

The New Business Guide

*Tips & Guidance for Starting a New Business
in Downtown Clayton*



Thanks for Choosing
Downtown Clayton

2009

The New Business Guide

Welcome

The Town of Clayton welcomes and desires to work with new and existing business to make the permitting and inspection process as smooth as possible.

As a potential new business owner/operator in downtown Clayton, the following information is provided to assist in establishing your business. Please note that many of the Clayton Municipal offices you will need to check with are located at The Clayton Center, 111 E. Second Street in downtown Clayton.

More information about the Town of Clayton is also provided on the Town's website at www.townofclaytonnc.org

If you have questions, please do not hesitate to contact staff at the numbers provided.

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www.townofclaytonnc.org

This booklet has been prepared by the Clayton Downtown Development Association

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Before you start your business

Licenses, Permits, Applications and Other Requirements for New and Relocating Businesses

There are numerous steps a prospective business owner must take before starting a new business. Identifying all the licenses, permits, regulations, and/or other approvals required for the planned business activity is a crucial step to the success of any business.

The State of North Carolina has no single business license that will ensure compliance with the numerous state licenses, permits and regulatory requirements. Additionally, the proposed business may be subject to local and/or federal requirements. Simply knowing which agencies to contact can be a very confusing task for the new entrepreneur.

There may be other agencies, which regulate certain types of businesses, but this booklet covers most of the regular municipal and county departments that might have jurisdiction. Many of these services are fee-based and may vary with the size or type of business. All are subject to change through amendments in legislation or local ordinance.

Business ServiCenter (NC Department of Commerce)

The Business ServiCenter does not keep records of existing businesses or issue state business licenses, but assists prospective business owners in identifying and meeting these requirements.

www.nccommerce.com/servicenter/bljo/

(919) 715-2864 - (800) 228-8443 - Fax (919) 715-2855

Town of Clayton Planning, Inspection & Downtown Development

111 E Second Street

Clayton, NC 27520

(919) 553-1545 - (919) 553-1720 – fax

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Be sure the location you choose for your business is properly zoned for your business activity.

Zoning Compliance – *Planning & Inspections Department* - When determining your business site take care to research the following:

- How is the property zoned?
- How is the property use classified?
- What uses are legally allowed within the guidelines of the Town's Zoning Code?
- Will you be required to make code improvements?
- Is the site within a special district or part of an approved neighborhood plan?
- What, if any, are the parking and landscaping requirements?

The Planning and Zoning staff at the Town of Clayton Planning Department can help you find the information to all these questions. Call **553-1545**

Sign Permits A permit is required for all new or changes to existing signage in the Town of Clayton. A sign application must be submitted and approved prior to installation. Permits are also needed for some signs painted on windows. Regulations also restrict the placement of banners and other non-permanent signs to specific areas. For sign regulations, application, information, or questions call **553-1545**

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Be sure you ask the right questions about the building

Besides zoning issues, you need to consider the following building issues when choosing a business location:

- Will my business change the use of the building from the previous business?
- Will I need a permit to make improvements? To remodel?
- Will I need to bring the building up to code?
- Will I need to make changes to comply with the Americans with Disabilities Act (ADA)?
- Can I put up a new sign or an awning? (See *Sign Permits*)

A licensed architect will be able to advise you on any structural changes that will be required. Because of the tremendous demand on the Town inspections staff, the department is unable to provide advice on individual projects.

A licensed general contractor will be able to advise you on required improvements required by the NC Building Code. They will also be able to acquire the proper permits for the work to be performed. This is also true for changes in electrical, plumbing, heating, air conditioning, and elevators.

**Please note that a Change of Use requires site plan approval by the Clayton Planning Board which is generally a 45-60 day process.*

TIP: Before you lease or purchase a building or property

Any offer to lease or purchase should be contingent upon the premises meeting the uniform building code, the fire code or any special codes that govern your particular business (e.g., health codes). Codes change, and a change of use, occupancy or ownership may require that the premises be brought up to the current building codes.

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Businesses Involving Food and Other Regulated Activities

Johnston County Environmental Health
309 E Market Street
Smithfield, NC 27577
(919) 989-5180
(919) 989-5190

Any business involving food must contact the Johnston County Health Department with a set of plans and specifications regarding the type of food operation. Your business must be inspected prior to opening or with a change of ownership. When you sign a lease or if you are purchasing a business, such as a restaurant, the lease or purchase contract should be contingent upon the physical facilities and equipment meeting regional health codes.

This department has regulatory authority or can advise in the following areas:

- Restaurant, other food service and lodging establishments
- On-Site Waste Water Permits (Septic Systems)
- Child Care Facilities
- Drinking water quality and water sampling
- Well Construction
- Public Swimming Pools
- Insect and rodent control
- Mobile Home Park
- Schools
- Subdivision review
- Minimum housing code enforcement
- Environmental issues in general

The Health Department must approve all plans for construction or remodel in which any of the above businesses are involved before construction may begin.

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ABC Permits

If you will be serving or selling alcohol or liquor products you will need to contact the *North Carolina Alcoholic Beverage Control Commission*, for application and other information. (919) 779-0700 Fax (919) 662-3583 <http://www.ncabc.com/>

Business License

Town of Clayton
Customer Service Department
111 E. Second Street
Clayton, NC 27520
(919) 553-5002

An annual business license tax is levied on each business conducted within the Clayton limits, including exempt entities.

Public Utility Services

Town of Clayton
Customer Service Department
111 E. Second Street
Clayton, NC 27520
(919) 553-5002

Electricity, water, and waste-water and sewage maintenance is city-owned and operated. Applications need to be signed in person on new commercial accounts. If you do not have a credit history with the Town of Clayton you may be required to pay a deposit or provide a letter of credit. Applications for new service are available at The Clayton Center, 111 E. Second Street. Call 553-5002 for more information.

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Fire Inspection

Clayton Fire Department
325 W. Horne St.
(919) 553-1520

The Clayton Fire Department inspects all commercial occupancies at least once a year to assure compliance with fire codes. It also makes inspections for special city licenses that require fire department approval as part of the licensing procedure. Any lease or purchase of a business should be contingent upon the building or space meeting the current fire codes. To ensure that your business is in compliance with fire codes, you must contact the Fire Department. There is a charge for a fire inspection based upon fee structures set by the Town Council. **Ask for the Fire Inspector.**

Hazardous Materials

Any business that stores or uses substances classified as hazardous materials must meet specific requirements regarding their storage. Storage of hazardous materials is subject to review by Clayton Fire Department. If you are not sure if the materials you are using are considered hazardous, contact Clayton Fire Department at (919) 553-1557.

Police Department

201 Barbour Street
(919) 553-4611

Call for information and advice about protection and other services afforded by the Clayton Police Department.

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Trash Collection

Commercial trash and garbage collection is a private industry in Clayton. Providers are listed in the Yellow Pages of your telephone book under Garbage Collection.

Employer Number, Sales & Use Tax

Information may be obtained from the **North Carolina Department of Revenue** – (919) 733-3661.

www.dor.state.nc.us/

Insurance

Numerous local companies are listed in the phone directory

Telephone

Numerous Local Service Providers are listed in the phone directory

Business Property Listing

Johnston County Tax Office
Courthouse
207 E. Johnston Street
Smithfield, NC 27577
989-5130

Business Personal Property includes machinery, equipment, computers, furniture, fixtures, supplies, airplanes, farm machinery, and any other income producing personal property. All those who own business personal property on January 1 are required to list.

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Small Business Assistance Agencies

Clayton Downtown Development Association

Town Council-appointed board charged with developing downtown Clayton into an alive downtown that meets once a month. The Town also employs a full-time Downtown Development Coordinator within the Planning and Inspections Department.

Bruce Naegelen – 553-1545

Johnston County Small Business Center

Rosa Andrews, Director

919-209-2015 919-209-2189 - fax

rsandrews@johnstoncc.edu

www.johnstoncc.edu/ConEd/sbc/sbc.html

Clayton Area Chamber of Commerce

Local business service organization. For membership fees and information see Sally Schlindwein, President, 553-6352

www.claytonchamber.com

Other Sources of Information

Small Business Association

www.sba.gov

Official Web Site for the State of North Carolina

www.ncgov.com

NC State Historic Preservation Office

<http://www.hpo.dcr.state.nc.us/>

NC State Data Center

<http://sdc.state.nc.us/>

NC Census Information

<http://census.state.nc.us/>