

CLERKS CORNER 12.2018

Doing Business As

'Tis the 2018 holiday season and here in Wenham that means that the 2019 census paperwork will be mailed out to all households on December 26th. It is sent along with our dog license registration form. Massachusetts General Law Chapter 140, §137 and Town Bylaw Chapter 23 require that dogs over 6 months are vaccinated against rabies and registered annually. The dog year in Wenham runs from January to December. The late fee of \$25 dictated by our bylaw is imposed on all dogs not new to Wenham as of February 1st. To allow our dog owners the full month to register their dogs, we send this information in late December.

Do you run a business in or outside of the home? Did you know that any business that is not in one's own name is required to have business certificate filed within the community where the business is located. Massachusetts General Law Chapter 100 §5 explains that a DBA (doing business as) is the registration form that must be filed where a business is located if that business is run under any name other than the real name of the business owner. Filing a DBA does not authorize a business to operate as it is not a license. Many businesses do require specific licensing or permits from either State or Town Departments but the filing of a DBA is a merely a means of creating a public record of the name and address of the true owner(s) of a business.

Here in Massachusetts this DBA filing is done at the local level. Each municipality has its own form for such a purpose but they all require the names and addresses of all owners, the name and address of the business and the type of business. In Wenham as in many other communities, filing a DBA is a process. We have an application which can be found on the Clerk's page of the Town website, www.wenhamma.gov. The Clerk forwards the application to several departments to secure approvals; police, fire, board of health, building department, land use and tax collector. Once approved by all, the \$20 fee is required and the certificate is processed.

By State Law, DBA's are valid for 4 years. Businesses that decide to incorporate or form a business entity must be registered on the State Level through

the Secretary of the Commonwealth and therefore not required to file a DBA with the municipality.

As 2018 comes to a close so does the 375th anniversary of the Town of Wenham. It has been a whirlwind of events that the committee hopes many residents enjoyed. Also this year Wenham's residents had a banner turnout for the midterm elections. I am very much looking forward to getting even more residents involved in all levels of activity within the Town of Wenham in 2019.

Dianne Kaplan Bucco was elected the Wenham Town Clerk April 11, 2014 and has achieved the designation of Certified Municipal Clerk in 2017. For more information on the clerk's office, please go to www.wenhamma.gov or follow the Wenham Town Clerk on Facebook.