



CHECKLIST

1 BUSINESS PLAN

- ☐ Draft a business plan. Decide on the number and the age range of the children you wish to care for to determine whether you will be required to hire an assistant.

2 LOCATION

- ☐ Draft a detailed floor plan, ensuring that your facility conforms to DEEC guidelines
- ☐ Have the facility inspected by DEEC to ensure it meets state standards

3 ZONING AND PERMITTING

- ☐ Visit the Building Commissioner at City Hall
- ☐ File Form of Intent and submit with floor plan, certified plot plan and filing fee (\$15)
- ☐ Receive detailed Zoning Determination from Building Commissioner;
- ☐ Proceed according to instructions in Zoning Determination
- ☐ Set up inspection and receive Certificate of Inspection (\$40 filing fee)
- ☐ *If building or renovating:* Submit floor plan; Receive building permit

4 LICENSING

- ☐ Become a licensed child care provider
- ☐ Complete the Massachusetts Department of Early Education and Care(DEEC) New Provider Orientation Program
- ☐ Obtain the Massachusetts Child Care Provider's License application from DEEC
- ☐ Before submitting the application, fulfill medical and information requirements as outlined in "Detailed Steps"
- ☐ Submit the application along with a signed check or money order to DEEC

5 BUSINESS CERTIFICATE

- ☐ Visit the Fitchburg City Clerk's Office
- ☐ File for a City of Fitchburg business certificate (DBA) and get form notarized (only if company will be a sole proprietorship or general partnership)
- ☐ Submit notarized form with a check or money order in the amount of the filing fee

6 TAXES

- ☐ Visit the Fitchburg City Assessor to file a Form of List

7 INTERNAL REVENUE SERVICE

- ☐ Call the Internal Revenue Service office in Worcester to schedule an appointment
- ☐ File federal tax forms for your business
- ☐ Get a federal tax identification number

8 MASSACHUSETTS DEPARTMENT OF REVENUE

- ☐ Contact the Massachusetts Department of Revenue
- ☐ File Massachusetts state tax forms for your business
- ☐ Get a Sales Tax Registration Number and Certificate

9 INSURANCE

- ☐ Do a risk assessment and inventory of your business's facility and property

DETAILED STEPS

1 BUSINESS PLAN

Draft a business plan. Business plans are part of a continuous process to define your business concept, understand your market, set goals and effectively meet client needs. Typically, plans encompass operational issues including, but not limited to, the following:

- What services and products will your business provide and what needs do these fulfill?
- Who is your target market and how will you reach them?
- How will your company secure and repay financing?

Decide how many children you wish to care for, and to what age groups these children will belong. If the number exceeds six, the state requires that you employ an assistant who is licensed by the **Massachusetts Department of Early Education and Care (DEEC)** (see step 3).

This guide contains instructions for sole proprietors only. Additional steps are required if you plan to hire other individuals. For more information, visit the **Massachusetts Department of Economic Development** website.

<http://www.mass.gov/dbt>

Or, contact the **Central Massachusetts Regional Small Business Development Center** for a detailed business plan guide with a sample business plan:

Clark University SBDC
950 Main Street
Worcester, MA 01610
508-793-7615
<http://www.clarku.edu/offices/sbdc>

TIP: This guide concerns the regulations and licensing requirements for starting a sole proprietorship with no employees. If planning on hiring employees, please consult Appendix II, “Navigating the Regulations to Become an Employer”

2 LOCATION

Draft a detailed floor plan, ensuring that your property conforms to DEEC guidelines. Note: address mentioned on the next page. If you plan to make repairs or do renovations, the floor plan should show what the property would look like when the work has been completed. The floor plan does not need to be prepared professionally, but must show all planned furniture, doors, windows, equipment, plumbing, and electrical outlets. You must have a minimum of 150 square feet of usable indoor space if caring for one or two children and a minimum of 225 square feet of approved usable floor space if caring for three to six children.

Bathroom, hallways, and adult only zones do not count for square footage requirements.

- 2a. The following home safety questions need to be addressed in your child care providers’ license application and should be taken into consideration as you draft a floor plan.

Outdoor Space

- Are you using your own yard for an outdoor play area? Do you have at least 75 square feet per child? (required)
- Is the yard fenced, and, if so, how high is the fence? Is it on a busy street?
- Do you have a porch that is more than three feet high?
- Do you own a swimming pool (not a wading pool)? How is this pool kept safe for children?
- Do you have a private well? (Well water must pass State purity and quality tests)
- Is there standing water, steep drop offs, railroad tracks or other hazards on or near your property?

Indoor Space

- How many exits are in your home? Where are they located?
- Do you have smoke and carbon monoxide detectors on each floor of the establishment?
- Do you have a written evacuation plan in case of fire, gas leak, or other emergency?
- Do you have locks on all bathroom and closet doors? Are these locks easily opened from inside and out?
- Do you have to pass through someone else's living space to leave the facility?
- Are all accessible windows securely screened, barricaded, or do they open only from the top?
- Is there a working flashlight on each floor of the home?
- Is there peeling, flaking, or chipped paint on the premises? Do you have broken plaster? (Must be addressed before you may operate a child care center.)
- Was your property constructed prior to 1978? Have you checked for lead paint? (Must be professionally removed before you may operate a child care center.)
- Do you keep firearms or ammunition in your home? How do you store these firearms and ammunition so they are inaccessible to children?
- Are all potentially hazardous materials (cleaning supplies, razors, cosmetics, medications, etc.) stored so they are inaccessible? The state will inspect the facility room by room to ensure this, particularly bathrooms and kitchens.
- Are all heating sources (e.g. radiators, hot water pipes, fuel-burning stoves, and fireplaces) inaccessible to children?
- Are all accessible unused electrical outlets covered?
- Are all stairways of four or more stairs barricaded? (Required when caring for children under three.) Do you have pressure gates? Where will they be located? (Not allowed at the top of stairs.)

2b. Your childcare facility must have an operable telephone. Next to the telephone a list of emergency telephone numbers (including Fire, Police, Ambulance, Poison Control Center, and the nearest emergency health care facility), the names and numbers of two emergency contacts, and your name, address, and phone number must be posted.

2c. Before you are permitted to open for business, DEEC will inspect your facility to determine if it meets state standards. The inspector will indicate any changes that need to be made to the property, or certifications you must obtain before you can open for business. Ask for copies of any paperwork from the inspection(s). If you are certified, your license will be valid for up to three years.

There are different requirements for center-based day care and home-based day care.

3 ZONING AND PERMITTING

Visit the **Building Commissioner** at **City Hall**.

*Building Commissioner
Fitchburg City Hall
166 Boulder Drive
Fitchburg MA 01420
978-829-1880*

File a **Form of Intent**. Along with the Form of Intent you must submit a floor plan that shows how the business or use is going to be set up within the principal structure, a certified plot plan showing adequate off street parking and setbacks to property lines, and the \$30.00 filing fee. Be prepared to provide an explanation about your business and intentions.

The **Building Commissioner** will review your application and write a **Zoning Determination** that will outline step-by-step what you need to do to proceed with your business. Follow the steps in the Zoning Determination.

For home-based businesses:

Home Occupation is allowed by right in Fitchburg provided that it:

- Is conducted solely within a dwelling and solely by the person(s) occupying the dwelling as a primary residence;
- Is clearly incidental and secondary to the use of the premises for residential purposes;
- Does not produce offensive noise, vibration, smoke, dust, odors, heat, lighting, electrical interference, radioactive emission or environmental pollution;
- Does not utilize exterior storage of material or equipment;
- Does not exhibit any exterior indication, including signs, of its presence or any variation from residential appearance;
- Does not produce any customer, pupil, or client trips to the occupation site and has no nonresident employees;
- Is registered as a business with the City Clerk

If these conditions are not met, a home occupation may be allowed by **special permit** issued by the **Board of Appeals**.

Contact the **Fire Prevention Bureau** located at the **Fitchburg Fire Department** to determine whether additional permits or fire prevention systems are needed.

*Fire Headquarters
33 North Street
Fitchburg MA 01420
978-345-9672*

4 LICENSING

Before you begin providing child care services, you must be licensed by the Massachusetts Department of Early Education and Care (**DEEC**) as a child care provider:

*Massachusetts Department of Early Education and Care Central Office
51 Sleeper Street, 4th Floor
Boston, MA 02110
617-988-6600
www.eec.state.ma.us*

Call the Central Regional Office to learn more about becoming a licensed childcare

provider. If this is to be a center based daycare there are additional regulations regarding certification of the director and staff.

*Massachusetts Department of Early Education and Care
Central MA Regional Office
340 Main Street, Suite 400
Worcester, MA 01608
508-798-5180*

- 4a. Complete the DEEC New Provider Orientation Program. DEEC has a number of Child Care Resource and Referral agencies (CCR&R) throughout Massachusetts. These organizations offer information, referral, education, training, technical assistance, and resource development to parents, child care providers, employers, and community groups.
- 4b. Request a copy of the Massachusetts Child Care Provider's License for Home Providers application from DEEC or download the forms online:

http://www.eec.state.ma.us/kr_licensing.aspx

The child care license application you should obtain will depend on the number and ages of children that you intend to watch in your home:

- **Regular Family Child Care License:** up to six children.
- **Family Child Care Plus License:** up to six children under the age of 7 and two children over the age of 7.
- **Large Family Child Care:** up to 10 children.

Different licenses are required for center based childcare. Before you submit the application to open your facility, there are number of requirements you will have to meet. For additional guidance, call the DEEC or read their electronic guide online:

http://www.eec.state.ma.us/oo_licensing.aspx

Medical requirements:

- Obtain current certification in basic first aid and CPR for infants and children.
- Obtain measles, mumps, and rubella immunizations.
- Have a recent, negative test on record for tuberculosis (TB) on a Mantoux TB test.
- Receive a complete physical.
- Have your physician fill out the medical form in the application packet.

Information requirements:

- Submit a list of persons living in your household and detail any physical, mental, or emotional problems that could affect your provision of day care.
- Submit a Criminal Offender Record Information (CORI) Form. Every individual 17 or older who regularly visits or lives in the house must undergo this background check. Certain criminal offenses may disqualify a home for a Family Child Care license. You can file CORI forms electronically.
- For further information, contact your regional DEEC representative at 617-472-2881.
- Compile a list of references.
- Compile a list of child care jobs that you have held in the past.
- Find two persons who live within ten minutes of your day care location who could help you in case of an emergency.
- Submit a written activities plan in compliance with the requirements of the state law listed

under Section 102 CMR 8.12 to your DEEC inspector.

- 4c. Submit the application and a signed check or money order in the amount of the licensing fee to DEEC as specified in the application packet.

Note: You will be required to maintain health and attendance records for each child that you or an assistant supervises. For more information on licensing and operating regulations, visit the DEEC website:

http://www.eec.state.ma.us/kr_regulations_main.aspx

- 4d. If you serve 20 or more children, than the facility meets the definition of a small public water supply and should obtain a Drinking Water permit through MassDEP. For details, please contact MassDEP *Central Region Drinking Water Program*.

5 BUSINESS CERTIFICATE

You must complete a zoning check before a business certificate will be issued (see section 3).

Prior to opening your business, you must file with the **Fitchburg City Clerk's Office** for a **Doing Business As (DBA) Certificate**.

*City Clerk
Fitchburg City Hall
166 Boulder Drive
Fitchburg MA 01420
978-829-1820*

- 5a. After filling out the application, have it notarized. Return the completed and notarized form to the Fitchburg City Clerk's office.

TIP: Open a business account with your local bank or credit union. If you are not using your social security number for your business, be sure to get your Tax ID# before opening a business bank account. A separate business account spares you the hassle of untangling personal and business transactions when you file taxes, decreases the likelihood of a missed deduction, and facilitates transparent recordkeeping in the event of an audit. Business accounts also increase credibility with potential lenders and clients and accommodate business growth. If possible get a debit card with your account to help you with back up record keeping.

6 TAXES

Visit the **Fitchburg City Assessor** to file a Form of List. A Form of List is used to document the property owned by your business, so that it may be assessed and taxed by the city. Once you file a Form of List with the City Assessor, a time will be arranged to visit your place of business and assess it for city taxes. The office is open from 8:30am-4:30pm, Monday through Friday.

*City Assessor
Fitchburg City Hall
166 Boulder Drive
Fitchburg, MA 01420
978-829-1860*

7 INTERNAL REVENUE SERVICE

You must also file all necessary tax forms with the **United States Internal Revenue Service**. Once you file these forms, the IRS will give you a tax identification number and provide instructions on compliance with federal regulations.

Typically, along with a basic Form 1040, you must file a *Schedule SE* form (15.3% Soc Security/Medicare Rate for Self-Employed filers) and a Federal *Schedule C* form (Taxed Profit or Loss from Business).

An introductory guide and access to all applicable forms are available through the IRS website:

<http://www.irs.gov/businesses/small/article/0,,id=115043,00.html>

*Internal Revenue Service
120 Front Street
Worcester, MA 01608
508-793-8227
<http://www.irs.gov>*

8 MASSACHUSETTS DEPARTMENT OF REVENUE

You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. As a sole proprietor, you are most likely required to file two forms with the Massachusetts Department of Revenue:

Form 1 – Massachusetts Resident Income Tax Return (or Form 1 NR/PY for Non-Residents or Part-Year Residents)

Schedule C – Profit or Loss from Business of Profession (self-employed)

A comprehensive guide to small business taxes, as well as online access to all applicable forms, can be found at the website:

<http://www.dor.state.ma.us/business/taxguide/toc.htm>

For additional information, or to obtain the forms by mail, contact the Customer Service Bureau:

*Customer Service Bureau
Massachusetts Department of Revenue
200 Arlington Street
Chelsea, MA 02150
617-887-MDOR (6367)
800-392-6089
www.mass.gov/dor*

In addition to the Schedule C, if you plan to sell tangible goods, you must obtain Form ST-1 to register to pay Massachusetts state sales tax. Currently, the rate is five percent of taxable items sold.

Complete a *WebFile* for Business application at the DOR website, and in turn you will receive a Sales and Use Tax Registration Certificate (Form ST-1) to be displayed at your place of business.

For a clear and comprehensive introductory information pertaining to sales tax, refer to “A Guide to Sales and Use Tax” available in PDF file through the website:

8a. Call the DOR's Customer Service Office at 617-887-MDOR (6367) or toll free at 1-800-6089 to request the forms by mail. Forms and filing instructions are available on the DOR website; however, it is still recommended that you speak to a DOR representative to ensure you are in full compliance with the law:

<http://www.dor.state.ma.us/forms/formlist.htm>

8b. After you have completed the forms, either file online, or mail the printed forms. Once you file Form TA-1, you will receive your Massachusetts Sales Tax Registration Number. You must also file tax forms with the **Massachusetts Department of Revenue (DOR)**. Most sole proprietors file a Schedule C form with their income taxes. If you plan to sell tangible goods, you must file a Form TA-1 to pay Massachusetts' sales tax.

9 **INSURANCE**

Do a thorough risk assessment and determine what coverage best suits your business's needs. Visit the **Building Commissioner** to have answered any questions you may have.

- 9a. Most forms of insurance are not required. However, business insurance protects you and your business in the event of fire, theft, or other losses. The most common coverage types include liability, property, business interruption, "key man," automobile, and home office.
 - 9b. If you get insurance, it is recommended that you assess and inventory your business facility and assets every two years. This will ensure replacement costs are up to date, enable you to settle claims faster, and help you explain business losses on your tax returns.
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