

FILING A BUSINESS CERTIFICATE

You may file, in person or by mail, a business certificate at the City Clerk's Office at the following address:

City Clerk's Office
Lowell City Hall, Room 31
375 Merrimack Street,
Lowell MA, 01852
(978) 970-4161
www.lowellma.gov

The City Clerk's Office accepts business certificates Monday-Friday, 8:00AM-5:00PM.

Please note: A Workers Compensation Insurance Affidavit must be filed with each new filing, renewal or with any changes to a previously filed Workers Compensation Insurance Affidavit.

- The fee for filing or renewing a business certificate is \$20.00, and includes one certified copy.
- The fee for changing, partially withdrawing from, or discontinuing a business certificate is \$10.00, and includes one certified copy.
- Additional certified copies are \$5.00 each.

The City accepts checks or money orders only by mail, and checks, money orders or cash in person. Checks should be made payable to "City of Lowell."

Once filed, a business certificate is valid for four years.

To file, change, or discontinue a business certificate in person at the City Clerk's Office, each owner listed on the business certificate must be present, and show some form of State issued identification. There are Notary Public's at the City Clerk's Office that can notarize the owners' signatures. You will receive one certified copy at the time of filing.

To file, change, or discontinue a business certificate by mail, fill out the form(s) in duplicate completely **in black ink**. Each owner listed on the business certificate must then sign **in black ink** in the presence of a Notary Public. Mail the (2) completed and notarized business certificates, Workers Compensation Insurance Affidavit and copy of certificate of insurance if applicable along with a check or money order for the appropriate fee to the address above. This office will mail back one certified copy.

If you want to file a change in the business, note the following:

- A change in the business name requires the filing of a new business certificate, signed by all new owners, and the discontinuance of the old business certificate signed by all old owners.
- A change in the business address is a change that requires the signature of all owners.
- The withdrawal of an owner requires the signature of all owners.
- The addition of an owner requires the filing of a new business certificate, signed by all new owners, and the discontinuance of the old business certificate signed by all old owners.

**The Commonwealth of Massachusetts
Business Certificate**

_____ Date _____

_____ Business Certificate # _____

In conformity with the provision of Chapter one hundred and ten Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of

_____ *is conducted at*

Name of Business

_____, Lowell, _____, of type _____

Street Address

Zip Code

Business Phone #

by the following named person(s) or Corp. full name.

Name/Corp. _____ Signature _____

Residence (Street, City, Zip) _____

Name/Corp. _____ Signature _____

Residence (Street, City, Zip) _____

Name/Corp. _____ Signature _____

Residence (Street, City, Zip) _____

Name/Corp. _____ Signature _____

Residence (Street, City, Zip) _____

Purpose of filing this Business Certificate:

- | | | |
|---|--|---|
| <input type="checkbox"/> New Business | <input type="checkbox"/> Renewal of an expiring business certificate | <input type="checkbox"/> Change in a business address |
| <input type="checkbox"/> Partial withdrawal of an owner | <input type="checkbox"/> Discontinuance of a business | |

A certificate issued in accordance with this Section shall be in force and effect for 4 years from the date of issue and shall be renewed each 4 years thereafter so long as such business shall be conducted, and shall lapse and be void unless so renewed.

Middlesex S.S

The Commonwealth of Massachusetts

On this ____ day of _____, 20____, before me, the undersigned notary public or City Clerk's designee, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person/s whose name/s is/are signed on this document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her/their knowledge and belief.

_____ My Commission Expires _____

Notary Public

Notary Public

The Business Certificate expires on _____. (*Notarial or City Seal*):

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**" Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111

Tel. # 617-727-4900 ext 406 or 1-877-MASSAFE

Fax # 617-727-7749

www.mass.gov/dia