

# CITY OF WESTBROOK

## OBTAINING A CERTIFICATE OF SOLE PROPRIETORSHIP OR CERTIFICATE OF CORPORATE OWNERSHIP (I.E. FILING A DBA)

### OVERVIEW

In accordance with State law, all businesses in Westbrook operating as a sole proprietor or partnership using a name other than the owner's personal name must register their business with the City Clerk's Office. This form is commonly known as a DBA ("doing business as"). There is a one-time fee of \$10 to file this form. Many banks will require you to provide a copy of this form before allowing you to open a bank account for your business. Corporations are not required to file with our office, as they have already filed their business name with the State. However, some banks may have policies which require you to file this form with the City Clerk's Office even if you have filed as a corporation with the State of Maine.

### PROCESS

Before you may file a DBA, the City of Westbrook conducts a review to ensure that the zoning ordinance allows for a business to be operated from the property in question. Once this review is completed and approved by the Office of Planning & Code Enforcement, a DBA may be filed with the City Clerk's Office.

#### **Step 1: Planning & Code Enforcement Review**

- Property address check – is the proposed business allowed to operate at the property in question? Call 207-854-0638 to confirm.
- Submit the following documents to the Office of Planning & Code Enforcement:
  - Home Occupation Registration (if a home-based business)
  - Letter of Intent (a basic business plan), addressing the following questions:
    - Will you have any employees?
    - Will you conduct business transactions at the address?
    - Will you be storing any business-related equipment or vehicles at the address?
- A Code Enforcement Officer will review the submission and may contact you for further clarification.
- Once approved by the Office of Planning & Code Enforcement, you will be directed to the City Clerk's Office to file the DBA paperwork.

#### **Step 2: Filing the DBA with the City Clerk's Office**

- Complete either the Certificate of Sole Proprietorship (if you are the sole owner of the business) or the Certificate of Corporate Ownership (if you and others will jointly own the business).
- Provide your photo ID (such as a Maine Driver's License) and sign the form in the presence of one of the City Clerk's Office staff members.
- The filing fee is \$10, payable by cash, check or money order (payable to "City of Westbrook").
- You will be provided with a photocopy of the DBA, which you can then take to your bank to open a business bank account.
- The original remains on file with the City Clerk's Office. The DBA will remain on file with the City Clerk's Office until you notify us in writing that the business has been dissolved, renamed, or moved to another location outside of Westbrook.
- Note that further licensing may be required, depending on the business type.



**Planning & Code Enforcement**  
2 York Street  
Westbrook, Maine 04092  
Phone: 207-854-0638  
Fax: 866-559-0642

## HOME OCCUPATION REGISTRATION APPLICATION

Date: \_\_\_\_\_

Zoning District \_\_\_\_\_ Map: \_\_\_\_\_ Lot: \_\_\_\_\_

Physical Address of Property: \_\_\_\_\_

Property Owner / Business Name (if applicable): \_\_\_\_\_

Property Owner mailing address: \_\_\_\_\_

Property Owner e-mail: \_\_\_\_\_

Applicant mailing address: \_\_\_\_\_

Applicant e-mail: \_\_\_\_\_

Applicant Telephone: \_\_\_\_\_ Property owner telephone: \_\_\_\_\_

**Letter of Intent:** In a cover letter please describe the home occupation and explain how it is in accordance with the City of Westbrook Land Use Ordinance 202.10. The written description shall provide reasonable evidence that the proposal will meet the performance criteria outlined below.

### Does the Home Occupation require Planning Board approval?

**202.10 Home Occupation.** An occupation carried on by residents of a dwelling unit where:

- A. The occupation is clearly secondary to the principal use of the dwelling unit,*
- B. Only two people other than family members residing on the premises may be employed,*
- C. There must be no change to the outside appearance of the building or premises, other than one non-illuminated sign of not more than four square feet,*
- D. The home occupation use is limited to 500 S.F. of the enclosed building area,*
- E. Any parking provided by the owner must be off-street, exclusive of any yard setback, and be screened from any neighbor,*
- F. If renting or leasing, tenant must have permission from the owner, and*
- G. No more than two (2) pieces of commercial equipment shall be permitted, and this equipment must be able to meet the performance standards of the particular zoning district within which the structure exists. The commercial equipment must be contained and used entirely within the dwelling unit or accessory structure.*

Date Received: \_\_\_\_\_ CEO Approval: \_\_\_\_\_

State of Maine  
CITY OF WESTBROOK

CERTIFICATE OF SOLE PROPRIETOR ADOPTING A NAME OTHER THAN THEIR OWN  
(Title 31 M.R.S.A. Section 2)

The undersigned hereby certifies that he/she intends to engage in the following business,

\_\_\_\_\_  
(type of business)

as sole proprietor thereof, and to adopt the name style and designation of

\_\_\_\_\_  
(name of business)

in the conduct of said business at the location of: \_\_\_\_\_  
(where business is conducted)

Business telephone # \_\_\_\_\_

PROPRIETOR'S NAME, MAILING ADDRESS & PHONE # \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Proprietor's Signature

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State of Maine  
Cumberland, ss \_\_\_\_\_, 20\_\_\_\_

Then personally appeared \_\_\_\_\_ and made oath to the foregoing  
certificate, that the same is true.

Before me,

City Clerk's Office  
Westbrook, Maine  
Received: \_\_\_\_\_  
Recorded at: \_\_\_\_\_ time  
**Non-refundable \$10.00 application fee**

\_\_\_\_\_  
Municipal Clerk / Attorney  
Notary Public (Commission expires \_\_\_\_\_)

\_\_\_\_\_  
Printed Name

Attest: \_\_\_\_\_  
City Clerk or Agent of Clerk