

## BUSINESS LICENSE APPLICATION / RENEWAL & INSTRUCTIONS

This application may be used to purchase a new business license or renew an existing business license.

### NEW Business License:

- A. It is unlawful for any business owner to conduct any business or enterprise for profit within the Town without first having obtained a business license as provided in this Ordinance. A “business owner” is defined as an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or any other commercial entirety conducting any lawful activity for profit. “Business owner” does not include the owner of a home-based business. An unauthorized business license fee equal to twice the normal business license fee shall be payable by a business conducting business in the Town of Brookside without prior payment of the required annual fee and approval of said application. The right to conduct business in the Town of Brookside will be suspended until the owner is in compliance with all of the Town Ordinances, rules and regulations. Violation of this section shall constitute a misdemeanor.
- B. A business license shall be issued by the Town Clerk upon the filing of a completed application obtained from the Town Clerk and payment of a license fee of \$25.00 (twenty-five dollars). The license shall be in force and effect until the last day of the year in which it is issued, unless sooner revoked. The license fee is non-refundable and shall not be pro-rated. **An inspection by the Mayor is required pursuant to Section 5 prior to issuance of a license.**
- C. A business license may be granted and renewed only upon proper application, providing the name and address of the business owner desiring the license, the name of the business, the location of the business, the type of business, the business owner’s tax identification number, and such other information as the Town Clerk may require on the application.

Choose this option only if there are no changes to your existing business license other than a change of address or phone number. Lapsed license fees must be paid for any lapsed years and you may not renew a business license that has been expired for more than 2 years.

- D. A new Business License is required for the following:
- A change in the business name
  - A change in the line of business
  - A change in the ownership of the business; for example if the business is sold
  - A change in the ownership type; for example if you are a sole proprietor and become an LLC or a corporation
  - A license that is expired more than two years

\*If you are changing from one ownership type to another please indicate your previous or current license number in the area indicated on the application.

- E. A business which engages in several different activities in a single location will require more than one business license.

## Section 2 — Renewal of Business License

- A. A business owner is required on or before the first day of December of each year to make application for a renewal of his or her business license for the following year. The Town Clerk shall grant such renewal unless the business owner fails to pay a business license fee, or the business owner's right to conduct such business has been suspended or revoked as otherwise provide by the law; or the business owner fails to show the Town Clerk a valid state sales tax licenses or any other license necessary for business owner to conduct business on the premises.

## Section 3 — Contents of License; Non-transferable

- A. A business license shall be in a format prescribed by the Board of Trustees and shall be posted in a conspicuous place upon the business premises.
- B. BUSINESS LICENSES ARE NOT TRANSFERABLE.

## Section 4 — Separate Licenses

- A. A holder of a valid license issued under the provisions of the Ordinance shall not be required to obtain a separate license in the event such licensee conducts the same business at more than one location within the Town. However, such licensee shall post a copy of the business license in a conspicuous place at each address where he or she conducts business.

## Section 5 — Duties of Licensee; Site Inspection

- A. A business owner, prior to obtaining a business license, must arrange for premises inspection by the Mayor or his or her designee. **The inspection shall include a site visit and review of the application to determine compliance with the Town code, including zoning regulations.**

## Section 6 — Violation

- A. Any business owner conducting business within the Town without having secured a business license shall be guilty of a violation of this Ordinance. In addition to any other penalty imposed, the Town reserves the right to abate such violations through any appropriate legal or equitable proceeding.

**1. BUSINESS NAME:** Select your business name carefully. Once a Business License is issued, the business name cannot be changed without purchasing a new license. Do not use the acronym “dba” in your official business name. If the name on a business license has an entity indication such as INC, LLC, LLP, or LP, the same name must be used for the Owner name. If the Owner of the business license is a subsidiary, this information is reflected through corporate record. You must operate and advertise in the exact name listed on the Business Name section of your application. A separate business license is required for each business name.

Conduct a thorough search of business names *before* applying for your business license. Companies that have used a business name for a long period of time may have created a common law right to the use of the name. Places to search include, but are not limited to, the Internet, business license records, corporations registration records, professional license records, telephone directories, trade magazines, trademark records, and catalogs.

To protect your business name from use by other companies, you may want to formally register your business name. The purchase of a business license does not automatically register the business name. Please be aware that enforcement of a Business Name Registration is a civil legal matter and not the responsibility of the Town of Brookside. The Town Clerk cannot provide legal counsel. Please consult an attorney for detailed information.

**2. BUSINESS LICENSE FEES:** Business License fees are \$25 per year. All business licenses expire on December 31st regardless of the date of purchase. Payment can be made by check, cash, or money order.

**Make checks payable to the Town of Brookside.**

**3. OWNERSHIP INFORMATION:** If applying as a Sole Proprietor, list one name; if a Partnership, list all partners names and attach a separate sheet if necessary; if a Corporation, LLC, LLP or LP or Other, list the registered entity name, for example, XYZ LLC or XYZ Inc. For more information on the types of ownerships or the tax implications for the different ownership types, please consult an accountant or attorney.

**4. SEPARTE BUSINESSES:** A separate business license is required for each line of business or business activity. For example, if you have a retail store and a lodge, you will need a separate business license for each business activity.

# THE TOWN OF BROOKSIDE BUSINESS LICENSE APPLICATION

*To avoid processing delays do not leave any area of the application incomplete.*

**NEW Business License**                       **RENEWAL Business License Number** \_\_\_\_\_

Previous License Number If Applicable: \_\_\_\_\_ \*see instructions

## 1. BUSINESS NAME:

\_\_\_\_\_  
*Enter the name you will be doing business as. You must operate and advertise in the exact name listed.*

## MAILING ADDRESS:

\_\_\_\_\_  
*Street Address or PO Box*

\_\_\_\_\_  
*City State Zip*

## PHYSICAL ADDRESS:

\_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City State Zip*

## 2. Annual \$25 BUSINESS LICENSE FEE(S): Make checks payable to the Town of Brookside.

**Check #** \_\_\_\_\_  **Cash** \_\_\_\_\_

**Money Order: Source / #** \_\_\_\_\_

## 3. OWNERSHIP INFORMATION: Choose ownership type.

**Sole Proprietor**  **Partnership**  **Corporation**  **LLC**  **LLP**  **LP**  **Other**

**Name(s) of Owner(s) OR Entity Name:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Clearly print name of Sole Proprietor (one individual owner) OR all partner names if a Partnership (if necessary, list partners on a separate page) OR Entity name if a Corporation, LLC, LLP, or LP.*

**4. ADDITIONAL LICENSE/REGISTRATION NUMBERS MAY BE REQUIRED:**

**The Town of Brookside Entity Number:** \_\_\_\_\_

**Professional License Number:** \_\_\_\_\_

*Required for Corporation, LLC, LLP, LP If applicable*

**5. NAICS CODE:** Choose the NAICS code that best describes your Line of Business. The Secondary code is optional and must fall within the same business activity category as the Primary code. NAICS codes may be researched at <http://www.census.gov/eos/www/naics/>

**Primary NAICS Code:** \_\_\_\_\_ **Secondary NAICS Code:** \_\_\_\_\_

**By signing this application I declare, under penalty of perjury, that this application is true and complete.**

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

PHONE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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**SITE INSPECTION:**

COMPLETED DATE \_\_\_\_\_ PERSON DOING INSPECTION \_\_\_\_\_

FINDINGS \_\_\_\_\_

REQUIREMENTS NEEDED BEFORE ISSUNG LICENSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECOMMENDATIONS MADE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Requirements Met: (Inspector's Signature)** \_\_\_\_\_ **DATE** \_\_\_\_\_