

**\*\* IMPORTANT \*\***

**\*\*\* REGISTERING A NEW BUSINESS IN EAST LYME \*\*\***

Pursuant to local ordinance and zoning regulations, all new businesses in the Town of East Lyme are required to register with the Town's Zoning Official. This "New Business Registration" is a short form that must be filled out and returned to the Zoning Office, along with a statement of use, and site or plot plans in addition to the required filing fee. A New Business Registration form is attached. Please be sure to read this entire packet thoroughly before filing anything. If you have any questions on the New Business form, please call the Zoning Office at (860) 691-4114.

Please note that your application will be reviewed as soon as possible. The turn around time frame is dependent upon submission of all required documentation and compliance with all applicable Zoning Code Requirements.

Once you have determined the location for your new business, you may be required to obtain a building permit. Attached in this packet is a memo from the Town's Chief Building Official, Joseph Smith, regarding building permits and new businesses. Please read it and if you have any questions, please contact Mr. Smith at (860) 691-4114.

Once you have obtained your New Business Registration, you should be sure to file a Certificate of Trade Name with the Town Clerk's Office. If you have any questions regarding this procedure, or about Trade Names in general, you can contact the Town Clerk's staff at (860) 739-6931 ext 120.

In addition, all businesses in town are required to file Personal Property Declarations with the Assessor's Office each year by November 1<sup>st</sup>. Even if you don't feel you have any equipment that qualifies as personal property, you should be sure to notify the Assessor's office in writing of this fact. If you have any further questions, you can contact the Assessor's office staff at (860) 739-6931, ext 124.



# Town of

P.O. Drawer 519  
Building Department



# East Lyme

108 Pennsylvania Ave  
Niantic, Connecticut 06357  
(860) 691-4114  
Fax (860) 739-6930

## NEW BUSINESS AND THE BUILDING CODE

If you are planning on opening a new business, or are relocating an existing business, you may need to first obtain a building permit, and a certificate of occupancy, even if you do not plan on performing any actual construction work.

The Connecticut Building Code, which is the mandatory code for all cities and towns in Connecticut, requires a permit and a new certificate of occupancy for any change of occupancy. An example would be to open a barbershop (use group B) in a tenant space previously approved as a store (use group M for Mercantile).

When you have a change of occupancy, you must demonstrate compliance with the current building code for the new occupancy. There are several different alternative methods of compliance, all depending on the level of hazard associated with the new occupancy compared to the previously approved occupancy.

Please note that the previous use may not be the previously approved occupancy, if the tenant did not obtain a permit and go when they moved in.

The most complicated and difficult aspect of the change of occupancy is the requirement to provide handicap accessibility. This includes access to the building for clients and workers, as well as bathroom facilities.

Some portions of the tenant space can easily be altered to comply with building codes, such as replacing door knobs, and faucet controls with lever handles, installing signage, changing parking lot striping, insulating sink traps and supplies to prevent scalding, etc.

Some accessibility items cannot be achieved without moving walls, etc, (i.e. to make a bathroom larger). These items are typically considered "not technically feasible". You may wish to attempt to obtain a waiver for these items. Waivers are granted by the State Building Inspectors Office, in conjunction with the Office of Protection and Advocacy for Persons with Disabilities. Waiver forms are available at this office. We can help you fill them out.

Please feel free to contact the building department if you have any questions.



For *HOME OCCUPATION PERMITS*; please provide documentation demonstrating compliance with the following Zoning Requirements:

**Section 20.3 Home Occupation, Service or Profession** – includes, but is not limited to, the office, studio or workshop of an architect, artist, dentist, dressmaker, economist, engineer, insurance agent, lawyer, milliner, musician, photographer, physician, psychologist, real estate broker, serviceman or dwelling used for laundering, preserving and cooking. Such uses as restaurants, tearooms, funeral homes, barbershops, beauty parlors, and tourist homes and animal hospitals shall not be deemed to be a home occupation, service or profession.

**Section 20.3.1 Requirements –**

- (A) The total area devoted to the home occupation shall not exceed one half of the livable floor area of the single-family residence. (Provide Floor Plan)
- (B) No more than one person not a resident of the single-family dwelling shall be employed in the home occupation.
- (C) There shall be no display of advertising of the home occupation of the lot except for a sign permitted in Section 18.
- (D) There shall be no outside storage associated with the home occupation. (Provide Plot Plan).
- (E) No offensive noise, vibration, smoke, dust odors, heat or glare shall be produced; no health or safety hazards shall be created; no interference with radio or television reception in the neighborhood shall be produced.

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**ORDINANCE CONCERNING NOTICE OF INTENT TO ESTABLISH A  
TRADE, MANUFACTURE,  
BUSINESS OR PROFESSION**

Pursuant to Connecticut General Statutes Sections 7-194 and 7-148(c)(7)(H)(ii), and in order to facilitate the town's ability to regulate and prohibit the carrying on within the municipality of any trade, manufacture, business or profession which is or may be so carried on as to prejudice the public health, or lead to fraud or cheating, or be dangerous to or constitute an unreasonable annoyance to, those living or owning property in the town, and in order to furnish notice to the Zoning Enforcement Officer, Fire Marshal, Tax Assessor and Director of Health of the establishment of new businesses, the following ordinance is hereby enacted:

Section 1. Every person intending to establish any trade, manufacture, business or profession within the town must notify the Zoning Enforcement Officer of such intent not less than ten (10) calendar days prior to commencing operations. Such notification will not be considered given unless and until it is received by the Zoning Enforcement Officer.

Section 2. The notice of intent shall identify the owner of the business, the location of the business premises by street address, the nature of the business, the anticipated hours of its operation, and such other information as may be appropriate to carry out the purpose of this ordinance. The Zoning Enforcement Officer may provide a form for such notice.

Section 3. Failure to give the required notice within the time period stated above shall result in a fine of not more than \$99.00.

Section 4. Upon receipt of the required notice the Zoning Enforcement Officer shall give notice of such information to the Fire Marshal, Tax Assessor, Director of Health and, if requested, to any other town official.

Section 5. This ordinance shall not be construed to confer upon the Zoning Enforcement Officer any authority or discretion to deny any person the right to conduct any business, trade, profession or manufacturing operation within the town which is otherwise lawful under federal, state, and local law.

Section 6. The giving of a notice of intent pursuant to this ordinance is for the purpose of notification only and no action or failure to act with respect to the receipt of such notice by the Zoning Enforcement Officer shall be deemed to authorize the establishment or operation of any such business, trade, profession or manufacturing operation within the town in violation of any federal, state or local statute, regulation, ordinance or other law.

Section 7. This ordinance shall take effect thirty (30) days after the date of publication.