



# Business Certificates

TOWN CLERK  
TOWN OF BECKET  
557 MAIN ST.  
BECKET, MA 01223

## Filing a Business Certificate (MGL CH 110, § 5)

The primary purpose of filing a business certificate is to protect consumers or creditors by identifying the names and addresses of the owners of the business. The filing of a business certificate does not protect a business name as does a corporate filing or a trademark registration. A business certificate filing is commonly called a “d/b/a” (doing business as).

**Who Must File?** Any person conducting business, individually or as a partnership, in the Commonwealth under any title or name other than his real name, must file a business certificate with the clerk of each city or town in which the business has an office. If a corporation is operating a business in a name, other than the incorporated name, they too need to file.

**Where Does One File?** In the Town of Becket, an Application for a Business Certificate should be filed with the Town Clerk (413-623-8934) at the above address. *The application requires certification from the Town that the taxes are current for the applicant. The Building Inspector/Zoning Enforcement Officer will follow up with those filing business certificates to ensure that the business is an allowed use for the location per the Town of Becket Zoning By-Laws.*

When your application is approved, the Business Certificate will be sent to you for signature. The certificate must be signed under oath by each person conducting the business, certifying that the statements contained in the certificate are true. The Certificate must be either notarized and returned to the Town Clerk OR brought to Town Hall to be signed by the Town Clerk before it becomes effective. **The date of receipt by the Town Clerk is the effective date of filing for your business.** You will be sent a certified copy of the Business Certificate after it has been filed.

**What about a Change?** Upon discontinuing, retiring or withdrawing from such business or partnership or in the case of a change of residence of such person or the location where business is conducted, a Business Certificate Change form must be filed with the Town Clerk. Forms are available from the Town Clerk. The completed form must be notarized or signed by the Town Clerk and mailed with the appropriate fee to the above address.

**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 every four years as long as business is conducted.

**Do I have to display the Certificate?** No, but copies of business certificates shall be available at the address of said business and shall be furnished on request during regular business hours to any person who has purchased goods or services from said business.

**Fees**     \$20.00 - Business Certificate Filing (includes one certified copy)  
              \$10.00 - Business Certificate Change

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MGL CH 110, 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 (\$300) for each month during which such violation continues.