



**How to  
Establish and Conduct  
A Business  
in the  
City of San Bernardino**

City of San Bernardino  
OFFICE OF THE CITY CLERK  
BUSINESS REGISTRATION DIVISION

## Welcome

On behalf of the Mayor and the City Council, I am pleased to welcome you to the City of San Bernardino and delighted that you have chosen San Bernardino for your place of business.

This handbook has been prepared as a public service to assist those persons who are interested in establishing a business in San Bernardino. My staff and I are committed to providing you with the best service possible.

We hope this handbook is a helpful guide for you. However, if you have any questions, please call the City Clerk's Office, Business Registration Division at (909) 384- 5302 and one of our staff members will gladly assist you.

Sincerely,

City Clerk

Georgeann "Gigi" Hanna

# City of San Bernardino Office of the City Clerk Business Registration Division

## Who Needs A Business Registration Certificate

Any person, including but not limited to, an individual, corporation or sole proprietor who wishes to conduct either directly or indirectly, any business within the City of San Bernardino must secure a registration certificate. City law states that no person shall engage in business or transact and carry on business, show, exhibition or game in the city without first having procured a registration certificate from the city to do so, or without complying with any and all applicable provisions of Title 5 of the San Bernardino Municipal Code relating to business registration. A separate certificate is required for each branch or location of business.

**Exception:** Those businesses specifically exempted by State or Federal Statute.

## A Guide to Starting Your Business

- **Create a business plan** – A business plan is an essential roadmap for business success. This living document generally projects 3-5 years ahead and outlines the route a company intends to take to grow revenues.
- **Choose your business structure** – The business structure you choose will have legal and tax implications. Whether you choose an LLC (Limited Liability Company), S-Corporation, C-Corporation or Limited Partnership; knowing which structure is best for your income and tax situation is key for your business.
- **Estimating Startup Cost** – To determine how much seed money you need to start, you must estimate the costs of doing business for the first few months. Some of these expenses will be one-time costs; some will be on-going costs.
- **Plan a business funding strategy** – Analyze your business credit and plan out a short-term and long-term funding strategy.
- **Choose and Register Your Business** – Choosing and registering your business name is a key step to legally operating your business and potentially obtaining financial aid from the government.
  - Choose your business name
  - Register your business name
  - Register with State Agencies
- **Obtain Business License and Permits (see pg. 6)** – There are certain Federal and State license and permits you will need to obtain. Please contact your local municipality for more information.
- **Choose a business address** – A virtual business address or commercial location is ideal for small businesses.
- **Obtain a Business Tax Identification Number** – A Federal Tax Identification Number or EIN. This nine-digit number is assigned by the IRS to business entities operating in the U.S.
- **Set up a business phone number** – Either a toll free number or local phone number is a reliable source

for a company's communications.

- **Establish a web presence** – A company web site and social media presence is important. The easier a customer or lender can verify and learn more about your business, the better.
- **Financing your business** – Increase the odds of your business success and take the opportunity of the options that are available to help you start, manage, and grow your business.
- **Open a business bank account** – A small business bank account will be your most important tool for managing your company's finances.
- **Obtain a merchant account** – A merchant account is what is utilized to accept credit cards, get cash and make money as a company.
- **Get a business credit card** – For business separation, a business owner needs a credit card exclusively for business purchases.
- **Get a business debit card** – A useful and convenient tool. Make sure you add overdraft protection to your small business bank account to avoid potential overdraft fees.
- **Learn about business law and regulations** – As a small business owner, you are subject to some of the laws and regulations that apply to large corporations.

For more helpful tips, please visit:

<https://www.sba.gov/category/navigation-structure/starting-managing-business/starting-business>

## **Steps for a Business Applicant**

### **Step One: Before You Apply**

Contact the City Clerk's Office at **(909) 384-5302** to discuss the details of your business operation.

### **Step Two: Zoning Verification Review**

Each applicant must obtain an approved Zoning Verification Review from the Community Development Department to determine if the proposed business is permitted at that location. A Zoning Verification Review is required when purchasing an existing business or moving into an existing building previously used for the same type of business.

Depending on the types of business, the Community Development Department staff will inform you of any special requirements, additional information please call **(909) 384-7272**

### **Step Three: Business Registration Application**

Obtain a Business Registration Application from the City Clerk's Offices or via the web at [www.sbcity.org](http://www.sbcity.org)

Be prepared to supply the following information: business name, business address, assessor's parcel number, business mailing address, business telephone number, type of ownership (sole, partnership or corporation), name and home addresses of owners or offices, federal employer identification number or Social Security number, description of activities, driver's license number, and Reseller's Permit number (if applicable).

\* Some businesses have prerequisites which must be completed prior to submitting the application. Please call **(909) 384-5035** for additional information.

### **Step Four: Application Submittal**

Once the Community Development staff verifies zoning conformance, submit both the Zoning Verification Review and the Business Registration Application to the City Clerk's Office. Registration fees can be paid with cash, money order, check, or credit (US, Master Card, Discover, American Express); a processing fee is charged for all credit card transactions. Once processed, our Business Registration Certificate will be sent via U.S. mail.

In addition to obtaining the Business Registration Certificate, you must comply with all City, County, and State regulations for zoning, health and safety, building, engineering, and fire codes.

\*Certain operations of business have a prerequisite of an additional fee and separate application submission.

### **Registration Fees**

The City of San Bernardino assesses fees based on both flat rates and gross receipts. To determine your registration fees please call **(909) 384-5035**.

### **Gross Receipts**

The total amount reported. If your business is required to report gross receipts, this total amount must include all sources of collections during your annual accounting period, without subtracting any cost or expenses. (SBMC 5.04.060)

\*Fees are adjusted from time to time by Resolution of the Mayor and Common Council.

### **Business Registration Policies**

#### **Display of Business Registration Certificate**

A business must display in plain view a valid Business Registration Certificate. If your business is not a fixed location, a Business Registration Certificate must be made available upon request. **NOTE:** Photo copies are not valid.

#### **Registration Certificate Renewal**

Once you have obtained a registration certificate, a courtesy renewal notice will automatically be forwarded to you before your expiration date. You will have a 30 day period in which to renew. If you do not receive a renewal notice, please contact the Business Registration Division at **909-384-5035**. Failure to receive a renewal notice does not relieve the business owner's responsibility to renew the business registration. (SBMC 5.04.075E)

#### **Change of Business Address**

To process a change of business address, an approved Zoning Verification Review must be submitted to the Community Development Department. Contact the Planning Division of the Community Development Department at **(909) 384-5057 or 909-384-7272**.

#### **Transfer of Business Registration Certificate**

A Business Registration Certificate is not transferable and becomes invalid when a business changes ownership. The City Clerk's Office must be notified in the event a business has relocated or closed at

**(909) 384-5302.**

### **Handbill Distributors**

Advertising pamphlets may be distributed in the City **after** a Business Registration Certificate has been obtained. No pamphlets may be placed on a utility pole, in or on any motor vehicle or in a mailbox, mail slot, or receptacle. Pamphlets may be distributed if postage is paid and delivery is made by the U.S. Postal Service.

### **Solicitors**

Each Person who is acting as a solicitor, as defined by **Title 5 of the San Bernardino Municipal Code**, shall obtain a Business Registration Certificate. The fee is set by Resolution of the Mayor and Common Council and may change from time to time.

In addition, each solicitor must complete a background investigation and obtain identification and registration card from the City Police Department for which a fee must be paid. Contact the Police Department at **(909) 384-5742** to schedule processing times and fee information.

### **Charitable Solicitations**

Charitable nonprofit organizations are **required** to file for an **exemption** from the necessity of obtaining a Business Registration Certificate **before they can solicit for funds in the City of San Bernardino.**

The exemption is applied for, with the Office of the City Clerk Business Registration Division. In order for a charitable nonprofit organization to qualify for an Exemption Certificate, the organization must provide three specific documents in the applying organization's name:

- Proof of 501(c)(3) from IRS
- Letter of exemption from California Franchise Tax Board
- Articles of Incorporation for Organization

### **Day Care Facility**

All day care facilities must be licensed with the State of California, State Day Care Licensing **(909) 782-4200**. A City of San Bernardino Business Registration Certificate is also required for the care of seven (7) or more individuals. Facilities providing care for seven or more individuals are subject to review by the City of San Bernardino Community Development Department **(909) 384-5057**.

## **California Homemade Food Act**

### **Cottage Food Law**

Effective January 1, 2013, a Cottage Food Operation (CFO) is an enterprise at a private home (where the CFO operator resides), where CFOs are permitted to produce specific low-risk food products, defined as "non-potentially hazardous", that do not require refrigeration and are made or repackaged for sale to consumers.

Approved Cottage Foods:

- Baked goods, without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.

- Candy, such as brittle and toffee.
- Chocolate-covered nonperishable foods, such as nuts and dried fruits.
- Dried fruit.
- Dried pasta.
- Dry baking mixes.
- Fruit pies, fruit empanadas, and fruit tamales.
- Granola, cereals, and trail mixes.
- Herbs blends and dried mole paste.
- Honey and sweet sorghum syrup
- Jams, jellies, preserves, and fruit butter that comply with the standard described in **Part 150 of Title 21 of the Code of Federal Regulations**.
- Nut mixes and nut butters.
- Popcorn.
- Vinegar and mustard.
- Roasted coffee and dried tea.
- Waffle cones and pizzelles.
- Cotton candy.
- Candied apples.
- Confections such as salted caramel, fudge, marshmallow bars, chocolate covered marshmallow, nuts, and hard candy, or any combination thereof.
- Buttercream frosting, buttercream icing, buttercream fondant, and gum paste that do not contain eggs, cream, or cream cheese.
- Dried or Dehydrated vegetables.
- Dried vegetarian-based soup mixes.
- Vegetable and potato chips.
- Ground chocolate.

The above information is subject to change, please visit the website for the most up-to-date list, and requirements <http://www.cdph.ca.gov/programs/pages/fdbcottagefood.aspx>

## **Special Business Circumstances**

### **Home Occupation Permit**

A Business Registration Certificate and Home Occupation Permit may be required if a residential property is used for a business operation. For additional information, contact the City's Community Development Department at **(909) 384-7272**.

### **Preparation of Sale of Food**

- If your business requires the preparation and/or sale of food of any type, the following permits must be obtained: Planning, Building, Fire, Restaurant User, and Health.

- Planning and Building Permits, contact the City's Community **Development Department at (909) 384-7272.**
- Restaurant User Permit, contact the **City's Water Department at (909) 384-5141**
- Public Health Permit, contact the County of **San Bernardino Environmental Health Department at (909) 884-4056.**
- Fire Inspection; contact the City's **Fire Department at (909) 384-5388.**

### **Outdoor Display Permit**

This type of Permit is required to conduct any outdoor sales or displays. It will be issued to the person holding an active business registration at that location, and such permit shall be kept on the premises while in force. Contact the City's Development Services Department at **(909) 384-5302.**

### **Transient Merchants and Peddlers**

Selling merchandise or food items from any vacant lot or temporary location is not permitted in the City of San Bernardino. Violation of this City Ordinance is a misdemeanor and is strictly enforced. (SBMC 5.04.495)

### **Sign Regulations – Sign Permit**

The City has an ordinance that regulates signage. A Sign Permit is required to display any advertising flags, banners, to install new and/or make changes to existing signs. Contact the City's Community Development Department at **(909) 384-7272.**

### **Refuse, Solid Waste, and Recycle**

Health and Safety regulations require that each business operating in the City receive a minimum of one (1) refuse service per week. Contact the City's Public Services Department at **(909) 384-7272.**

### **Commercial Property and Single/Multi-Family Rentals – Certificate**

A Business Registration Certificate is required for commercial properties and single/multi-family residence rented or leased within the City. For additional information, contact the City Clerk's Office at **(909) 384-5302.**

### **Fictitious Name and DBA**

If you are using a fictitious business name, contact the County Recorder's Office and your local newspaper with regard to publication of notice, etc. You may wish to contact them by telephone first **(909) 387-8306.**

### **Business Terms:**

- ***Limited Liability Company (LLC):*** An LLC is a business entity created under state law that can shield you from personal liability; popular way to start a business due to their ease and flexibility.
- ***C corporation:*** Income is subject to double taxation; the corporation pays taxes on its net income and shareholders pay taxes on the income that they receive from the corporation.

- S corporation: Shareholders pay taxes on money they received from the corporation, but the corporation does not pay taxes on its net income. (Best for small business owners)
- A Partnership: A partnership is a business owned by two or more people. There are three different types of business partnerships: (1) general partnership, (2) limited partnership, (3) limited liability partnership.
- Limited Partnership (LP): A partnership of one or more general partners, who manage the business and one or more limited partners, who invest in the partnership but do not manage it.
- Limited Liability Partnership (LLP): A business structure designed for partners who want a voice in managing their firm, but do not want to share liability. Generally speaking, a partner in an LLP is not responsible for the debts or liabilities of the other partners.
- Sole Proprietorship: Run a business themselves. The individual is personally liable for all debts of the business to the full extent of his or her property. On the other hand, the owner has complete control of the business.
- Fictitious and DBA "doing business as": If you're a sole proprietorship, you need a DBA to register your business name if you are operating under a name other than your personal legal name or last name.
- Nonprofit: Charitable. "A 501(c)(3) public charity is an entity that: (1) has been organized under state law, (2) is operated for a 501(c)(3) purpose, (3) benefits an unidentified charitable class of people ,(4) engages in activities that are non-political in nature, and (5) derives at least one-third of its support from the general public.
- Zoning: Regulations define permitted land uses in different zones.
- Commercial Property: Real estate property that is used for business activities.
- Patent: A patent for an invention is the grant of a property right to the inventor. Patents are granted for new, useful and non-obvious inventions for a period of 20 years from the filing date of a patent application, and provide the right to exclude others from exploiting the invention during that period.
- Trademark: A trademark only protects words, names, symbols, sounds, or colors that distinguish goods and services. Trademarks, unlike patents, can be renewed forever as long as they are being used in commerce.
- Copyright: A form of intellectual property law which protects original works of authorship. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed.

**For additional definitions please visit:**

<http://www.sba.gov/>

<http://www.legalzoom.com/>

## County, State, and Federal Offices

### San Bernardino County Departments

[www.sbcounty.gov](http://www.sbcounty.gov/) / (909) 387-2020 – Switchboard

**County Business License**

**Health Permit/Food**

Clerk of the Board

Environmental Health Dept.

385 N. Arrowhead Ave. 2nd FL

385 N. Arrowhead Ave.

San Bernardino, CA 92415

(909) 387-3841

<http://www.sbcounty.gov/COB/Main/>

San Bernardino, CA 92415

(855)732-2575

<http://www.sbcounty.go/dph/dehs>

### **Fictitious Business Names (DBA)**

County Recorder's Office

222 W. Hospitality Lane

San Bernardino, CA 92408

(855) 732-2575

<http://www.sbcounty.gov/arc/FbnInfo.aspx>

### **State of California Agencies**

[www.ca.gov](http://www.ca.gov) / (916) 653-6814

#### **Alcoholic Beverage Control– ABC    Automotive Repairs**

Liquor License

(951) 782-4400

<http://www.abc.ca.gov>

Bureau of Automotive Repair

(800) 952-5210 or (866) 860-8509

<http://www.bar.ca.gov>

#### **ATF**

Bureau of Alcohol, Tobacco,  
Firearms, and Explosives

3801 University Ave. Ste. 670

Riverside, CA 92501

(951) 320-7560

<https://www.atf.gov>

#### **Charities/Non-Profits**

Attorney General Office  
P.O. Box 903447

Sacramento, CA 92403-4470

(916) 445-2021

<http://oag.ca.gov>

#### **Consumer Affairs**

#### **Contractor's Board**

DAC State of California	Office of the Governor
1 (800) 952-5210	1845 Business Center Dr. Ste. 206
<a href="http://dac.ca.gov">http://dac.ca.gov</a>	San Bernardino, CA 92408
	(800) 321-2752
	<a href="http://www.cslb.ca.gov">http://www.cslb.ca.gov</a>

#### **CORPORATIONS**

Secretary of State  
(213) 897-3062 / (916) 657-5448  
<http://www.sos.ca.gov>

#### **COMMUNITY CARE LICENSING**

Family Care (Adult & Child)  
(951) 782-4200  
<http://cclid.ca.gov/PG411.htm>

#### **Employer Tax ID**

Franchise Tax Board  
(800) 852-5711  
<https://www.ftb.ca.gov>

#### **Seller's Permits—Tax ID #**

State Board of Equalization- BOE  
3737 Main St. 1st FL  
Riverside, CA 92501  
(951) 680-6400  
<http://www.boe.ca.gov>

### **US Federal Agencies**

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

#### **Federal Tax ID #**

Internal Revenue Service—IRS  
290 N. D St.  
San Bernardino, CA 92401  
(909) 388-8108  
<http://www.irs.gov>

#### **Importing/Exporting**

US Customs & Border Protection  
(202) 352-1000 or (800) Fed-Info  
<http://www.sba.gov/content/exporting>

**Patent Trademark Office**

(800) 786-9199

<http://www.uspto.gov>

**Utility Service Providers—San Bernardino**

**Cable TV Channel 3**

(909) 384-5147

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

**AT&T**

Telephone, Internet, Cable

(800) 288-2020

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

**Charter Communications**

Telephone, Internet, Cable

1 (888) 438-2427

<https://www.charter.com>

**Time Warner Cable**

Telephone, Internet, Cable

(888) 892-2253

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

**Verizon**

Telephone, Internet, Cable

(800) 483-4000

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

**Southern California Edison**

Electricity

1(800) 655-4555

<https://www.sce.com>

**Southern California Gas  
Company**

(800) 427-2200

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

**City of San Bernardino Water  
Development**

300 North D St. 5th FL

San Bernardino, CA 92418

(909) 384-5141

**East Valley Water District**

31111 Greenspot Road

Highland, CA 92346

(909) 889-9501

**Refuse—Jacks Disposal**

(909) 889-1969

**Refuse—City of San Bernardino**

(909) 384-5095

**[Additional Resources](#)**

Small Business Administration

<http://www.sba.gov>

**COPYRIGHTS**

U.S. Copyright Office

(202) 707-3000 or 1 (877) 476-0778

<http://www.copyright.gov>

**BETTER BUSINESS BUEREAU**

(909) 825-7280

<http://www.bbb.org/central-california>

**CHAMBERS OF COMMERCE  
SAN BERNARDINO**

546 W. 6th St.

San Bernardino, CA 92410

(909) 885-7515

<http://www.sbachamber.org>

