

Filing a Business Certificate

(MGL, Chapter 110, Section 5)

What is a Business Certificate?

Commonly referred to by the name DBA ("doing business as"), a business certificate creates a public record of the name and address of the owner(s) of a business. Consumers are entitled to this information.

Who must file?

Any person conducting business under any title other than the complete real name of the owner, whether individually or as a partnership.

Where does one file?

File with the Municipal Clerk, either in person or by mail, in every city where an office of any such person, partnership, or corporation may be situated.

What about a change?

Upon discontinuing, retiring, or withdrawing from such a business or partnership, or in the case of a residence of such a person or of location where business is conducted, such form must be filed with the Municipal Clerk.

Does a business certificate expire?

A business certificate is in force and effect for four (4) years from the date of issue. A new filing must be made each four years as long as the business is conducted.

Do I have to display the certificate?

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

Fees:

Business Certificate Filing:	\$60.00
Withdrawals:	\$20.00

Penalties?

Violations of the provisions shall be subject to a fine not more than three hundred dollars (\$300.00) for each month during which such a violation occurs.

File By Mail?

Obtain form from Municipal Clerk's office. Fill out completely, except for the expiration date. Sign before a Notary Public. Mail with check or money order made to the Town of Boxford.

Part I	Administration of the Government
Title XV	Regulation of trade
Chapter 110	Labels, trade marks, names, and registration thereof
Section 5	Certificates of persons conducting businesses; contents; filing; fees; index

Section 5. Any person conducting business in the commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file in the office of the clerk of every city or town where an office of any such person or partnership may be situated a certificate stating the full name and residence of each person conducting such business, the place, including street and number, where, and the title under which, it is conducted, and pay the fee as provided by clause (20) of section thirty-four of chapter two hundred and sixty-two. Such certificate shall be executed under oath by each person whose name appears therein as conducting such business and shall be signed by each such person in the presence of the city or town clerk or a person designated by him or in the presence of a person authorized to take oaths. The city or town clerk may request the person filing such certificate to produce evidence of his identity and, if such person does not, upon such request, produce evidence thereof satisfactory to such clerk, the clerk shall enter a notation of that fact on the face of the certificate. A person who has filed such a certificate shall, upon his discontinuing, retiring or withdrawing from such business or partnership, or in the case of a change of residence of such person or of the location where the business is conducted, file in the office of said clerk a statement under oath that he has discontinued, retired or withdrawn from such business or partnership or of such change of his residence or change of the location of such business, and pay the fee required by clause (21) of said section thirty-four. In the case of death of such a person, such statement may be filed by the executor or administrator of his estate. The clerk shall keep a suitable index of all certificates so filed with him which are currently in force and effect, setting forth the pertinent facts, including a reference to any statement of discontinuance, retirement or withdrawal from, or change of location of, such business, or change of residence of such person. A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. Copies of such certificates shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours, to any person who has purchased goods or services from such business. Violations of this section shall be punished by a fine of not more than three hundred dollars for each month during which such violation continues.