPP website or you can contact the FPP directly:

*Food Protection Program
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130
617-983-6700*

<http://www.mass.gov/dph/fpp/vendinglic.htm>

In addition, licensing for Retail Vendors of Soft Drinks must be obtained through the Licensing Commission, at a fee of \$10/yr.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: (978) 446-7108*

Provide information about the type of business you plan to open and the address. According

to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

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www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond "Ordinary repairs," you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor’s ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4”- 1’-0” min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor’s certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of

corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

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- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

The Assessor's Department offers several online services that make property evaluation. The Assessor's Database offers a Geographic Information Service (GIS) feature that provides details of properties and assessments for ALL property types. On-line bill payments of parking fees, excise taxes and real estate tax is available at <http://www.lowellma.gov/services/obp>.

Signing up for this service is free and allows you to access, view, and schedule to pay your bills through Metropolitan Communications (MCC), a 3rd party merchant. Create a user profile, and then your quarterly real estate bill will be available for online payment from the day you receive it.

For guidance on other tax issues please contact The City of Lowell Treasurer's Office.

*The Treasurer's Office
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4222
Fax: 978-970-4205*

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc

Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Shoe Repair



CHECKLIST

1 BUSINESS PLAN

- Draft a business plan

2 LOCATION

- Choose a location and draft a detailed floor plan

3 LICENSING

- There are no unique licensing requirements for operating a shoe repair shop

4 ZONING AND PERMITTING

- Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- Complete zoning check and get location approved
- Obtain a Building Permit for any planned renovation or construction on the property
- Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- Visit the **Lowell City Clerk's Office**
- File for a City of Lowell business certificate (DBA – “Doing Business As”)
- Get form notarized
- Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- Visit the **City of Lowell Assessing Department**
- File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- Contact the **Massachusetts Department of Revenue**
- File Massachusetts state tax forms for your business
- Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- Call the **Internal Revenue Service office in Boston**
- File federal tax forms for your business
- Get a federal tax identification number

9 INSURANCE

- Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

Lowell Small Business Assistance Center
88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

There are no unique licensing requirements for operating a cleaning service, sewing shop, or shoe repair shop in Boston.

- 3a. However, your dry cleaning/Laundromat business may also require additional licenses for various forms of entertainment offered to customers, including but not limited to: automatic amusement devices (arcade games, usually \$100/yr) and non-live entertainment (jukeboxes, radios, or televisions, typically \$100/yr). Contact the License Commission for application forms and fee info, or refer to the matrix on pages 18-19 in the Lowell Guide For Businesses, available through the Office of Economic Development:

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

<https://secure.lowellma.gov/depts/dpd/services/econdev/assistance/businessguide.pdf>

- 3b. Snack or soda machines in your shop require permits from the **Massachusetts Food Protection Program** (FPP). Applications are available for download at the FPP website or you can contact the FPP directly:

*Food Protection Program
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130
617-983-6700*

<http://www.mass.gov/dph/fpp/vendinglic.htm>

In addition, licensing for Retail Vendors of Soft Drinks must be obtained through the Licensing Commission, at a fee of \$10/yr.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108*

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You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc

Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Small Grocery Store



CHECKLIST

1 BUSINESS PLAN

- . Draft a business plan

2 LOCATION

- . Choose a location and draft a detailed floor plan

3 LICENSING

- . Obtain all necessary licenses and permits
- . File for appropriate licenses with the **Lowell Health Department**
- . File for the appropriate alcohol license (if applicable) with the **License Commission**
- . File for other miscellaneous permits, if appropriate

4 ZONING AND PERMITTING

- . Visit the **Zoning Office** at the City of Lowell to run a zoning check at your location
- . Complete zoning check and get location approved
- . Obtain a Building Permit for any planned renovation or construction on the property
- . Obtain a Certificate of Occupancy, if applicable

5 BUSINESS CERTIFICATE

- . Visit the **Lowell City Clerk's Office**
- . File for a City of Lowell business certificate (DBA – “Doing Business As”)
- . Get form notarized
- . Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- . Visit the **City of Lowell Assessing Department**
- . File the appropriate forms, then begin bill payments in person, by mail, or online.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

- . Contact the **Massachusetts Department of Revenue**
- . File Massachusetts state tax forms for your business
- . Get a Sales Tax Registration Number and Certificate

8 INTERNAL REVENUE SERVICE

- . Call the **Internal Revenue Service office in Boston**
- . File federal tax forms for your business
- . Get a federal tax identification number

9 INSURANCE

- . Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
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- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

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Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property will look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

Obtain all necessary licenses and certifications.

- 3a. Become or hire a certified Food Safety Manager. For more information on the certification process, contact the Lowell Health Department.

Note: Massachusetts currently does not require training for certification. It is, however, strongly recommended. Call the Health Department to request a list of training courses available in your area.

*Health Department
341 Pine Street
Lowell, MA 01851
Voice: 978-970-4010
Fax: 978- 970-4011*

- 3b. Contact the Health Department to obtain the necessary permits:

As a grocery store owner, you will be required to obtain an annual Retail Vendors \$100 per year- and also may be subject to permitting for frozen desserts (\$50/yr) eliminated, combined with annual food permit, carbonated non-alcoholic beverages (\$75/yr).

The process for obtaining a permit or license through the Health Department is composed of the following steps:

- Any person desiring to open a food service establishment should file a written application for a license on a form provided by the Health Department along with the appropriate fee. The application should include the following information:
 - the applicant's name
 - the name and location of the food service establishment
 - the type of food establishment (i.e. food service establishment, retail food store, or residential kitchen)
 - the type of permit (i.e. annual, seasonal, or temporary)
 - the signature of the applicant.
- After your application is reviewed, an inspector will visit your site and will perform a comprehensive inspection to ensure that the standards of the State Sanitary Code have been followed. If violations of the State Sanitary Code are present at the site, the inspector will work with the proprietor(s) to resolve these issues. Barring any problems being found during inspection, the Health Department will issue your permit within several working days.
- There will be a bi-annual review and inspection of your food establishment to ensure that the proprietor continues to comply with the State Sanitary Code.
- All permits will expire no later than one year from the date issued. All food service establishments must apply for permit or license renewal at least thirty days prior to the expiration of the permit.

3d. Additionally, if you intend to sell any of the following products, please contact the appropriate agency for more information:

- Tobacco: **Massachusetts Department of Revenue**, Cigarette Tax Unit at 617-887-5090 or visit <http://www.dor.state.ma.us/cigarette/cigarette.htm>
- Lottery: **Massachusetts Lottery Commission** at 800-462-0234 x 739 or <http://www.masslottery.com/ForAgents.htm>
- Seafood (not canned products): **Massachusetts Department of Public Health**, Food Protection Program at 617-983-6700 and the **Massachusetts Division of Marine Fisheries** at 617-626-1520

Note: If your grocery store will stock canned, frozen, and perishable foods in all four staple foods groups (breads/cereals, dairy products, fruits/vegetables, and meat/poultry/fish), you may be eligible to accept food stamps. For more information on obtaining a license, contact the New England office to the **U.S. Department of Agriculture, Food and Nutrition Service**.

*U.S. Department of Agriculture
Causeway Street, Room 501
Boston, MA 02222-1060
617-565-6380*

You can also request an application online at:

<http://www.fns.usda.gov/fsp/retailers/application.htm>

3e. If you want to sell alcohol, you must obtain a liquor license through the **License Commission**.

Obtain an application from the License Commission.

*License Commission
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4156*

Within 10 days after the receipt of an application, the City's License Commission must publish, at the applicant's expense, a notice of the application in a Lowell newspaper. The License Commission must hold a hearing on the license application no sooner than 10 days after the notice appears in the newspaper. *If a notice is not sent to any abutter as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

If the proposed premises are within 500 feet of a church, hospital or school, a copy of the published notice must be sent, by registered mail, to any of these institutions. Applicants who are inn-holders and applicants who are located 10 or more floors above street level are not required to send these notices. The notice must state that any written objection by the governing body of the church, hospital or school must be filed with the City's License Commission to oppose the issuance of this license. *If a notice is not sent to any church, hospital or school as required and there is a written complaint to the License Commission or the ABCC to that effect, any license that is issued may be cancelled.*

After the submission of a notice to a Lowell newspaper, the License Commission must act on your application within 30 days. Within three days of local approval, the License Commission must submit your application to the State Alcoholic Beverages Control Commission (ABCC) for review and approval. Within 7 days of receipt of ABCC approval, the License Commission will issue your license. For more information about the state investigative process contact the ABCC or go to their website:

*Massachusetts Alcoholic Beverage Control Commission
239 Causeway St.
Boston, MA 02114
617-727-3040*

The ABCC will have an investigator visit or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' questions.

Upon final approval, you will be assessed a fee of \$2,000.00/Year by the License Commission for a package retail liquor license.

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108*

Provide information about the type of business you plan to open and the address. According to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978-970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to

develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978- 446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

*JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net*

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond “Ordinary repairs,” you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)

- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor's ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4''- 1'-0'' min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor's certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**. Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being

enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4159*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

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Boston, MA 02203
617-316-2850
<http://www.irs.gov>

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business's needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

TV/Radio Repair Shop



CHECKLIST

- 1 BUSINESS PLAN**
 - Draft a business plan
- 2 LOCATION**
 - Choose a location and draft a detailed floor plan
- 3 LICENSING**
 - Become a Licensed Master Technician for Television and Radio Repair
- 4 ZONING AND PERMITTING**
 - Visit the **Zoning Office** of the City of Lowell to run a zoning check on your location.
 - Complete zoning check and get location approved
 - Obtain a Building Permit for any planned renovation or construction on the property
 - Obtain a Certificate of Occupancy, if applicable
- 5 BUSINESS CERTIFICATE**
 - Visit the **Lowell City Clerk's Office**
 - File for a City of Lowell business certificate (DBA – “Doing Business As”)
 - Get form notarized
 - Submit notarized form with a check or money order in the amount of the filing fee
- 6 TAXES**
 - Visit the **City of Lowell Assessing Department**
 - File the appropriate forms, then begin bill payments in person, by mail, or online.
- 7 MASSACHUSETTS DEPARTMENT OF REVENUE**
 - Contact the **Massachusetts Department of Revenue**
 - File Massachusetts state tax forms for your business
 - Get a Sales Tax Registration Number and Certificate
- 8 INTERNAL REVENUE SERVICE**
 - Call the **Internal Revenue Service office in Boston**
 - File federal tax forms for your business
 - Get a federal tax identification number
- 9 INSURANCE**
 - Do a risk assessment and inventory of your business's facility and property



DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

For additional information about crafting a business plan and entering the Lowell market, consult the **Lowell Small Business Assistance Center (SBAC)**:

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88 Middle Street, Second Floor
Lowell, MA 01852
978-322-8400
www.lowellsbac.org

The SBAC will be an excellent resource throughout the entire process, and can provide assistance with many facets of opening a small business, including education, legal counseling, and financing assistance.

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix I, “Navigating the Regulations to Become an Employer.”

2 LOCATION

To begin the site searching process, contact the **Lowell Office of Economic Development**. You can fill out a form, available online and at the office, to initiate a query with the Office’s unique Commercial Site Finder services.

Office of Economic Development
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014
www.lowellma.biz

In addition to assisting you through the site search, the Office will be an invaluable resource throughout the business opening process. It can provide additional information on licensing and permitting, tax incentives, and workforce development.

Draft a detailed floor plan in anticipation of your submission to Inspectional Services. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work is complete.

The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing and electrical outlets.

3 LICENSING

Become a Licensed Master Technician for Television and Radio with the Board of Television and Radio Repair.

*Board of Registration of Radio and Television Technicians
Division of Professional Licensure
239 Causeway Street, Suite 500
Boston, MA 02114
617-727-4459
<http://mass.gov/dpl/boards/tv/index.htm2a>*

2a. Before you can become a Master Technician you must receive a basic technician's license, also called a learner's permit. To obtain your learner's permit you must meet the following requirements:

- be at least 18 years old;
- pay the appropriate fee to the **Division of Professional Licensure**;
- have a licensed Master Technician submit a written statement made under oath certifying that you are employed with him or her, will work directly under his or her supervision, and that he or she will be jointly responsible for the quality of your work.

The learner's permit is effective for the duration of employment with the Master Technician who sponsors you initially, but for no longer than three years. For an application, visit:

<http://www.mass.gov/dpl/boards/tv/forms/tvappl.pdf>

2b. You are eligible to take the Master Technician licensure exam from the Board of Registration of Television and Radio after you have been a technician with at least one year (2,000 hours) of experience as a technician doing repair and maintenance of radio and TV receivers. For additional information on the exam and obtaining an application to become a Master Technician visit:

<http://www.mass.gov/dpl/boards/tv>

4 ZONING AND PERMITTING

Consult the **Zoning Office** of the City of Lowell to run a zoning check on the location where you want to start your business.

*Zoning Enforcement
City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108*

Provide information about the type of business you plan to open and the address. According

to the City's zoning ordinance, certain land uses are not permissible in certain areas of the City, certain land uses require a "special permit" in order to be permissible in certain areas of the City, and certain aspects of your project may require a "variance" in order to conform with the requirements of the City's Zoning Ordinance.

- 4a. If your location is approved, move on to the next step. If your project does not conform, you will receive a "letter of denial" for your project from the Building Department, with which you can apply to the **Zoning Board of Appeals**.

*Zoning Board of Appeals
City Hall (Second Floor)
375 Merrimack Street
Lowell, MA 01852
978- 970-4149*

After picking up the application forms in process, you will need to submit 14 copies of your application, plot plan(s), letter of denial, tax certification, certified abutter list, and any other requested supporting documentation along with an \$100 application fee. During the application process, you will be able to work with the ZBA office to develop a certified abutter list, which is a list of parties of interest in your project area, for public notification purposes. Following a public hearing, the ZBA will make its decision within 100 days.

The ZBA meets on the 2nd and 4th Tuesday of the month at 6:30 PM in the Mayor's Reception Room at City Hall.

- 4b. If your business is going to conduct any construction or alteration of land within 100 feet of wetlands, waterway or within the 100 year floodplain- *even if you are not entirely sure*- it is advisable to consult the Conservation Commission and submit a "Request for Determination of Applicability" form.

*Conservation Commission
JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200*

If it is determined that you are locating to an environmentally sensitive area, you should file a "Notice of Intent" with the Conservation Commission prior to work on your project. The "Notice of Intent" is a form that notifies the Conservation Commission of your intent to perform work within 100 feet of wetlands, waterway area or within the 100-year floodplain and the scope of work you intend to perform. The Conservation Commission will review all "Notice of Intent" forms at a public hearing, and will issue or deny a permit for the work requested within 21 days of the close of the hearing. The Conservation Commission meets every 1st and 3rd Wednesday of the month at 7:00 PM in the Arthur Hammar Conference room at the JFK Civic Center.

The permit that is issued is called an "Order of Conditions," which outlines the conditions under which you may perform work in an area under the jurisdiction of the Conservation Commission.

- 4c. The Lowell Historic Board is the City's historic preservation agency. Central to the Board's responsibilities is its design review, permitting, and enforcement authority in the Downtown Lowell Historic District and nine additional neighborhood districts. In addition to its design review and permitting activities, the Board also provides technical assistance regarding preservation and design citywide, maintains a comprehensive survey of over 2,500 historic resources in Lowell, and runs an active education and outreach program including newsletter, house marker program, and the annual Doors Open Lowell event.

The best way to determine whether the work you are contemplating must be reviewed by the Historic Board is to consult with the Board staff. The Board's staff and its Design Review Committee, that includes Lowell National Historical Park architects, can provide guidance and assist applicants in ensuring that projects are consistent with the various districts' historic settings and design review standards.

JFK Civic Center
50 Arcand Drive
Lowell, MA 01852
978-446-7200
www.historiclowell.net

Within the Downtown Lowell Historic District and Acre Neighborhood District, the erection, demolition, reconstruction, or alteration of any exterior architectural feature (as well as interior when it affects the exterior appearance) of any building, structure, or parcel requires approval by the Historic Board. Within eight other neighborhood districts, no demolition or new construction of a structure can occur until approval has been granted by the Historic Board. By state law, no City department, board, or commission can issue any permits or approvals in the ten districts overseen by the Historic Board until its approval has first been granted.

Work classified as Minor Development includes, but is not limited to, cleaning, painting, ordinary maintenance, repairing or replacing architectural elements according to historically compatible plans, signage, and awnings. These are administrative items and do not require a public hearing. Work identified as Major Development requires a public hearing and includes all other changes including, but not limited to, complete rehabilitation, demolition, and new construction.

Minor Development decisions generally take seven days while Major Development decisions generally take 30 days. However these time periods are averages with completeness of applications, appropriateness of proposals, and timing of application submittals all affecting the review process.

Application fees for signs are \$25. Minor Development fees are $\frac{1}{4}$ of 1% of the total project cost (minimum of \$25, maximum of \$1,000). Major Development fees are $\frac{1}{2}$ of 1% of the total project cost (minimum of \$50, maximum of \$2,000).

- 4d. If you are performing renovations beyond "Ordinary repairs," you will be required to file for and obtain a building permit from the **Inspectional Services Department** through a licensed construction supervisor.

*Inspectional Services Department
375 Merrimack Street
Lowell, MA 01852
978-970-4036*

Renovations outside of “ordinary repairs” include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or of change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alterations of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system, or other work affecting public health or general safety.

A building permit application form must be obtained from City Hall, and should be submitted with the following additional materials:

- Overlay district, variance/special permit (*if any*)
- Owner (*application must be made & signed by the owner of the record as shown at the Registry of Deeds*)
- Lot size (*in square feet*)
- Type of work
- Class of construction
- Contractor (*if there is to be one*)
- Proposed use
- Architect (*for structures over 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/ or engineer*)
- Description of work (*in general terms*)
- Flood plain
- Public or private sewer and water
- Address
- Value of work (*include all labor and donations*)
- Tax exempt property
- Zoning district
- Assessor’s ID number

The application must be accompanied by three sets of working drawings unless review by the Fire Department is required in which case you need four sets. The plans are to be drawn to scale (1/4”- 1’-0” min. for houses, industry standards for larger commercial buildings) showing exactly what is to be built. The plans must show sufficient detail of the work and compliance with the State Building Code. All plans submitted to Inspectional Services Department for review should include floor plans, framing/structural plans, elevations, mechanical plans, sections, a surveyor’s certified plot plan and other miscellaneous plans. *The building inspector has the authority to waive the requirements for submitting plans if the work is of a minor nature.*

Upon approval of Inspectional Services, you will need to pay a fee, which is based on the type of project and the total cost of the project. The Inspectional Service Staff will review the plan, application and the supporting documentation. The plan will be reviewed for compliance with the following codes: plumbing, wiring, handicap, access, zoning, and building.

Applications are generally reviewed in 5-10 working days, and a written list of

corrections is generated. If approved, a building permit will be issued.

If the project involves electrical wiring, plumbing or gas work, separate permits must be applied for by licensed electricians or plumbers during the work on your project. Plumbing, and gas permits are issued by the Inspectional Services Department upon payment of the appropriate fees.

- 4e. If you plan on having a sign, you will have to receive a permit through Inspection Services, or through the Historical Board if you are operating in a historical district. The Lowell zoning ordinance defines a sign as a structure that consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation that advertises, directs, or announces a use conducted, goods, products, services, or facilities available.

Outside the historical districts, signage is licensed through **Inspection Services**.

Signage for your business must comply with sign code regulations. You must obtain a permit to erect any new outdoor signage. In addition, all existing signs that are being enlarged must comply with the sign code regulations. Also, certain proposed repairs or changes to existing signs may require that your sign be replaced to comply with sign code regulations. Permits are \$2 per square foot.

The Lowell Historic Board must approve signage within the Downtown Lowell Historic District and Acre Neighborhood District prior to any signage being fabricated and installed. Board staff can provide guidance on signage design and assist applicants in developing signage that both provides identification and exposure and is appropriate for the context of the districts. Signage for your business must comply with sign code regulations and the Board's design review standards. You must obtain a permit to alter existing signage and to erect any new exterior signage as well as signage on window glass and/or hanging or placed behind windows. Signage is classified as Minor Development under the Board's statute and is approved at staff level, usually within seven days depending upon completeness of applications, appropriateness of proposals, and timing of application submittals. The application fee for signage is \$25.

- 4f. For all buildings that have been newly constructed or that have been altered, the building cannot be occupied without a **Certificate of Occupancy** being issued from the Inspectional Services Department. In this case, a \$60 occupancy permit is typically issued by the Inspectional Services Department after their final inspection of the property during the building permit process. In addition, businesses must obtain a certificate of occupancy from the Inspectional Services Department if they are changing the use of their building. Even if you feel that the building suits your needs, the State Building Code will require work to be done to the building when the use of the building has changed.

5 BUSINESS CERTIFICATE

As you are operating your business as a sole proprietorship you will need to obtain D/B/A (Doing Business As) application from the City Clerk's office. There will be a \$20 fee along with your application. The information that you submit regarding your business will be registered with the City, and certificate will be issued to you. The certificate will be valid for operation of your business in Lowell for four (4) years. You will need to obtain this certificate prior to obtaining any bank accounts or financing.

*City Clerk's Office
City Hall, First Floor
375 Merrimack Street
Lowell, MA 01852
978-970-4161*

After filling out the form, sign where indicated and then have the form notarized. To find a notary public, call the **Commissions Section** of the **Secretary of the Commonwealth's Office** at 617-727-2836.

Tip: Open a business account with your local bank or credit union. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent record keeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth.

6 TAXES

The commercial tax rate in the City of Lowell is currently \$19.89 per \$1000 assessed. The CIP tax rate for FY 07 (current) is \$20.97 per thousand.

7 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

- **Form 1** – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)
- **Schedule C** – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

http://www.dor.state.ma.us/publ/pdfs/sls_use.pdf

- 7a. Call the DOR’s Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

- 7b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts’ sales tax.

8 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
617-316-2850
<http://www.irs.gov>*

9 INSURANCE

Do a thorough risk assessment and determine what coverage best suits your business’s needs.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common

coverage types include liability, property, business interruption, “key man,” automobile, and home office.

- 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.

Appendix I. Navigating the Regulations to Become an Employer

Pioneer Institute's Center for Urban Entrepreneurship offers this brief supplement to entrepreneurs who wish to become employers. The checklist explains the state and federal tax requirements and regulations surrounding hiring and employing. We hope you find it most useful and wish you luck in your ventures.

Preparation

Before hiring:

1. **Get a *Federal Employer Identification Number*.**
You will need to use this on tax returns. Submit an application, form SS-4, to the Internal Revenue Service. Find it at <http://www.irs.gov>.
2. **Register to pay *the state unemployment tax*.**
Submit an Employer Status Report, form 1110, to the Massachusetts Division of Unemployment Assistance. Do it online using the state's Webfile system at <https://wfb.dor.state.ma.us/webfile/>.
3. **Get *workers' compensation insurance*.**
Massachusetts state law requires it. The state offers the Massachusetts Guide to Workers' Compensation at <http://www.mass.gov/dia/DESKSCAN/erguide.pdf>. For more information, contact your insurance provider or the state's Insurance Rating Bureau: (617) 439-9030.
4. **Learn about *minimum wage laws, poster requirements, and the family leave act*.**
The Massachusetts Department of Workforce Development offers plenty of information online: <http://www.mass.gov/dwd/otherr.htm>.

Tip: You may also want to register with the **Electronic Federal Tax Payment System**. Although it is not required, registering allows you to pay all of your federal taxes online. Go to <http://www.eftps.gov/> for more information.

Hiring

With every new hire:

1. **Check for a *Social Security Card*.**
If lacking one, the employee must submit an application, form SS-5, to the Social Security Administration. Find out more: <http://www.ssa.gov>.
2. **Submit a *W-4 form* for each new employee.**
This form determines how much of his or her wages should be withheld. Submit this form to the Internal Revenue Service. You may do so online: <http://www.irs.gov>.
3. **Complete a federal *Employee Eligibility Verification Form*.**
Do not submit this form to the government. You may dispose of this form a year after the employee's departure or three years after the hire, whichever is longer. Find the form, an I-9, at the U.S. Citizenship and Immigration Services website: <http://www.uscis.gov>.

Note: If your company has more than twenty-five employees, you must report all new hires to the state. You may do so online here: http://www.cse.state.ma.us/programs/newhire/nh_system.htm.

Tip: The Department of Workforce Development offers numerous hiring incentives and training grants. Find out more online: <http://www.detma.org/BSHome.htm>.

Ongoing Taxes

An employer must:

1. **Withhold federal income, Medicare and social security taxes.**

Use employees' W-4 forms, the IRS's Employer's Tax Guide, and the IRS's "withholding calculator." Find the latter two online: <http://www.irs.gov>.

a. Each quarter, report these withholdings with the employer's **quarterly federal tax return**, form 941. Find it at <http://www.irs.gov>.

2. **Pay the Federal Unemployment Tax.**

Unlike the taxes in the previous step, this tax is *not* withheld from employee paychecks. Employers pay it.

a. Annually, report and pay this tax by submitting the **Employer's Federal Unemployment Tax return**, form 941. Again, find it at <http://www.irs.gov>.

3. **Distribute W-2 forms to employees at the end of each year.**

Send copies of these wage-reporting forms to the Social Security Administration:

<http://www.ssa.gov>.

Note: If employees collect more than \$20 per month in tips, these tips *must* be reported. Make sure employees complete form 4070: Employee's Report of Tips to Employer, so that you can withhold employee income, social security, and employee Medicare tax on the employee's tips. Find form 4070 at <http://www.irs.gov>.

Additional Information:

For more information on:

- State employment regulations and tax information, go to: <http://www.mass.gov/?pageID=mg2topic&L=3&L0=Home&L1=Business&L2=Workplace+%26+Employees&sid=massgov2>.
- Federal tax information, go to: <http://www.irs.gov/businesses/small/article/0,,id=98862,00.html>.

Appendix II. Important Resources for Lowell Entrepreneurs

City of Lowell Government Offices

Assessor's Office

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4200
Fax: 978-970-4205

Zoning Enforcement

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-446-7108

City Clerk's Office

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4161
Fax: 978-970-4162

Conservation Commission

50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014

Department of Public Works

1361 Middlesex Street
Lowell, MA 01852
Phone: 978-97-4246
Fax: 978-970-4071

Fire Department Headquarters

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-459-5553
TDD: 978-459-5560

Health Department

341 Pine Street
Lowell, MA 01854
Phone: 978-970-4010
Fax: 978-970-4011

Licensing Commission

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4156
Fax: 978-446-7048

Mayor's Office

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-4040

Division of Planning and Development

50 Arcand Drive
Lowell, MA 01852
Phone: 978-446-7200
Fax: 978-446-7014

City Engineering

City Hall (second fl)
375 Merrimack Street
Lowell, MA 01852
Phone: 978-970-3331

Police Department Headquarters

City Hall
375 Merrimack Street
Lowell, MA 01852
Phone: 978-937-3225
TDD970-3268

Wastewater Utility

First Street Blvd (Rte. 110)
Lowell, MA 01852
Phone: 978-970-4248
Fax: 978-441-9579

A Short List of Business Assistance and Lending Resources

Lowell Small Business Assistance Center

88 Middle Street
Second Floor
Lowell, MA 01852
978-322-8400

Massachusetts Business Development Company

This "Preferred" SBA lender offers gap financing and a number of other loan options for your small business.

Main 500 Edgewater Drive, Suite 555
Wakefield, MA 01880
781-928-1100

<http://www.mass-business.com/>

Massachusetts Certified Development Corporation

This SBA lender offers a number of loan resources to small businesses across the state.

50 Milk Street
Boston MA 02109
617-350-8877

Mass Business Resource Team

This government office offers Massachusetts businesses a cornucopia of information on a variety of topics, including business assistance loans, counseling services, hiring and training grants, best practices, tax incentives, and startup funding.

www.state.ma.us/mobd/

Greater Lowell Chamber of Commerce

144 Merrimack St
Suite 203
Lowell, MA 01852
978-459-8154

Service Core of Retired Executives (SCORE)

SCORE is a great resource that has provided more than 7.3 million small businesses with quality, one-on-one advice from retired business executives. You may seek advice on-line (www.score.org) or at SCORE's Lowell office:

11 Kearney Square
Lowell, MA 01852
978-459-9899

Commonwealth Massachusetts Government Agencies

Home Improvement Contractor Registration Program

State Board of Building Regulations
and Standards

One Ashburton Place, Room 1301
Boston, MA 02108

617-727-3200 x 25205

<http://www.state.ma.us/homeimprovement>

Massachusetts Business Development Corporation

50 Edgewater Dr, Suite 555

Wakefield, MA 01880

781-928-1100

Massachusetts Department of Business and Technology

One Ashburton Place, Room 2101

Boston, MA 02108

617-727-8380

<http://mass.gov/portal/index.jsp?pageID=aghome&agid=ded>

Massachusetts Department of Environmental Protection

Western Regional Office

436 Dwight Street

Springfield, MA 01103

413-784-1100

<http://www.state.ma.us/dep/wero>

Massachusetts Department of Revenue

Hurley Building

19 Staniford Street

Boston, MA 02114

617-887-MDOR(6367)

1-800-392-6089

<http://www.dor.state.ma.us>

Massachusetts Division of Marine Fisheries

251 Causeway Street, Suite 400

Boston, MA 02114

617-626-1520

<http://www.state.ma.us/dfwele/dmf>

Massachusetts Division of Professional Licensure

239 Causeway Street

Boston, MA 02114

617-727-3074

<http://www.state.ma.us/reg>

Massachusetts Division of Standards

One Ashburton Place, Room 115

Boston, MA 02108

617-727-3480

<http://www.state.ma.us/standards>

Massachusetts Export Center

State Transportation Building

10 Park Plaza, Suite 4510

Boston, MA 02116

617-973-8664

<http://www.state.ma.us/export>

Massachusetts Office of Business Development

26 Court Street, 9th Floor

Boston, MA 02108

617-635-2000

<http://www.ci.boston.ma.us/dnd/OBD/default.asp>

Massachusetts Office of Child Care Services

• State Headquarters

51 Sleeper Street, 4th Floor,

Boston, MA 02210

617-988-6600

Taunton Regional Office

21 Spring Street, Suite 2

Taunton, MA 02780

508-828-5025

<http://www.qualitychildcare.org>

Massachusetts Office of Consumer Affairs and Business Regulation

10 Park Plaza, Suite 5170

Boston, MA 02116

617-973-8787

888-283-3757

<http://www.state.ma.us/consumer>

Massachusetts Registry of Motor Vehicles

Boston Office

630 Washington Street

Boston, MA 02111

<http://www.state.ma.us/rmv>

State Office of Minority and Women Business Assistance

10 Park Plaza, Suite 3740

Boston, MA 02116

617-973-8692

<http://www.somwba.state.ma.us>

State/National Trade Associations

ACCION-USA

56 Roland Street, Suite 300
Boston, MA 02129
617-625-7080
<http://www.accion.org>

American Automobile Association

- Approved Auto Repair Department
1-800-227-5602
- Regional Branch Office:
350 New State Highway, Suite 3
Raynham, MA 02767-1434
508-823-6000
<http://www1.aaa.com/aaa/240/sne/index.html>

Associated Grocers of New England

11 Cooperative Way
PO Box 6000
Pembroke, NH 03275
603-223-6710
<http://www.agne.com>

Associated Landscape Contractors of Massachusetts

8D Pleasant Street
South Natick, MA 01760
508-653-3373
<http://www.alcom.org>

Better Business Bureau

235 West Central Street, Suite 1
Natick, MA 01760
508-652-4800
<http://www.bosbbb.org>

Boys and Girls Clubs of Boston

50 Congress Street, Suite 730
Boston, MA 02109
617-994-4700

Commonwealth Corporation (Statewide Workforce Development)

The Schrafft Center
529 Main Street, Suite 110
Charlestown, MA 02129
617-727-8158
www.commcorp.org

Massachusetts Alliance for Economic Development

892 Worcester Street
Wellesley, MA 02482
781-489-6262
<http://www.massecon.com>

Massachusetts Alliance for Small Business Contractors

143 South St, 4th Floor
Boston, MA 02111
617-482-8010
<http://www.massalliance.com>

Massachusetts Arborists Association

8D Pleasant Street
South Natick, MA 01760
508-653-3320
<http://www.massarbor.org>

Massachusetts Association of Community Development Corporations

89 South Street, 4th Floor
Boston, MA 02111
617-426-0303
<http://www.macdc.org>

Massachusetts Food Association

31 Milk St., Suite 518
Boston, MA 02109
617-542-3085
<http://www.mafood.com>

Massachusetts Nursery & Landscape Association

PO Box 387
Conway, MA 01341
413-369-4731
<http://www.mnla.com>

Massachusetts Restaurant Association

333 Turnpike Road
Southborough, MA 01772
508-303-9905
1-800-852-3042
<http://www.marestaurantassoc.org>

Massachusetts Small Business Development Centers (MSBDC):

- **Boston College SBDC**
142 Beacon Street
Chestnut Hill, MA 02467
617-552-4091
<http://www.bc.edu/centers/sbdc>

Massachusetts Small Business Development Center Headquarters

227 Isenberg School of Management
121 Presidents Drive
University of Massachusetts
Amherst, MA 01003
413-545-1273
<http://www.msbdc.org>

Massachusetts State Automobile Dealers Association

59 Temple Place
Boston, MA 02111
617-451-1051
<http://www.msada.org>

Massachusetts Technology Collaborative

75 North Drive
Westborough, MA 01581
508-870-0312
<http://www.mtpc.org>

National Association of Convenient Stores

1600 Duke Street
Alexandria, VA 22314
800-966-6227
<http://www.nacsonline.com>

National Cosmetology Association

401 N. Michigan Avenue
Chicago, IL 60611
312-527-6765
www.ncacares.org

National Grocers Association

1005 North Glebe Road, Suite 250
Arlington, VA 22201
713-516-0700
<http://www.nationalgrocers.org>

National Institute for Automotive Service Excellence

101 Blue Seal Drive, S.E., Suite 101
Leesburg, VA 20175
1-877-ASE-TECH (273-8324)
703-669-6600
<http://www.ase.com>

New England Convenience Store Association

212 Carnegie Row
Norwood, MA 02062
781-255-9090
866-882-9090
<http://www.necsa.net>

New England Livery Association

PO Box 842
Durham, NH 03824
866-736-6352
<http://www.nelivery.org>

Retailers Association of Massachusetts

18 Tremont Street, Suite 1040
Boston, MA 02108
<http://www.retailersma.org>
877-RAM-6580 (726-6580)

Smaller Business Association of New England

1601 Trapelo Road, Suite 212
Waltham, MA 02451
781-890-9070
<http://www.sbane.org>

Federal Government

Environmental Protection Agency- New England

1 Congress Street, Suite 1100
Boston, MA 02114
617-918-1111
1-888-372-7341
<http://www.epa.gov/region1>

Internal Revenue Service

- State Headquarters
15 New Sudbury Street
Boston, MA 02203
617-536-1040
- Field Office
166 Main St.
Brockton, MA 02401
508-586-4671
<http://www.irs.gov>

US Small Business Administration

O'Neill Building, Room 265
10 Causeway Street
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