# **Starting a Business In Atlantic County**



Courtesy of

# Edward P. McGettigan Atlantic County Clerk

### A MESSAGE FROM ATLANTIC COUNTY CLERK

#### EDWARD P MCGETTIGAN

Dear Friend.

Thank you for contacting the Atlantic County Clerk's Office. There are many steps you must take to get your enterprise off to a good beginning. The very important first step in conducting your business successfully is to file a Trade Name Certificate with my office.

As your County Clerk, it is my pleasure to offer you this Booklet. The agencies and phone numbers listed will provide you with basic answers to the many questions you may have as you begin conducting business. The information presented here does not constitute legal advice. We strongly suggest that you seek the advice of professionals such as attorneys, CPAs, financial, insurance and banking institutions. There are also a host of government and private organizations which provide free business information as a public service. Please know that the data gathered in this booklet is as current as possible, but is subject to periodic change.

I consider you vitally important to the economic success of Atlantic County and I wish you the very best of luck in your new venture. We are here to assist you.

Sincerely,

Edward P. McGettigan Atlantic County Clerk

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# THE ATLANTIC COUNTY CLERK'S OFFICE "SMALL BUSINESS START-UP GUIDE"

# COURTESY OF EDWARD P. MCGETTIGAN ATLANTIC COUNTY CLERK

# MAIN OFFICE

The Atlantic County Government Complex (The Historic Courthouse Building)

5901 Main Street (Rt. 40 West) Mays Landing, New Jersey 08330

(609) 625-7000

fax (609) 909-5111

www.atlanticcountyclerk.org

# **HOURS**

Monday, Tuesday, Thursday, and Friday 8:30 AM to 4:15 PM Wednesday 8:30 AM to 5:45PM

#### SATELLITE OFFICE

County Office Building 1333 Atlantic Avenue Atlantic City, New Jersey 08401

(609) 343-2358

fax (609) 343-2167

**HOURS** 

Monday through Friday 8:30 AM to 4:00 PM

#### BASIC RULES AND REGULATIONS

Your main objective when starting a new business is to make sure that you are in compliance with the laws, rules, and regulations of the municipality where you are based, as well as those of Atlantic County and the State of New Jersey.

At the back of this brochure is a list of the Municipal Clerk's Offices for all 23 municipalities in Atlantic County. It is in your best interest to contact your Municipal Clerk regarding local regulations. Their offices should be able to provide you with information on how to obtain a Mercantile License, Zoning Approval, Health Certificate, or a Certificate of Occupancy, should these or any other licenses or documents be needed prior to opening your business. You should be aware that noncompliance with local laws can lead to serious consequences. Our goal is to provide you with the basic tools to help make your business a success.

# THE TRADE NAME CERTIFICATE N.J.S.A. New Jersey Statutes Annotated 56:1-1

This important document is the beginning of your business future. The Trade Name Certificate places your business name permanently on file with the Atlantic County Clerk's Office. Your bank may ask for a copy prior to opening your business account. There may be other occasions when you will be asked to present proof that you have filed a Trade Name Certificate.

The Trade Name Certificate is <u>NOT</u> a copyright of your business name, nor does it register your business name as a trademark. It also does not provide you with corporate status. If you wish to become incorporated, you may contact the State Corporate Filing Division (see the information list). Trade names are primarily used to register your company name as a sole proprietorship or partnership. You <u>cannot</u> form a corporation, LLC, or an alternative name by filing a trade name with the county.

To file a Trade Name Certificate you can come into the Atlantic County Clerk's Office. If you come in person, please remember that <u>ALL</u> business partners <u>must appear for the purpose of having their signatures notarized.</u> There is a fee for filing a Trade Name Certificate. This fee can be paid in the form of cash, Visa or MasterCard. If you file by mail we can accept a Money Order made payable to the Atlantic County Clerk. Please call the County Clerk's Office or check our website for the most current trade name filing fees.

If you intend to do business under your own personal name, registration is not mandatory. If you are trading under any name other than your own, registration is required by law. However, banks may require the filing of a trade name to open up any type of business account.

We strongly suggest that you search our records **BEFORE** you file to make sure that no one else has filed the same name in Atlantic County. In addition, you may also contact the State Treasury Department, Division of Corporate Filing, for corporations trading under an alternate name. These would not show in the county's records as we do not file business corporations. You may also obtain a statewide Trade Name search by contacting the State directly. The phone number is included in our list of numbers in this booklet. A search can also be conducted on-line through "NJ State Taking Care of Business."

#### **NEW JERSEY STATE TAXES**

All businesses are required by law to collect New Jersey Sales and Use Tax. You must file an application for registration with the New Jersey Treasurer, Division of Revenue and Taxation. The address and phone number appear on the Information List. Registration is required even if you don't think you will be collecting or withholding taxes. You must report all your net income from your business.

#### FEDERAL EMPLOYMENT TAXES

Every employer is required to apply for an Employment ID Number (form SS-4) to cover Federal Income Tax Withholding, Social Security payments and Unemployment Insurance. A copy of "Circular E; Employer's Tax Guide" is available from your local IRS Office.

On the following pages you will find the names, addresses and phone numbers of various local, state and federal agencies. I sincerely hope this booklet has been helpful to you. If you should have any other questions, please don't hesitate to contact my office. Our staff is very knowledgeable and will gladly assist you.

Once again, my best wishes for success to you and your business.

Edward P. McGettigan Atlantic County Clerk

(609) 625-7000

# NEW JERSEY "TAKING CARE OF BUSINESS"

- 1. To file a New Jersey Corporation or Limited Liability Company (LLC)
- 2. Register for a NJ Tax ID Number
- 3. NJ Business Licensing and Permits
- 4. Name availability and business name searches (State Wide)

And many other business related matters:

Go to:

- 1. www.atlanticcountyclerk.org
- 2. Click on LINKS
- 3. Click on: NJ STATE-TAKING CARE OF BUSINESS

NEW JERSEY DEPARTMENT OF THE TREASURY DIVISION OF REVENUE AND TAXATION NJ BUSINESS GATEWAY SERVICE NJ Business and Corporate Info.
"NJ Complete Business Registration Package" (609) 292-1730
www.state.nj.us/njbgs

NJ Treasury Local Office: 1915 New Road Northfield, New Jersey 08225 Phone Number: (609) 292-6400 NJ Treasury State Office: Post Office Box 252 Trenton, New Jersey 08646-0252 Phone Numbers: (609) 292-6400 or (609) 292-1730

INTERNAL REVENUE SERVICE General Information: 1-800-829-1040 To Request Forms: 1-800-829-3676 www.IRS.GOV IRS BUSINESS AND SPECIALTY TAX LINE For EIN Employer ID Number 1-800-829-4933

CORPORATIONS, LIMITED PARTNERSHIPS, LLC, TRADEMARKS, ALTERNATE CORPORATION NAMES New Jersey Division of Commercial Recording/NJDCR Department of the Treasury / Business Services Post Office Box 308
Trenton, New Jersey 08625
(609) 292-9292
www.state.nj.us

# NEW JERSEY DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

Development Division for Small Businesses, Women and Minority Enterprises/MBE/WBE Certification Program

Set-Aside and Certification Office:

Post Office Box 385

Trenton, New Jersey 08625

1-888-239-1288 or (609) 777-0885

#### NEW JERSEY LICENSE AND CERTIFICATION INFORMATION

Department of Commerce
1-800-533-0186 or (609) 777-2642
NJ Commerce Call
Management Center
(for licensing information)

2). Click on FAQ (609) 777-0885

3). Click on business

# SMALL BUSINESS DEVELOPMENT CENTER OF ATLANTIC COUNTY

(free professional consulting, training and information)
The Carnegie Library Center
The Richard Stockton College of NJ
35 S. Martin Luther King Blvd.
Atlantic City, New Jersey 08401
(609) 347-2174
www.njsbd.com

## U.S. SMALL BUSINESS ADMINISTRATION

Two Gateway Center SBA Answer Desks

Newark, New Jersey 07102 for questions about starting

(973) 645-2434 or running a business:

www.sba.gov/nj 1-8008ASKSBA 1-800-827-5722

# GREATER ATLANTIC CITY CHAMBER OF COMMERCE

12 South Virginia Avenue Atlantic City, New Jersey 08401 (609) 345-5600 or (609)345-4524 www.atlanticcitychamber.com

DIVISION OF UNEMPLOYMENT AND DISABILITY INSURANCE NEW JERSEY DEPARTMENT OF LABOR WAGE AND HOUR COMPLIANCE Post Office Box 390 Trenton, New Jersey 08625

(609) 292-2337 or (609)292-2638

#### **INSURANCE**

It is prudent for any business to inquire about insurance to protect your customers, your business, and your personal and business assets. Some of the types of insurance advisable to research include: liability, property, business interruptions, key employee insurance, home, office and business vehicles.

#### **COVERAGE INFORMATION**

The Compensation and Rating Bureau 60 Park Place Newark, New Jersey 07102 (973) 622-6014 www.njcrib.com

IMPORTANT!!! It is advisable to contact your insurance agent for specific insurance coverage information.

# OTHER USEFUL BUSINESS INFORMATION PHONE NUMBERS

# U.S. COPYRIGHT OFFICE

(202) 707-3000 <u>www.copyright.gov/</u>

# U.S. PATENT & TRADEMARK OFFICE

1-800- 786-9199 <u>www.uspto.gov/</u>

# U.S. DEPARTMENT OF CUSTOMS

1-800- 697-3662 www.customs.ustreas.gov/

# CENTER FOR NON-PROFIT CORPORATIONS AND BUSINESS

1501 Livingston Avenue North Brunswick, New Jersey 08902 (732) 227-0800 www.njnonprofits.org.

# THE SALE OF CERTAIN FOOD PRODUCTS AND ANY HEALTH RELATED TOPICS

We suggest you contact the Health Department of Atlantic County at 609-645-5935 to determine if there are license and inspection requirements. Please also contact your local municipality for food handling and permit requirements.

### ADDITIONAL SOURCE OF BUSINESS INFORMATION

For more information on starting a business in New Jersey we suggest you go to "The Business Checklist" at <a href="https://www.nj.gov/njbiz/s\_check.shtml">www.nj.gov/njbiz/s\_check.shtml</a>

# CONTRACTOR'S LICENSES

New Jersey Division of Consumer Affairs
Office of Consumer Protection
Regulated Business Section
124 Halsey Street 7<sup>th</sup> floor
Newark, New Jersey 07102
1-888-656-6225 (press option #2) www.njconsumeraffairs.com

#### **SCORE**

Counselor to America's Small Business
"The premier free business counseling and advice service"
www.tri-countyscore.org
email:tri-countyscore@hotmail.com
contact Score by appointment only:
Tri County Score
1501 South New Road
Pleasantville, New Jersey 08232
(609) 484-9503

ATLANTIC COUNTY DIVISION OF CONSUMER AFFAIRS 1333 Atlantic Avenue Atlantic City, New Jersey 08401 (609) 345-6700 ext 2477

#### ATLANTIC COUNTY HEALTH DEPARTMENT

Division of Public Health 201 Shore Road Northfield, New Jersey 08225 (609)645-5935

Insurance and Bonding Business Coverage.

It is suggested that you contact your insurance company for specific coverage information. You should request information on liability protection, bonding, workman's comp and other types of coverage for your business.

With bonding one party guarantees the commitments of another party. Generally, clients are guaranteed upfront to be compensated for any losses which may occur.

E-Commerce and the Internet Consumer and Business Information (202) 326-2222 or 1-877-ftc-help www.ftc.gov Federal Trade Commission 600 Pennsylvania Avenue Washington, DC 20580

\*\*A note about the Internet and Web Domain Names.

Many of you have inquired about web domain names. By typing in "web domains" on the search engine of your choice, you will see sites for hundreds of companies which provide this service. As in all of your dealings with internet businesses, we advise you to exercise caution, do the proper research and when possible, try to deal with companies referred or known to you.

The Trade Name Unit of the NJ Division of Commercial Recording maintains a centralized database of trade names, which we originally filed on the county level. This unit provides searches and record retrieval / copy work service.

NEW JERSEY DIVISION OF REVENUE TRADE NAMES UNIT Post Office Box 453 Trenton, New Jersey 08625 (609) 292-9292 http://www.state.nj/trasury/revenue/dcr/dcrpg1.html

State of New Jersey sources and Regulatory Boards;

#### NJ DIVISION OF CONSUMER AFFAIRS

124 Halsey Street, Post Office Box 45027 Newark, New Jersey 07101 (973) 504-6534

#### LEGALIZED GAMES OF CHANCE COMMISSION FOR NJ

124 Halsey Street, Post Office Box 46000 Newark, New Jersey 07101 (973) 272-8000

\*\* It regulates and licenses bingo, raffles, and amusements games

# NJ DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

Post Office Box 110 Newark, New Jersey 08625-0110 (609) 292-2323 www.state.nj.us/labor

# NJ DEPARTMENT OF BANKING AND INSURANCE

20 West State Street Post Office Box 325 Trenton, New Jersey 08625-0325 Banking (609) 341-2512 Insurance (609) 292-7659

# NJ DIVISION OF ALCOHOLIC BEVERAGE CONTROL (ABC)

140 East Front Street, Post Office Box 087 Trenton, New Jersey 08625-0087 (609) 984-2830

#### BOARD OF EXAMINERS FOR ELECTRICAL CONTRACTORS

Post Office Box 45006 Newark, New Jersey 07101 (973) 504-6410

# BOARD OF EXAMINERS FOR MASTER PLUMBERS

Post Office Box 45008 Newark, New Jersey 07101 (973) 504-6420

#### **ALTERNATE NAMES**

After a business entity has been established or receives authorization to do business in New Jersey, it may legally do business under an alternate name once the alternate name is registered. This applies to profit and non-profit corporations, limited liability companies and limited partnerships. The selection of the alternate name is not subject to name availability requirements as those for the business entity name. Although the registration of the alternate name will not provide exclusive rights to its usage, it will legally link the name to the corporate entity and enable the business to use the alternate name for financial, advertising and other business purposes. Check with the State for the filing fees. The registration of the alternate name will be effective for five years and may be renewed for five-year periods. Form C-150F is available to register an alternate name for all entity types. This document replaces forms C-150, LP-105 and L-115. For renewals, use generic Form C-150R, which replaces forms C-150A, LP-105A and L116.

Fax Filing	Regular Mail	Over-the-Counter
(609) 984-6851	NJ Division of Revenue	NJ Division of Revenue
	Corporate Unit	Corporate Unit
	Post Office Box 308	225 West State Street, 3 <sup>rd Floor</sup>
	Trenton, New Jersey 08646	Trenton, New Jersey 08608

Expedited service providing processing within 8.5 business hours is available for these transactions received by FAX, in person or by Courier Service. There is an extra fee for this expedited service in addition to the standard state filing fee. This fee is in addition to other charges.

# Tips:

- Register the alternate name before using it. Otherwise, a fee for the registration plus an additional filing fee of \$50.00 for each year the name was in use will be assessed. A portion of a year is considered a full year.
- When renewing an alternate name, be exact. For example, if the word "Corporation" was used originally, do not abbreviate it on the renewal.
- Renewals may be submitted within three months prior but not later than the expiration of the alternate name.
- Alternate names are for corporate entities only. Sole proprietors and partnerships may use a trade name that will be registered in the county the business is located.
- There are no statutory provisions for a limited liability partnership to use an alternate name.

#### TRADE NAME FORMS

Blank forms can also be obtained by going to <a href="www.atlanticcountyclerk.org">www.atlanticcountyclerk.org</a> and clicking on Trade Name Forms. The following forms are available;

- > Trade Name Certificate
- > Trade Name Amendment
- > Trade Name Dissolution.

Call or e-mail our office if you have any questions;

The statutes of "Business and Partnership Names" can be located in NJ Statutes Annotated, (NJSA Title 56:1-1).

We suggest you research the information provided in this booklet thoroughly and obtain legal advice if necessary pior to filing any documents or conducting business in the State of New Jersey.

LOCAL MUNICIPAL OFFICE INFORMATION					
MUNICIPALITY	STREET	ZIP	PHONE #	EMAIL	
			609-641-		
ABSECON	500 Mill Road	08201	0663	http://www.abseconnj.gov/	
			609-347-		
ATLANTIC CITY	1301 Bacharach Blvd	08401	5300	www.cityofatlanticcity.org	
			609-266-		
BRIGANTINE	1417 West Brigantine Ave	08203	7600	http://bb-nj.org/	
BUENA			856-697-		
BOROUGH	616 Central Ave	08341	9393	http://www.buenaboro.org/	
BUENA VISTA			856-697-		
TWP	890 Harding Hwy RT 40	08310	2100	www.buenavistaTWP.org	
			609-628-		
CORBIN CITY	513 Maple Ave	08270	2673	http://ci.corbincity.nj.us/main/officials.asp	
EGG HARBOR			609-965-		
CITY	500 London Ave	08215	0081	www.eggharborcity.org	
EGG HARBOR			609-926-		
TWP	3515 Bargaintown Rd	08234	4000	www.ehtgov.org	
			609-476-		
ESTELL MANOR	148 Cumberland Ave	08319	2692	www.estellmanor.org	
FOLSOM			609-561-		
BOROUGH	1700 Twelfth St	08037	3178	www.folsomborough.com	
			609-652-		
GALLOWAY TWP	300 E Jimmie Leeds Rd	08205	3700	http://www.gtnj.org/	
			609-625-		
HAMILTON TWP	6101 13th, Mays Landing	08330	1511	www.TWPofhamilton.com	
			609-927-		
HAMMONTON	100 Central Ave	08037	4108	www.townofhammonton.org	
			609-927-		
LINWOOD	Poplar Ave & New Rd	08221	4108	www.linwoodcity.org	
			609-823-		
LONGPORT	2305 Atlantic Ave	08403	2731	http://www.longportnj.gov/	
			609-822-		
MARGATE	1 S Washington Ave	08402	2605	www.margate-nj.com	
	4528 White Horse Pike,		609-561-		
MULLICA TWP	Elwood	08217	7070	www.mullicaTWP.org	
			609-641-		
NORTHFIELD	1600 Shore Rd	08225	2932	www.cityofnorthfield.org	
			609-484-		
PLEASANTVILLE	City Hall First St.	08232	3600	http://www.pleasantville-nj.org/	
			609-652-		
PORT REPUBLIC	143 Main St	08241	1501	http://www.portrepublicnj.org/	
SOMMERS			609-927-		
POINT	1 West New Jersey Ave	08244	9088	www.somerspointgov.org	
			609-823-		
VENTNOR	S Cambridge & Atlantic Ave	08406	7900	www.ventnorcity.org	
			609-476-		
WEYMOUTH TWP	45 South Jersey, Dorothy	08317	2633	www.weymouthnj.org	

#### **GLOSSARY OF BUSINESS TERMS**

Please consult an attorney for legal guidance on establishing business entities.

- BUSINESS LICENSES There are many different types of business licenses including local, state and professional. Depending on what type of business and where you plan to operate, you may be required to obtain various municipal and / or state licenses, certificates, or permits. Remember compliance is your responsibility!
- COPYRIGHT "©"- Registers and protects works of authorship including literary, dramatic, musical, artistic, computer software, and architecture.
- "C" CORPORATION This is the most complex type of business corporate entity. It is normally comprised of shareholders, directors and officers.
- FRANCHISING There are primarily two forms of franchising 1) Product/trade name and 2) Business format. The simplest definition is as follows: although you own the business, it's operation is governed by the terms of the legal franchise agreement. Information is available through the SBA by going on-line to <a href="https://www.sba.gov/workshops/francises">www.sba.gov/workshops/francises</a>
- GENERAL PARTNERSHIP- Two or more persons who join together in the operation and management of a business venture. A formal partnership agreement is recommended.
- LIMITED PARTNERSHIP Similar to a general partnership, however in this type of entity a general partner has greater control over some aspects of the business. As in all type of entities we recommend obtaining legal advice for your protection.
- LLC- LIMITED LIABILITY COMPANY- This entity allows for reduced personal liability and provides certain tax advantages. An LLC combines selected corporate and limited partnership characteristics. Contact the NJ Division of Commercial Recording.
- MBE Minority owned business enterprise certification NJ Dept. of Commerce
- PATENT A property right granted by the U.S. Government to an individual to, in part, "exclude others from making, using, or selling an invention".
- SERVICE MARK To protect a brand or service (see trademark).
- SOLE PROPRIETORSHIP- One person operating a business as an individual and is a sole proprietor. Profits are taxed as income to the owner personally.
- SUBCHAPTER "S" CORPORATION To qualify as an "S" Corporation a business must meet certain requirements. Contact the IRS and the NJ Division of Commercial Recording for further information. The phone numbers and addresses are located in this booklet.

- TRADEMARK- You can file a trademark on the state level and on the federal level. A trademark will protect a product name, logo, symbol, or figure.
- TRADE NAME CERTIFICATE- The registration of your business trade name primarily for non incorporated entities. Filed with the Atlantic County Clerk's Office. See additional information in this booklet regarding trade names or call our office.
- UEZ Urban Enterprise Zone Program created to revitalize distressed urban communities through private sector jobs and public and private investments NJ Dept. of Commerce.
- WBE Woman owned business enterprise certification NJ Dept. of Commerce.

The above information is for informational purposes only and should not be considered legal advice or comprehensive legal definitions.



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Atlantic County Clerk's Office Edward P. McGettigan, County Clerk 5901 Main Street Mays Landing, NJ 08330