



Business Licensing

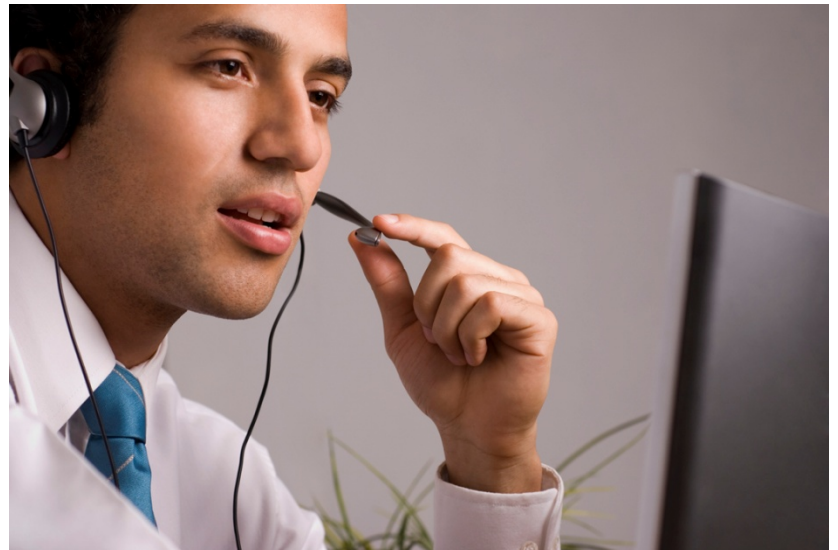
Opening a business can be a challenging process. Having to compile numerous documents and information to complete the necessary applications seem cumbersome. We have created these handy tools to assist you in learning more about the licensing process and to provide you with a place where you can access additional resources in a one stop shop environment. If at any time during this process you find anything that would make the licensing process more business friendly please let us know.

- ✓ [Business License Questionnaire](#)
- ✓ [Thinking of Starting a Business in Franklin?](#)
- ✓ [Check List for Business License](#)
- ✓ [Contractors Check List](#)



We will be happy to meet with you to discuss this process at your convenience. Once you have reviewed the documents above, a pre-application meeting can be scheduled by calling the Commissioner of The Revenue's office at (757) 562-8547.

We look forward to serving you and your business.





BUSINESS LICENSE QUESTIONNAIRE

The following questionnaire was created to act as a guide and overview of the process that we hope will prepare you for obtaining a City of Franklin business-license. Completing this questionnaire will provide you with information and understanding of the business licensing process. **This guide is for your benefit and there is no need to return this form when you apply for a business license.**

The following steps will be applicable to the majority of businesses seeking a business license to operate or conduct business within the City of Franklin. You are urged to read through every question before starting your license process. Doing so will help us serve you better. Once you have completed this exercise and are ready for a more in depth review of the process, or if you are ready to make application please refer to the step by step guide **“Think of Starting a Business in Franklin”**? As questions arise, please contact the City of Franklin Commissioner of the Revenue’s Business License office, 207 West Second Avenue (City Hall), (757) 562-8547 to assist you.

“The City of Franklin encourages business development as one of the many ways to stimulate and boost our economic viability”

*Donald E. Goodwin, CBO, CFM
Director of Community Development*

Please note that some professions and careers such as an attorney, day care providers, medical doctor, cosmetologist/barber, psychologist, mortician, etc. require additional licensure or certification. See [State of Virginia Licensing](#) -- Virginia Dept. of Business Assistance website -- (See also: [Virginia Regulatory Townhall](#))

(Please check with the specific department of the State of Virginia in which your area of expertise may be handled. A list of those departments may be found in the “blue pages” of the telephone directory. Also, the state chapter of your Professional Association may be able to assist you regarding these additional requirements).

Some other professionals or business operations need to meet other specialized requirements such as peddlers, farmers’ market vendors etc., as part of their business operations. As you have questions, please contact the City of Franklin’s Commissioner of the Revenue’s Business License office at (757) 562-8547.

We look forward to serving you during this process and in the future.

1. Will your business address be located within the city limits of the City of Franklin? or, Will you conduct business within the city limits?

Yes, I will conduct business within the city limits-go to #2

No, then you do not need a City of Franklin Business License.

2. Do you need to know if your business is zoned to conduct your type of business at your proposed business location or, do you need to know if the property or space you are about to rent will pass building and fire code requirements?

Yes, contact City of Franklin Department of Community Development, 207 West Second Avenue (City Hall), (757) 562-8580.

No, continue to #3.

3. Are you looking for available property or building to conduct your business?

Yes, contact Franklin Southampton Economic Development, Inc. 601 North Mechanic Street, Suite 300 (757) 562-1958, or the Downtown Business Association, (757) 562-6900 for information on available property.

No, continue to #4.

4. Will you be using a sign to advertise your business? Will your business operate out of your home? Will any building construction or tenant improvements be required for your business? Will there be a change in property use from the previous business occupant?

Yes, to any of the above four questions, contact City of Franklin Department of Community Development, 207 West Second Avenue (City Hall), (757) 562-8580 for sign code compliance; or, for plan review, zoning clearance and certificate of occupancy issuance information. **After contact**, continue to #5.

No, continue to #5.

5. Will your business operate out of your home?

Yes, contact Franklin Department of Community Development, 207 West Second Avenue, (757) 562-8580 for information on compliance issues specifically geared to home based businesses. After contact, continue to #6.

No, continue to #6.

6. Will your business sell or serve beer, wine and/or liquor?

Yes, contact Virginia Department of Alcoholic Beverage Control, local office – 4907 West Mercury Blvd., Newport News, Va. (757) 825-7830 for state licensing. Once state licensing is received, contact the City of Franklin Commissioner of the Revenue's Business License office 207 West Second Avenue (City Hall), (757) 562-8547 for local business licensing. After contact, continue to #7.

No, continue to #7.

7. Will your business involve food preparation, tattoo or massage facility, hotel or public pool?

Yes, contact [Franklin Health Department](#), 26022 Administration Center Drive, Courtland Va. 23837, (757) 653-3040 for approval. After contact, continue to #8.

No, continue to #8.

8. Will your business involve manufacturing?

Yes, contact City of Franklin Commissioner of the Revenue's Business License Section 207 West Second Avenue (City Hall), (757) 562-8547. After contact, continue to #9.

No, continue to #9.

9. Will you have three or more employees other than yourself?

Yes, contact the [Virginia Workers Compensation Commission](#), 100 DMV Drive, Richmond, VA 23230 (877) 664-2566 to inquire about workman's compensation insurance requirements. You may obtain workman's compensation insurance from your own insurance company. After contact, continue to #10.

No, continue to #10.

10. Are you a general or sub-contractor?

Yes, contact the [State Board for Contractors](#), 3600 West Broad Street, Richmond, VA 23230-4917(804)367-8511 for registration. After contact, continue to #11

No, continue to #11.

11. Will your business be a Corporation or a Limited Liability Company? or, Is your business incorporated or registered in another state?

Yes, contact the [State Corporation Commission](#), P.O. Box 1197, Richmond, VA 23230 (866) 722-2551. After contact, continue to #12.

No, continue to #12.

12. Do you need Federal Internal Revenue Service forms, a Federal ID Number or other tax information?

Yes, inquire with the [U.S. Internal Revenue Service](#), 1(800) 829-3676 for forms and instructions. Continue to #13.

No, continue to #13.

13. Are you applying for a City of Franklin Business License that will require you to collect or pass on the tax on retail sales? Will you require Virginia Sales Tax information, on either sales or use tax?

Yes, contact [Virginia Department of Taxation](#) - Virginia Department of Taxation 3600 West Broad Street Richmond, VA 23230-4915 (804) 367-8037. After contact, continue to #14.

No, continue to #14.

14. Will you use a fictitious trade name or a “doing business as” name?

___ **Yes**, contact the Clerk of Circuit Court P.O. Box 190, Courtland Va. 23837 (757)653-2200 to record the name. After contact, continue to #15.

___ **No**, continue to #15.

15. Will you be using personal property or machinery and tools for business purposes?

___ **Yes**, contact the Business License Section of the City of Franklin Commissioner of the Revenue’s Office, 207 West Second Avenue (757) 562-8783 for information concerning the taxation of business personal property. After contact, continue to #16.

___ **No**, continue to #16.

16. Where do I obtain my Business License?

The appropriate Business License can be issued through the Commissioner of Revenues office. [Click here](#) for a free copy of the [Business License Check List](#) or contact: mwiggins@franklinva.com

City of Franklin Commissioner of the Revenue Office

207 West Second Avenue (City Hall)

(757) 562-8547

**As you have seen from the above information,
the types of licenses vary depending upon your business activity.
Contact the Business License Section of the
Commissioner of the Revenue’s Office (757) 562-8547
for additional information and assistance
at any time during the above steps.
Please let us know if we can help!**



Thinking of Starting a business in Franklin?

✓ *Check out our handy step by step guide!*

Once you have completed your review of the BUSINESS LICENSE QUESTIONNAIRE and wish to obtain more in depth information on the process, you may use this publication that is designed to provide information on a wide variety of resources available to new and existing businesses in the City of Franklin. Information on the responsibilities and regulations governing business in Virginia is also included. We hope you find this resource helpful. Should you have any suggestions that would make this guide a better tool for new prospective business owners please contact the Department of Community Development at 757-562-8580

Step by Step

Step 1: Circuit Court Clerk's Office

If the business will be operated under a name other than that listed on the business license application, except for Limited Liability company's or Corporation's, the applicant may register his/her Trade or Fictitious Name with the Southampton County Circuit Court Clerk's Office. For a copy of the form you may contact the clerk's office at 757-653-2200.

Information Required to Register the Trade or Fictitious Name

1. The trade name;
2. Name and address of the applicant;
3. Physical address of the business operation;
4. Type of business;
5. The entity type (sole proprietorship, partnership, corporation);
6. Signature notarized or signed before Deputy Circuit Court Clerk;
 1. Submit name registration form to the Circuit Court Clerk's Office with a \$10 filing fee plus \$2.50 for a certified copy of the registration (\$12.50 total). Payment by cash, check or money order.

Step 2: Department of Community Development Zoning Office

All individuals or organizations wishing to start a business in the City of Franklin must contact the Zoning Office for a zoning clearance and the Commissioner of the Revenue's Office for the business license.

The zoning clearance that is issued by the Zoning Office prior to operating a business depends upon the zoning classification of the property and the business type. (See Zoning Map)

Home Occupation Permit

A home occupation permit is required for all businesses locating in a residential housing unit. The applicant is required to complete and sign a Home Occupation Permit Application certifying that he/she agrees to comply with all City of Franklin home occupancy permit regulations as set forth by the Franklin City Code.

Applicant Information Required for a Home Occupation Permit;

1. Property owner information;
2. Type of business;
3. Use and intensity of business;
4. Previous or Current type of business;
5. Location of home occupation;
6. Applicant name, addresses, telephone numbers and other contact information;

NOTE: If the applicant is NOT the property owner, a letter signed by the property owner allowing the operation of the business on the property must be provided at the time of application.

Occupancy Permits

A Zoning Clearance for occupancy is required for all businesses locating in residential, business or industrial zones. In addition to the zoning clearance, you may also need to obtain a building permit. For more information on "When a Building Permit is Required" you may contact the Department of Community Development at 757-562-8580.

Occupancy	A Zoning Clearance is required for businesses locating in new construction.
Change of Occupancy	A signed affidavit is required for a change of occupancy in an existing building with the same type of business.
Change of Use & Occupancy	A Zoning Clearance required for a change of occupancy in an existing building with a different type of business.

Applicant Information Required for a Zoning Clearance;

1. Owner of property;
2. Type of business;
3. Use and intensity of business;
4. Previous or current type of business;
5. Location of proposed use;
6. Applicant names, addresses, telephone numbers and other contact information;

NOTE: If the applicant is NOT the property owner, a copy of the lease agreement allowing the operation of the business on the property must be provided at the time of application.

The following applies to both Home Occupations and Occupancy Permits.

The applicant must provide information regarding the TYPE of business to be operated on the property (examples: professional office, beauty salon, machine shop, restaurant, etc.). Depending upon the TYPE of business and the facility from which it will be operated, plans and a property inspection by the Building Official and/or an engineer or architect may be required prior to the issuance of any permits.

The applicant must provide written information regarding the INTENSITY of the business proposed. An Informational narrative regarding the day to day activities, hours of operation, expected levels of traffic, types of machinery involved or any hazardous materials used and any manufacturing

processes proposed at the time of application. Depending upon the INTENSITY of the business and the condition of the facility from which it will be operated, plans and a property inspection by the Building Official and/or an engineer or architect may be required prior to the issuance of any permits.

All food-related businesses (service or manufacturing) MUST contact the Franklin Health Department (757-653-3040) and the US Department of Agriculture, Virginia Beach Office at (757-363-3909) prior to the application for Occupancy Permits to ensure Health and USDA requirements are met. For information on water and sewer connections and fees, please contact the Department of Community Development (757) 562-8580.

State law requires that individuals or organizations in the construction industry may be required to have a Class A, B or C contractor's license issued through the Virginia Department of Professional & Occupational Regulation (www.dpor.virginia.gov) depending upon the type of work performed.

Applicants for Home Occupation or Occupancy Permits must apply in person at the City of Franklin Department of Community Development. When in doubt, call prior to visiting the Zoning Office to ensure all application requirements can be met at that time.

Zoning and Building permits issued by the Department of Community Development do require a fee. All fees must be paid by cash, check or money order. Credit cards are also accepted.

Contact Information

City of Franklin Department of Community Development
207 West Second Avenue
City Hall Building
PO Box 79
Franklin, VA 23851
Phone: 757/562-8580
Fax: 757/562-0870
www.franklinva.com

Step 3: Commissioner of the Revenue

After receiving a Home Occupation or Occupancy Permit from the City of Franklin Zoning Office, individuals or organizations wishing to start a business must apply for a Business License with the Commissioner of the Revenue's Office located on the 1st floor of City Hall 207 West 2nd Ave. (757-562-8547) Please refer to the [Business License Check List](#) for more information.

Information Required on Business License Application

1. Federal Employer Identification No. (FEIN) or Social Security No.;
2. Applicant name;
3. Trade name or (DBA);
4. Mailing address;
5. Physical address (location of the business);
6. Type of operation;
7. Telephone numbers ;
8. Contact person ;
9. Estimated gross receipts of the operation for the remaining months in the calendar year. This will determine the business license fee (see schedule).

Fee Chart	
License Type	Tax Rate per \$100 of Gross Receipts
Public Service	5 cents per \$100
Retail Merchants	20 cents per \$100
Professional, Financial Services	58 cents per \$100
Contracting	15 Cents per \$100
Wholesale Merchant	\$50 for 1 st \$10,000 + 10 cents per \$100 thereafter
Personal/Business Services	30 cents per \$100
Farmers' Market	\$10 Annually

All business licenses are subject to a fee based upon gross receipts. The City of Franklin Treasurer accepts cash, checks or money orders for the payment of business license fees. Credit cards are also accepted.

Step 4: Issuance of Business License

Once the applicant registers their trade or fictitious name with the Circuit Court Clerk's Office, the applicant would submit both the Trade Name Registration and Occupancy Permit (Zoning Clearance) to the Commissioner of the Revenue's Office. The Commissioner of the Revenue's Office will issue a Business License after all requirements are met.

PLEASE NOTE:

1. The Commissioner of the Revenue's Office can assist applicants appearing in person with obtaining a Federal Employer Identification Number, completing the Name Registration Form and with obtaining a Virginia Sales Tax account number.
2. The Commissioner of the Revenue's Office provides federal, state and local tax forms to individuals and businesses.
3. The total processing time when all information above has been gathered (Zoning, Commissioner of the Revenue and Circuit Court Clerk's Office) averages 45 – 60 minutes.
4. Please see City of Franklin Code for information on possible penalties for not obtaining proper permitting or licenses.

Contact Information;
 City of Franklin Commissioner of the Revenue's Office
 Brenda Rickman, Commissioner of the Revenue
 207 West Second Avenue
 City Hall Building
 PO Box 79
 Franklin, VA 23851
 Phone: 757/562-8547
 Fax: 757/569-0964
www.franklinva.com

CHECK LIST
CITY OF FRANKLIN BUSINESS LICENSE

The Commissioner of the Revenue must obtain the items below prior to the issuance of a business license.

1. A **Registration Certificate** from the Clerk's Office in Southampton County. Please register your business name first and bring a copy of that certificate with you. Please call 757-653-2200 or visit the Clerk's Office at 22350 Main Street Courtland, VA for more information.
2. A **Zoning Clearance** or **approval** from the Department of Community Development Office must be obtained before continuing to the other items. If the proposed use is not consistent with the zoning district and building regulations a Business License cannot be issued. Please call 757-562-8580 or visit the Building/Zoning Office at 207 West Second Avenue.
3. A copy of the **Certificate of Incorporation** issued by the State Corporation Commission (SCC). Please call the SCC at 804-371-9733. Your attorney usually performs the actual legal work.
4. **Names of the Directors of the Corporation**: President, Vice-President, Secretary, Treasurer and others if appropriate and social security number.
5. **Names of Members for Liability Company** and social security number.
6. **Partnership**: Name, address, social security number, phone number of each partner and signature of each partner on the application.
7. **Federal Identification Number** or **Social Security Number** of business.
8. If you are a Retail Merchant you will need a **Sales and Use Tax Number** that is issued by the Department of Taxation. The phone number is 804~367~8037. You may visit the web address at **www.tax.virginia.gov**. You can also take advantage of the new Live Chat option on the web site. Please be sure to have the number issued to the City of Franklin and our locality code is **235**. A consolidated number **will not be accepted**.
9. Copy of State **ABC License** if you will be selling alcohol.
10. A copy of your **Health Certificate** that is issued by Southampton County Environmental Health if you are a food establishment. Please call 757-653-3040 for more information.
11. Hairdressers: **Copy of State Cosmetology License**.
12. The **Mailing Address** and **Location Address** of your proposed business in the City.
13. **Copy of Lease Agreement** if property is being leased.
14. The (Low) **Estimated Gross Receipts** that you believe you will receive from the time you open your business until December 31st of the first year.

Questions answered @
Commissioner of the Revenue
P O Box 389
Franklin, Virginia 23851
757-562-8547 ~ Fax 757-569-0964

CONTRACTORS CHECK LIST
FOR BUSINESS LICENSE

1. A **Registration Certificate** from the Clerk's Office in Southampton County. Please register your business name first and bring a copy of that certificate with you. Please call 757-653-2200 or visit the Clerk's office at 22350 Main Street Courtland, Virginia for more information.
2. A **Contractor's Business License Application** from the Department of Community Development Office must be obtained before continuing to the other items. If the proposed use is not consistent with the zoning district and building regulations a business license cannot be issued. Please call 757-562-8580 or visit the Building/Zoning Office at 207 West Second Avenue Franklin, VA for more information.
3. **State of Virginia Contractor license.**
4. **Federal ID Number** or **Social Security Number.**
5. **Directors name** (if corporation) **Members name** (if LLC)
6. **Copy of certificate of incorporation** (issued by the State Corporation Commission)
7. **Workers' Compensation Certification** form completed (Please bring or mail this from back. State will not accept photo copy of your signature).
8. **Sub-Contractors List** – include name, address, phone number and contract price for each sub-contractor.
9. **Contract Price** of job.
10. **Address of job site** and owner of site.

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P O Box 389
Franklin, Virginia 23851
757-562-8547 ~ Fax 757-569-0964