

# The New Business Guide

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



Think **CLAYTON**. Think Downtown.

**Last Updated 2015**

This booklet has been prepared by the Clayton Downtown Development Association

## *The New Business Guide*

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### **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 East Second Street in downtown Clayton.

More information about the Town of Clayton is also provided on the Town's website at [www.townofclaytonnc.org](http://www.townofclaytonnc.org)

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

**111 East Second Street**  
**Clayton, NC 27520**  
**919-553-5002**  
[info@downtownclayton.org](mailto:info@downtownclayton.org)

[www.downtownclayton.org](http://www.downtownclayton.org)  
[www.townofclaytonnc.org](http://www.townofclaytonnc.org)

### **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 does not issue a single business license that ensures 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 Johnston County departments that might have jurisdiction. Many of these services are fee-based and may vary with the size or type of business. All regulations 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/en/BusinessServices](http://www.nccommerce.com/en/BusinessServices)

919-715-2864

1-800-228-8443

919-715-2855 (fax)

#### **Town of Clayton Planning, Inspection & Downtown Development**

111 East Second Street

Clayton, NC 27520

**919-553-5002**

**919-553-1720 (fax)**

[www.townofclaytonnc.org/planning](http://www.townofclaytonnc.org/planning)

### **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 Unified Development Code?
- Will you be required to make site or building 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 **919-553-5002**.

**Sign Permits** A permit is required for all new signage 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 and A-frame signage. Regulations also restrict the placement of banners and other non-permanent signs to specific areas. For sign regulations, guidelines, applications, information, or questions call **919-553-5002**.

Some types of signs that are prohibited include, but not limited to:

- Portable signs
- Roof signs
- Windblown signs
- Flashing signs
- Off-premise signs,

**Many permits are now available on-line by visiting the Town of Clayton website and clicking on the Permits & Applications page.**

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### **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 for the use of the building.

### **Be sure you ask the right questions about the building**

In addition to 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 the building 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 can advise you on any structural changes that are required. Because of the tremendous demand on the Town Inspection staff, the Department is unable to provide advice on individual projects.

A licensed general contractor can advise you on necessary improvements to comply with the NC Building Code. They can also acquire 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 to 60 day process.*

### **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. Whether you are signing a lease or 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.

Johnston County Environmental Health 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 the plans for construction or remodel in which any of the above businesses are involved prior to the commencement of construction.

### **ABC Permits**

If you intend on serving or selling alcohol or liquor products, you will need to contact the *North Carolina Alcoholic Beverage Control Commission*, for application, requirements and other information.

919-779-0700

919-662-3583 - fax

<http://www.ncabc.com>

### **Public Utility Services**

Town of Clayton

Customer Service Department

111 East Second Street

Clayton, NC 27520

**919-553-5002**

Electricity, potable water, and sanitary sewer service is town-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 East Second Street. Call 919-553-5002 for more information.

### **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. Inspections are also performed for special town 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. **Contact the Fire Marshall at 919-553-1520 to schedule inspections.**

### **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 use are considered hazardous, contact Clayton Fire Department at 919-553-1557.

### **Police Department**

315 East Second Street  
919-553-4611  
[www.claytonpolice.org](http://www.claytonpolice.org)

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

### **Trash Collection**

Commercial trash and garbage collection is performed by private haulers in Clayton. Solid waste 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/](http://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 Building  
207 E. Johnston Street  
Smithfield, NC 27577  
919-989-5130

**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 personal property with the Johnston County Tax Office.

## **Small Business Assistance Agencies**

### **Clayton Downtown Development Association**

111 East Second Street

Clayton, NC 27520

919-553-5002

919-553-1720 – fax

[info@downtownclayton.org](mailto:info@downtownclayton.org)

[www.downtownclayton.org](http://www.downtownclayton.org)

### **Small Business Center (JCC)**

135 Bestwood Drive

Clayton, NC 27520

919-209-2015      919-209-2224

[sbc@mail.johnstoncc.edu](mailto:sbc@mail.johnstoncc.edu)

<http://www.johnstoncc.edu/continuing-education/small-business-center.aspx>

### **Clayton Chamber of Commerce**

301 E. Main Street

Clayton, NC 27520

Jim Godfrey, *Executive Director*

919-553-6352

[jim@claytonchamber.com](mailto:jim@claytonchamber.com)

[www.claytonchamber.com](http://www.claytonchamber.com)

## **Other Sources of Information**

### **Business Link North Carolina**

[www.blnc.gov](http://www.blnc.gov)

1-800-228-8443

### **Small Business Association**

[www.sba.gov](http://www.sba.gov)

### **NC State Historic Preservation Office**

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

### **NC State Data Center**

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

### **Official Web Site for the State of North Carolina**

[www.ncgov.com](http://www.ncgov.com)

### **NC Census Information**

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