Starting Your Business

With the Erie County Clerk's Office

Erie County Clerk's Office

Dear New Business Owner,

The County Clerk's office is happy to introduce you to the process of starting your own business here in Erie County. We are proud to say that starting a business can begin right here in the Clerk's Office where you will research and register a name for your sole proprietorship or partnership. Essentially, you will lay the foundation for your new business.

Starting your own business is a long and detailed process. But with the right resources it does not have to be a frustrating or tedious one. That is why we have created this "Business Brochure" to assist you by providing an up-to-date list of resources that will contribute to making your business endeavor a successful one.

This is a very exciting time for you, and we realize that small businesses help form the foundation of our economy in Western New York. We hope that you find this information helpful. If we can ever be of further assistance, please do not hesitate to contact us.

The Erie County
Clerk's Office

Visit Our Office Online at www.erie.gov/clerk

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Table of Contents

Legal Structure.....3

Licenses and Permits.....5

Tax Information.....6

Employer Responsibilities.....7

Steps for Start-Ups.....8

Tax Incentives.....9

"Thank a Vet" Program.....10

Frequently Asked Questions.....11

Additional Business Resources.....13

Sample Business Certificates

Sole Proprietor.....16

Partnership.....17

Amendment.....18

Thank a Vet Application.....19

Forms of Business Structure

The most common forms of business organizations are: sole proprietorship, partnership, limited liability company and corporation. If you plan to conduct business under a name other than your own, you are required to register the name. Keep in mind that registration of an assumed name in the Clerk's Office is not a license to conduct business; a separate license may be required, depending on the type of business you intend to engage in.

Sole Proprietorship:

The simplest form of business structure owned by one individual is a **sole proprietorship.** All business responsibilities, decisions, and risks are those of the single owner. The owner of a sole proprietorship has unlimited liability for the business.

Form required: ***Business Certificate (Assumed Name Certificate)*** also known as ***Certificate of Conducting Business as a Sole Proprietor.*** This form may be downloaded from our website at www.erie.gov/clerk. Complete, including your notarized signature and file the form with the County Clerk in each county where the business is located. You will obtain 2 certified copies when the original is filed with the County Clerk; the additional certified copies will be retained by the bank and by the business.

Fees: $35 for filing and certified copies.

Partnership (General Partnership, see below for Limited Partnership and Limited Liability Partnership):

A partnership is the relationship between two or more persons or companies that carry on a trade or business together. In the absence of a Partnership Agreement, New York Partnership Law sets forth the rights and duties of the partners.

Form required: ***Business Certificate for Partners*** also known as ***Certificate of Conducting Business as Partners.*** This form may be downloaded from our website at www.erie.gov/clerk. Complete, including your notarized signature, and file the form with the County Clerk in each county where the business is located. You will obtain 2 certified copies when the original is filed with the Erie County Clerk; the additional certified copies will be retained by the bank and by the business.

Fees: $35 for filing and certified copies.

Limited Partnership: Similar to a general partnership, except that only one partner is required to be a general partner; the additional partner(s) has/have limited liability to the extent of his/her/their investment and no management powers.

Form required: The New York State Department of State requires the filing of a ***Certificate of Limited Partnership*** which may be found at http://www.dos.ny.gov/corps.

Limited Liability Company:

A limited liability company is an unincorporated business organization, other than a general partnership or a trust, of one or more persons having limited liability for the contractual obligations and other liabilities of the business.

Form required: The New York State Department of State requires the filing of ***Articles of Organization*** which may be found at http://www.dos.ny.gov/corps. A Limited Liability Company must publish a notice in two newspapers in the county where the business is located each week for six successive weeks specifying the details of the Limited Liability Company within 120 days after filing the Articles. To find additional information regarding the publication, including a list of approved newspapers, go to www.erie.gov/clerk.

Limited Liability Partnership: Similar to a limited liability company, a limited liability partnership is a professional partnership, each partner having limited liability for the other(s). The New York State Department of State requires the filing of a ***Certificate of Registration*** which may be found at http://www.dos.ny.gov/corps.

Fees: $5 for each name search, $20 for Reservation of Name, $200 for filing of Articles of Organization, $50 for filing of Certificate of Publication, $200 for filing Certificate of Registration. Additional fees / filings may be required.

Corporation:

A New York State corporation is an entity separate and distinct from the individual(s) who owns and manages the business. A corporation can sell, buy, and inherit property in its own name and is legally endowed with rights, powers, and duties in the conduct of lawful activities, like a natural person. Business corporations operate for profit and can raise capital by selling shares of interest in the corporation. A corporation's debt and obligations are distinctly its own and not generally those of the owners.

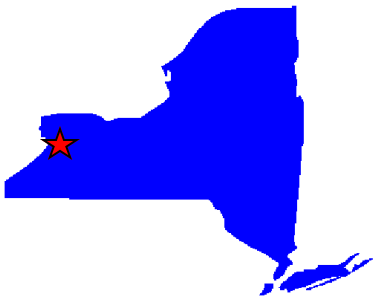
Form required: The New York State Department of State requires the filing of a ***Certificate of Incorporation*** which may be found at http://www.dos.ny.gov/corps.

Fees: $5 for each name search, $20 for Reservation of Name, $125 for filing of Certificate of Incorporation plus minimum tax of $10 to issue a maximum of 200 shares no par value or a par value of all authorized shares up to $20,000. Additional fees / filings may be required.

The following Fill-in Business Certificates for Sole Proprietorship or Partnerships can be found at the Erie County Clerk's website: http://www.erie.gov/clerk/

Business Certificate (also known as Assumed Name Certificate)
Business Certificate for Partners
Amended Business Certificate
Discontinuance of Business Certificate
Discontinuance of Business Certificate for Partners

Information contained in this Guide should not be considered exhaustive and all-inclusive:
The County Clerk strongly recommends that you consult with an attorney to obtain counsel regarding your specific goals and circumstances.



Local Permits

A person contemplating starting a business should be aware of local laws. It is important to contact the village, town or city and county clerk where the business office will be located or operated. Local laws or regulations affecting zoning, signage or parking and occupational license requirements for such occupations as auctioneers, electricians and plumbers, should be considered. It is advisable to contact your local government first.

Cities

City of Buffalo ……851-4200
City of Lackawanna….. 827-6450
City of Tonawanda…….695-8318

Towns & Villages

Akron……... 542-9636
Alden……... 937-6969
Alden (Village)……937-9216
Amherst……..631-7000
Angola……. … ...549-1126
Aurora…….. ...652-3280
Blasdell……...822-1921
Boston……. …...941-6113
Brant…….. 549-0282
Cheektowaga……...686-3400
Clarence…….. ...741-8938
Colden……...941-5012
Collins…….. ...532-4887
Concord……...592-4946
Depew (Village)…….. ...683-7451
East Aurora (Village). ...652-6000
Eden……992-3406
Elma……. ...652-3260
Evans…….. 549-8787
Farnham……549-0890
Gowanda……... 532-3353
Grand Island…….. 773-9600
Hamburg……649-6111
Hamburg (Village)……649-0200
Holland……537-9443
Kenmore (Village)……..873-5700
Lancaster……... 683-9028
Lancaster (Village)…….... 683-2105
Marilla……..652-5350
Newstead..……... 542-4573
North Collins…….. 337-3391
North Collins (Village)….. 337-3160
Orchard Park……..…. 662-6410
Orchard Park (Village)…..662-9327
Pendleton……...625-8833
Sardinia…….. 496-8900
Sloan (Village)……...897-1560
Springville……...592-4936
Tonawanda……877-8800
Wales……..652-4141
West Seneca……..674-5600
Williamsville (Village)…….632-4120

All of the above telephone numbers are located in the “716” area code.

New York State Licensing and Permits

Some businesses require specific New York State permits. The Governor’s Office of Regulatory Reform (GORR) defines a permit as “any required license, registration or similar form of authorization required by New York State.” Those businesses that require a permit include, but are not limited to: motor vehicle repair shops, beauty salons, food establishments, real estate sales and child day care centers. For assistance in identifying New York State permit requirements, please go to http://www.cio.ny.gov/business_permit_assistance or contact the

NYS Office for Technology
Business Permit Assistance
Empire State Plaza, P.O. Box 2062, Albany, New York 12220

New York State Department of Taxation and Finance

General: Publication 20, "*New York State Tax Guide for New Businesses,*" provides basic information about New York State Tax Law and Regulations for small businesses. This publication outlines the procedures to follow and forms to file with the NYS Department of Taxation and Finance to fulfill your tax obligations. You may find the publication, along with others at http://www.tax.ny.gov/pubs_and_bulls/.

For more specific information regarding the taxation of various types of business entities, such as corporations, limited liability companies or limited partnerships, review the specific publications at http://www.tax.ny.gov/bus/ct/ctidx.htm. For example, tax treatment of S Corporations is discussed in Publication 35, and the publication regarding limited liability companies is Publication 16.

Additional information from the Tax Department regarding the start up of a business may be found at: http://www.tax.ny.gov/bus/doingbus/starting_business.htm.

Sales and Use Taxes: If your business will sell tangible personal property or provide specific services in New York, you may be required to collect and remit New York State and local sales tax to the NYS Department of Taxation and Finance, usually on a quarterly basis. Publication 750, "*A Guide to Sales Tax in New York State*," as well as Tax Bulletin ST-360, *How to Register for New York State Sales Tax* , both available at http://www.tax.ny.gov/pubs_and_bulls/, has information regarding your obligations and how to register for a "*Sales Tax Certificate of Authority*" (Form DTF-17). If you have any questions on whether or not you are required to register, see Tax Bulletin ST-175, *Do I Need to Register for Sales Tax?*. In addition, to determine when and how a business entity such as a limited liability company or corporation pays use or sales tax, see Tax Bulletin ST-910.

Forms and Publications are also available from:
NYS Department of Taxation & Finance
W. Averill Harriman Campus, Albany, NY 12227
Forms: 518-485-6800
Information: 518-485-6800
www.tax.ny.gov/

Internal Revenue Service

The Small Business and Self-Employed Tax Center at http://www.irs.gov/businesses/small/index.html provides links to general information regarding federal tax obligations, helpful videos for small business or self-employed individuals, scheduled events such as workshops and online tools, as well as more specific tax information regarding the various stages of owning and operating a small business.

A **Federal Employer Identification Number** (EIN) is used by the federal and state authorities to identify a business entity. To determine if you are required to obtain an "EIN," review the information available at http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Apply-for-an-Employer-Identification-Number-(EIN)-Online

For more information, contact the local IRS office at:
130 South Elmwood Avenue, Buffalo, New York 14202

You've started your business and the good news is that business is going well.
The bad news is there's only one of you.
Perhaps it's time to take the plunge and hire some help.

Hiring Employees

The first step in hiring employees is obtaining an Employer Identification Number, or EIN. You may either contact the Internal Revenue Service directly or online to obtain an EIN. More information may be found at https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online.

Choosing the right employee requires you to make an informed and legally compliant decision; privacy is an issue regarding the potential employee's background and the questions you may ask. Knowing the legal limits is important: Credit Reports and Criminal Records are just two records that may not be obtained without the applicant's authorization and consent. On the other hand, Workers' Compensation Records are public records and may be considered under certain circumstances. You should make yourself aware of the vagaries of the laws of the State of New York by consulting with an attorney if you have specific questions, or by researching the issues through some of the resources contained in this brochure.

Federal law requires employers to verify an employee's eligibility to work in the United States. Within three days of hire, employers must complete an Employment Eligibility Verification Form, commonly referred to as an "I-9 Form." Completing this form requires you to examine acceptable forms of documentation supplied by the employee to confirm the employee's citizenship or eligibility to work in the U.S. The form, instructions and additional information may be found at the internet site for US Citizenship and Immigration Services (www.uscis.gov). In addition, all employers must report newly hired and re-hired employees to a state directory within 20 days of their hire or rehire date. New York State New Hire Reporting Requirements may be found at http://www.tax.ny.gov/bus/wt/newhire.htm.

Once employees are hired, certain taxes must be withheld by the employer, including FICA (Medicare and Social Security taxes), federal and state income taxes, state unemployment taxes, and possibly federal unemployment taxes. For specific information on employer responsibilities regarding the withholding of federal taxes, you may want to read the IRS' Employer's Tax Guide (Publication 15, http://www.irs.gov/pub/irs-pdf/p15.pdf). In addition to the obligation to withhold state income taxes, New York State requires all employers to provide Unemployment, Worker's Compensation, and Disability Insurances. See Publication NYS-50, Employer's Guide to Unemployment Insurance, Wage Reporting, and Withholding Tax. (http://www.tax.ny.gov/pdf/publications/withholding/nys50.pdf)

As you grow, you may choose to provide additional employee benefits, such as Retirement Plans. The Small Business Administration publishes a multitude of guides at its website, http://www.sba.gov.

Information contained in this Guide should not be considered exhaustive or all-inclusive: The County Clerk strongly recommends that you consult with an attorney to obtain counsel regarding your specific goals and circumstances.

8 Steps for Start-Ups

The following steps can help you plan and manage the start-up of your business:

1. **Draft a Business Plan**, and the steps necessary to accomplish it. Your Plan should include:
   - A description of the business, including a statement of the business purpose;
   - A Marketing Plan – describe how you will market and manage your business, including identification of your target market, analysis of your competitors, advertising and public relations;
   - Financial Data, including financial projections; and
   - Supporting documentation, including tax returns, franchise contracts, copies of proposed leases, contracts of purchase, licenses, and other legal documents.

2. **Obtain Business Assistance and Training.** Take advantage of free training and counseling services offered by, among other organizations, the Small Business Association, the Buffalo State College Business Development Center, Canisius College Women's Business Center, or the SCORE Association.

3. **Location. Location. Location.** Choose a location for your business by considering such factors as whether and how your customers will come to you, and whether proximity to your competitors is helpful. Review local zoning and size regulations for restrictions for business types and / or signs. Consider also whether a home office is an attractive alternative.

4. **Determine the Legal Structure of Your Business,** by researching the various forms of ownership: sole proprietorship, partnership, limited liability company, or corporation and by seeking advice about the tax consequences. Create the legal entity and / or register the business name with New York State or Erie County Clerk's Office.

5. **Research and Determine How You Will Finance Your Business.** Know your financial needs by assessing your financial costs and obtaining information about the options available to help you start and sustain your business. Consider such factors as the advantages of using personal versus business finances, as well as the eligibility of your business to obtain financing.

6. **Obtain a Tax Identification Number**, if required, by contacting the Internal Revenue Service at http://www.irs.gov/. Register with New York State to obtain a tax identification number, and if you plan on hiring employees, insurances such as workers' compensation, unemployment, and disability, if required. Determine if a Sales Tax Identification Number is required by the State of New York for your business and contact the NYS Department of Taxation & Finance to ask for a sales tax kit. For general information you may call 1-518-457-5342 or visit http://www.tax.ny.gov/.

7. **Obtain Applicable Business Licenses and Permits,** by contacting the NYS Office for Technology, Business Permit Assistance Office, or by contacting the local town or city in which you plan on doing business (Also see page 5).

8. **Determine Your Responsibilities if You Plan on Hiring Employees.** (See page 7.)

9. **Build a team of advisors to help you:**
    - **Certified Public Accountants**- to advise on tax strategies and record keeping
    - **Lawyer**- to review and produce legal documents and general advice
    - **Commercial Insurance Agent**- for liability coverage and any other forms of insurance your business may require
    - Contact **Business Counseling Agencies** such as the Small Business Association or SCORE (contact information can be found on the Business Resources Pages of this publication—pages 13-14).

10. **Open a Commercial Banking Account:** Maintain this account separately from your per-sonal account. The bank will require a stamped, certified DBA certificate or a copy of your organizational papers, i.e. Certificate of Incorporation with your corporate seal affixed or Articles of Organization.

11. **Arrange for installation or implementation of the appropriate technological support:** i.e. a business telephone line or internet service. Consider how your customers will access the services or products that you offer.

12. **Determine whether you will need a "cash cushion"** and create enough reserve to meet your needs; i.e. three to six months worth of expenses.

13. **Send announcements of your business start-up** to the media, potential customers, and friends.

Tax Incentives

Over the last few years, unprecedented tax cuts, in addition to general business credits, bene-fitting small business owners have been enacted:

- Capital gains taxes have been fully eliminated on certain small business stock.
- Small businesses can write-off a larger portion of the cost of new equipment purchases in the year of purchase rather than depreciating the cost over time.
- All businesses—large and small—are allowed to expense their investments in the first year that investments were made.
- The deduction amount for business start-up was doubled, starting in 2010.
- Some business credits can be "carried back" for up to five years.
- New credits are available for hiring and retaining unemployed workers, as well as providing health insurance coverage to employees.

The County Clerk recommends that you consult with your legal counsel, tax preparer or accountant to obtain advice regarding the tax incentives or business credits currently available to your business.

Thank a Vet

New business owners:

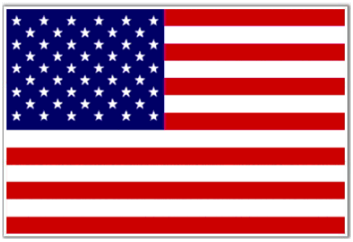
You can "Thank a Vet" and give back to those serving you and patronizing your business.

The Erie County Clerk's Office now offers a discount program honoring our men and women of the Armed Services. "Thank a Vet" is an outreach program designed to promote the filing of their original military discharge papers (i.e., DD-214, NGB 22, DD-256, NOAA 5516, or PHS 1657). When a Veteran files his/her Discharge or Release Form for safekeeping with the Erie County Clerk's Office, he or she can be assured that if required, certified copies of the proof of service will be available to the veteran or his or her immediate family at no cost from this office.

In addition, he/she is given a plastic card containing the recording information of the discharge or release papers in the Office of the County Clerk. The card, although not an official government-issued identification card, entitles the Veteran to discounts for a wide range of services and products offered by local merchants. A complete list of participating merchants and the discounts offered are available on our website at www.erie.gov/clerk.

Do you offer a military discount?
If you want to join our growing list of participating merchants,
contact the Erie County Clerk's Office at 858-6985

The Merchant Application Form is included in this booklet at page 19, and may also be downloaded from:
http://www2.erie.gov/clerk/sites/www2.erie.gov.clerk/files/uploads/Veterans%20Merchant%20Application%204_6.pdf



I am thinking of starting a business. Where can I find help in starting up?
There are many organizations which assist first time business owners. Reviewing this "Starting a Business" brochure published by the Erie County Clerk is a good place to start. Then, consult one of the organizations listed on our Business Resources Pages (**pages 13-14**), such as SCORE the Small Business Association, the Buffalo State College Business Development Center, or Canisius College Women's Business Center.

Where can I get the necessary forms?
If you are a sole proprietorship or partnership and filing a Business Certificate, also known as "Doing Business Certificate" or "Assumed Name Certificate", visit our website at www.erie.gov/clerk and go to the Business Section. If you are forming a corporation, limited partnership or limited liability company, go to www.dos.state.ny.us and visit the "Corporations" section.

What can I name my company?
Generally, you may call your business any name that you choose; however, some restrictions apply to the name that you may legally give your business. For example, you may not add the suffix "Inc." or "Incorporated" to a business that is not a corporation; and you will be required to use a particular suffix in the name of a business that is formed pursuant to New York law, i.e., Smith Jones LLC. You may not generally use a name that would be misleading, i.e., United States Insurance Offerings; and if your business requires approval of a State Agency, you may be required to include the type of business in your name, i.e., Best Buy Insurance Agency.

Where can I file my Business Certificate?
All sole proprietorship and partnership certificates must be filed in the county where the entity intends to conduct business. In Erie County, you will file your Business Certificate in the Basement Record Room, Erie County Clerk's Office, 92 Franklin St. Buffalo, NY 14202.

Can I mail in the Business Certificate?
Yes, however a search should be made of the records at the Clerk's Office to ensure that you are not using a name already registered. It is the responsibility of the filer to avoid a conflict by choosing a name already in use. We strongly recommend that you search the public records yourself. The Business Certificate must be filled out correctly, notarized and forwarded with a check or money order in the amount of $35 to: Basement Record Room, Erie County Clerk's Office, 92 Franklin Street, Buffalo, New York 14202. Include a self-addressed and postage paid return envelope for each filing requested.

How much does filing a business certificate cost?
There is a charge of $35 to file your business certificate. This includes the production of two certified copies returned in your enclosed return envelope.

Can I get my business certificate notarized at Erie County Hall?
Yes! Blank forms are available either online at www.erie.gov/clerk or at the counter in the Basement Record Room of the Erie County Clerk's Office. Either a notary or commissioner of deeds can notarize your certificate and either are available in our office, both in the Basement Record Room or upstairs in the Registrar's Office. Please note that the clerks in the office are neither authorized to give legal advice nor correct the information in your certificate.

If I decide, instead, to form a corporation or other business entity, where will I obtain and file the appropriate forms?

Corporations, limited liability partnerships, and limited liability companies are created by filing either a Certificate of Corporation, Certificate of Limited Partnership, Articles of Organization, or other certificate of authority with the New York State Department of State, Division of Corporation, and not with the County Clerk. Forms and information are available on-line at http://www.dos.ny.gov/corps/index.html.

Where can I go to obtain licenses and permits?
Information regarding necessary licenses or permits may be found at the NYS Office for Technology, Business Permit Assistance Office at http://licensecenter.ny.gov/business-licenses, or by contacting the local town or city in which you plan on doing business. In addition, you may be required to obtain specific certification or authorization from the New York Division of Licensing Services. For additional information, please visit http://www.dos.ny.gov/licensing/. Note that if you plan to operate a business from your home, you may be required check to make sure you are not in violation of local zoning ordinances. For licenses & permits in the City of Buffalo contact Buffalo City Hall licensing 851-4952 or permits at 851-4926.

Information contained in this Guide should not be considered exhaustive or all-inclusive.

The County Clerk strongly recommends that you consult with an attorney to obtain counsel regarding your specific goals and circumstances.

Amherst Industrial Development Agency
The development agency has incentive programs and financial assistance to encourage economic growth and development in the Town of Amherst. Contact: http://www.amherstida.com/ or 716.688.9000.

Buffalo and Erie County Public Library
The library has references on planning, starting and running a small business. Contact: www.buffalolib.org or 716.858.8900.

Buffalo Niagara Enterprise (BNE)
The BNE is a nonprofit, private business development and regional marketing organization for Buffalo Niagara region businesses. It provides assistance with decisions regarding locations by supplying information on demographics and incentives for the eight counties of the Buffalo Niagara region. Contact: www.buffaloniagara.org or 1.800.916.9073.

Buffalo Niagara Partnership
The partnership of local employers offers its members products and services designed to save money and increase revenue. Contact: www.thepartnership.org or 716.852.7100.

Buffalo State College Business Development Center
The center provides free one-on-one counseling for small business owners as well as training and instructional programs targeting the individual needs and interests of entrepreneurs. Special programs are offered for veterans, disabled and minorities. Contact: www.buffalo.nyssbdc.org or 716.878.4030.

Business Services Online (BSO) of the US Social Security Administration enables organizations and authorized individuals to conduct business with the Social Security Administration by providing a degree of authentication that ensures a level of trust. Once registered through BSO, users may request, activate, and access various services and functions. Contact: http://www.socialsecurity.gov/pgm/business.htm

Canisius College Women's Business Center
The center provides women business owners and entrepreneurs coaching, education, business development programs, and networking opportunities. Contact http://www.canisius.edu/wbc/training.asp or 716.888.8280.

Cheektowaga Industrial Development Agency
The development agency has incentive programs and financial assistance to encourage economic growth and development in the Town of Cheektowaga. Contact: http://www.cheektowagadevelopment.com/ or 716.897.7200.

Clarence Industrial Development Agency
The development agency has incentive programs and financial assistance to encourage economic growth and development in the Town of Clarence. Contact: www.erie.gov/clarence/depts_tcida.asp or 716.741.8930.

Division of Minority and Women-Owned Business Development
This Division of the Empire State Development promotes the business development of minority and women–owned business enterprises (MWBEs) through education and outreach to agencies and MWBEs. Certified MWBE companies are listed in the "Directory of Certified Minority and Women-Owned Business Enterprises." Contact: http://www.esd.ny.gov/MWBE.html or Empire State Development-Buffalo Office at 716.846.8200.

Empire State Development
The agency promotes economic development by providing incentives and initiatives to support small business. Contact: http://www.esd.ny.gov/ or call 1.800.782.8369 or 716.846.8200.

Empire State Division for Small Business
This division of Empire State Development provides resources on start-up, financing, technical assistance, permits and licensing and more to support the development and expansion of small businesses with under 100 employees. Contact: http://www.esd.ny.gov/SmallBusiness.html or 800.782.8369.

Erie County Industrial Development Agency
The agency of provides resources like incentive and loan programs to encourage investment and create a successful business climate. Contact: http://www.ecidany.com/ or 716.856.6525.

Greater Lockport Development Corporation
The development corporation provides loans to new and existing businesses in Lockport. Contact: http://www.elockport.com/city-community-development.php or 716.439.6687.

Hamburg Development Corporation
The development corporation provides loans to new and existing businesses in the Town of Hamburg. Contact: http://hamburgida.com/ or 716.648.4145.

Lancaster Industrial Development Agency
The Agency works cooperatively with the Erie County Industrial Development Agency to bring the technical expertise of the ECIDA and the special knowledge of the local area. Contact http://www.lancasterny.com/lida/intro.html or 716.683.1610.

Launch NY
Launch NY is a non-profit venture development organization with a mission of supporting entrepreneurs and their start-up companies through a combination of financial investments and dedicated managerial resources to help ensure long term success. Contact: http://launchny.org/ or (888)543-3250.

Minority and Women Business Enterprise
See Division of Minority and Women-Owned Business Development, above.

NYS Department of Financial Services
Search the department website for resources and programs that help small businesses succeed. Contact: http://www.dfs.ny.gov/ or New York State Department of Financial Services, Walter Mahoney Office Building, 65 Court Street, Room 7, Buffalo, NY 14202.

NYS Business Development Corp.
The development corporation works with banks to provide innovative loans to businesses. Contact http://www.nybdc.com/ or 1.518.463.2268 or 300 International Blvd., Suite 126, Williamsville, NY 14221, 716.626.3423.

NYS Energy, Innovation & Solution The authority offers energy efficiency assistance programs to businesses. Contact: http://www.nyserda.ny.gov/ or 518.862.1090, or 866-NYSERDA , or 716.842.1522, or NYSERDA, 726 Exchange Street, Ste. 821, Buffalo, NY 14210, 716.842.1522.

NYS Small Business Development Center
The center delivers high quality business counseling and training to New Yorkers who want to start a business or improve the performance of an existing business. Contact: http://www.nyssbdc.org/ or 716.878-4030. See Buffalo State College Small Business Development Center, above.

Orchard Park Economic Development Committee
The development committee assists businesses looking to locate and expand in Orchard Park. They provide a list of available commercial and industrial properties for purchase, lease or rent and other assistance. Contact: http://orchardparkny.org/content/Boards/View/5 or 716.662.6400.

SCORE Buffalo Niagara
The SCORE Association assists with securing financing for businesses and developing an effective business plan. They provide free business counseling and low-cost workshops. Contact: http://buffaloniagara.score.org/ or 716.551.4301.

University at Buffalo Center for Entrepreneurial Leadership
The School of Management 's Center for Entrepreneurial Leadership (CEL) serves as a central resource for developing businesses based in Western New York. The 10-month Core program was created to enhance the management abilities of business leaders and the profitability of their firms, while building new business relationships through an expanded network of contacts. Contact: http://mgt.buffalo.edu/entrepreneurship/cel or 716.885.5715.

Upstate Regional Minority Purchasing Council, Inc.
The council encourages and facilitates procurement and business opportunities between Corporations and MBEs in

United States Department of Labor
The Bureau of Labor Statistics provides economic and labor statistics on employment, wages, inflation and productivity. Contact: http://www.bls.gov/ or 1.202.691.5200.

United States Small Business Association
The U.S Small Business Administration provides loans, loan guarantees, contracts, consulting sessions and other forms of assistance to small businesses. Contact: http://www.sba.gov or U.S. Small Business Administration/ Buffalo District Office, 130 S. Elmwood Avenue, Suite 540, Buffalo, NY 14202 or 716.551.4301.

US Citizenship and Immigrations Services - Employee Eligibility Verification: http://www.dhs.gov/e-verify

Using Consumer Reports (Federal Trade Commission): *What Employers Need to Know*: http://business.ftc.gov/documents/bus08-using-consumer-reports-what-employers-need-know

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You may also want to contact your local Chamber of Commerce at www.chamberofcommerce.com
Your local Chamber offers resources and promotional programs for businesses.

Business Certificate

(Assumed Name Certificate pursuant to General Business Law §130)

_____

I hereby certify that I am conducting or transacting business under the name or

designation of _____

at _____, _____, County of Erie,

State of New York _____.
(Zip Code)

My name is _____
(Print or Type Name) (First Middle Initial Last)

I am _____ years of age. (Required ONLY if under 18 years of age)

and I reside at _____
(Address) (City/Town) (State/Zip Code)

I further certify that I am the successor in interest to_____

_____

the person or persons heretofore using such name or names to carry on or conduct or transact business.

In Witness Whereof, I have signed this certificate on (date)_____

_____

Print name: _____
(Name should appear same as above)

State of New York
County of Erie } SS.:

On the _____day of _____, _____ before me, the undersigned, personally

appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the I individual(s) acted, executed the instrument.

_____

(signature and office of individual taking acknowledgement)
Affix seal/stamp

Business Certificate for Partners

The undersigned do hereby certify that they are conducting or transacting business as members of a partnership or under the name or designation of

_____
(name of partnership)

at _____, _____ County of Erie,
(Address) *(City / Town)*
State of New York _____.
(Zip Code)

The full names of all the persons conducting or transacting such partnership including the full names of all the partners with the residence address of each such person, and the age of any who may be infants, are as follows:

_____
(Name) *(Include age ONLY if under 18 years)* *(Address – city/town , state and zip code)*

_____
(Name) *(Include age ONLY if under 18 years)* *(Address – city/town, state, and zip code)*

_____
(Name) *(Include age ONLY if under 18 years)* *(Address – city/town , state and zip code)*

_____
(Name) *(Include age ONLY if under 18 years)* *(Address – city/town , state and zip code)*

(add additional pages, if necessary to show additional names)

We do further certify that we are successors in interest to _____
(name of partnership)
_____,

the person or persons heretofore using such name or names to carry on or conduct or transact business

In Witness Whereof, we have signed this certificate on the _____ day of _____, _____.
(*date)* *(month)* *(year)*

_____
(sign and print name)

(add additional pages, if necessary for additional signatures)

_____
sign and print name)

_____
(sign and print name)

_____
(sign and print name)

State of New York
County of Erie } SS.:

On the ____ day of _____, _____ before me, the undersigned, personally appeared _____

_____
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) acted, executed the instrument.

_____
(Signature and office of individual taking acknowledgement)
Affix seal/stamp

Amended Business Certificate

The undersigned hereby certify / certifies that a certificate of doing business under the name of:

_____
(business name)

for the conduct of business at _____,_____,
(address) *(city, town)*

County of Erie, State of New York_____ was filed in the office of the County Clerk of **Erie** on
(zip code)

the_____ day of_____, _____ under _____; that the last amended
(date) *(month)* *(year)* *(book and page)*

certificate was filed on the_____ day of_ _____, _____ in the office of the said County
(date) *(month)* *(year)*

Clerk under_____.
(book and page)

It is hereby further certified that this amended certificate is made for the purpose of more accurately setting forth the facts recited in the original certificate or the last amended certificate and to set forth the following changes in such facts:

☐ Change the business name to:_____

☐ Change the business address to: _____
(address) *(city, town)* *(state)* *(zip code)*

☐ Change individual filer name to: _____

☐ Change / add residence address of filer to: _____
(address) *(city, town)* *(state)* *(zip code)*

☐ Add partner: _____
(name) *(address)* *(city, town)* *(state)* *(zip code)*

☐ Remove partner: _____
(name)

☐ Other: _____

In Witness Whereof, the undersigned have this _____ day of _____, _____
(date) *(month)* *(year)*

made and signed this certificate.

_____
(signature and print name)

_____
(signature and print name)

State of New York
County of Erie } SS.:

On the _____ day of _____, _____ before me, the undersigned, personally appeared

_____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) acted, executed the instrument.

_____
(signature and office of individual taking acknowledgement)

ERIE COUNTY CLERK'S "THANK A VET" DISCOUNT PROGRAM

BUSINESS APPLICATION FORM

This form can be mailed, faxed OR you may visit our **website** to enroll your business online in our **"THANK A VET"** Discount Program. Be sure to include the official name of your business, its address, hours, and discount specifications. This form *must* be signed by the business owner and returned to the Erie County Clerk's Office. Your business information, website and logo will be displayed on www.erie.gov/clerk/thankavet

Business Name:_____ Are you a veteran owned business? _____

Business Address: _____
(Street) (City) (State) (Zip Code)

Business Telephone:_____ Email:_____

Website: _____ Type of Business:_____

Hours:_____

% Discount Specifications: (Check One)

____10% ____15% ____20% ____25% ____Other

Limitations or Considerations: (Please Print)

_____

_____

Business Owner Name: (Please Print)_____

Mailing Address:_____

Business Owner Telephone:_____

Signature:_____ Date:_____

To include your company logo on our website, send **JPEG** format to:
Thea.Tio@erie.gov
Questions? Contact the Office of Erie County Clerk at (716) 858-6985

Return this form by mail to: Erie County Clerk ● 92 Franklin Street ● Buffalo, NY 14202
OR
Fax this form to: (716) 858-6550

This pamphlet contains general information for starting a business. This brochure is intended to be a reference guide for general business requirements but is not legal or financial advice.

Filing fees and tax information were current on date of publication, and should be verified prior to finalizing your business plans.

We suggest you discuss your business plans with an attorney and/or accountant.

Updated for publication December 2016

Erie County Clerk's Office
92 Franklin Street
Buffalo, NY 14202
716-858-8690
www.erie.gov/clerk