



Town of Braintree
BOARD OF LICENSE COMMISSIONERS
One JFK Memorial Drive
Braintree, MA 02184
Telephone: (781) 794-8151 Fax: (781) 794-8305

REQUIREMENTS FOR CLASS I, II, III LICENSE

Fee: \$75 filing fee; \$100 for license fee (if approved)

- (1) APPLICATION FORM**
- (2) CORI FORM** (to be completed by the applicant) **& COPY OF GOVERNMENT ISSUED PHOTOGRAPHIC ID**
- (3) WORKERS' COMPENSATION INSURANCE AFFIDAVIT & ATTACH CERTIFICATE OF INSURANCE**
- (4) \$25,000 BOND (Class II License Holders Only)**
See attached information and sample of MA Used Car Dealer's Bond. NOTE: A dealer needs a separate bond for each location at which it uses a different name.
- (5) CORPORATION**
 - Obtain Certificate of Good Standing from the Commonwealth of MA – Secretary of State's Office
 - Copy of the Articles of Organization
- (6) LIMITED LIABILITY COMPANY (LLC)**
 - Obtain Certificate of Organization (Commonwealth of MA – Secretary of State's Office)
 - Obtain Certificate of Good Standing (Commonwealth of MA – Secretary of State's Office)
 - Copy of Operating Agreement
- (7) BUSINESS CERTIFICATE** obtainable from the Town Clerk
- (8) LETTER OF INTRODUCTION ADDRESSED TO THE BOARD OF LICENSE COMMISSIONERS**
(e.g. background on applicant, operate similar business in other cities/towns, applicant's intentions for operating a business in Braintree)
- (9) A CERTIFIED PARKING PLAN (see attached) indicating the following - drawn by a Certified Surveyor**
 - (a)** employee vehicle parking **(b)** customer vehicle parking **(c)** repair vehicle storage location (if applicable)
 - (d)** emergency access to the site **(e)** customer access to the site **(f)** vehicles for sale or lease parking
- (10) STORAGE PERMIT (If Applicable)**
Required if the business consists of numerous operations such as a service station which repairs, sells and/or leases vehicles. A storage permit will be required for the storage of more than 4 vehicles. Gas stations and commercial garages are allowed storage for up to 4 vehicles either registered or unregistered as a use by right
- (11) MUST CONTACT** Melissa Santucci Rozzi, Principal Planner, Planning & Community Development Dept, (781) 794-8234) or e-mail her at msantucci@braintreema.gov to inquire if a Special Permit is required for this location (The Planning Department is located at 90 Pond St., 2nd Floor)
- (12) PUBLIC HEARING NOTICE & ABUTTER NOTIFICATION**
(applicant responsible for advertising costs)
You must obtain a list of direct abutters to the property as well as abutters directly across the street from the DPW Engineering Division, 90 Pond St and have this list certified by the Board of Assessors, 1st Floor, Town Hall, One JFK Memorial Dr. Newspaper notice must be published at least 10 days prior to the hearing. Within three (3) days after publication, mail the "Notice of Public Hearing" certified mail to all abutters. Prior to the hearing, submit the abutter's certified return receipts along with a "Signed Affidavit" stating the date notices were mailed

NOTE: ** APPLICATION MUST BE COMPLETE UPON SUBMISSION TO THE LICENSING OFFICE
BEFORE A HEARING DATE IS SCHEDULED****

The Licensing Commission meets on the 2nd & 4th Tuesday of the month. Applicants MUST attend the meeting. Please allow at least 4 weeks to process the application



THE COMMONWEALTH OF MASSACHUSETTS

Town of Braintree

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE
SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a _____ license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? _____

Business address of concern.

2. Is the above concern an individual, co-partnership, an association or a corporation?

3. If an individual, state full name and residential address. _____

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President _____

Secretary _____

Treasurer _____

6. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? _____

If so, is your principal business the sale of new motor vehicles? _____

Is your principal business the buying and selling of second hand motor vehicles? _____

Is your principal business that of a motor vehicle junk dealer? _____

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

8. Are you a recognized agent of a motor vehicle manufacturer? _____
If so, state name of manufacturer _____

9. Have you signed a contract as required by Section 58, Class 1 _____

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?
_____ (yes or no)
If so, in what city-town?

Did you receive a license? _____ For what year? _____

11. Has any license issued to you in Massachusetts or in any other state to deal in motor vehicles or parts thereof even been suspended or revoked? _____

Sign your name in full _____
(Duly Authorized to represent the concern herein mentioned)

OWNER'S NAME _____ RESIDENCE _____
(PRINT)

FID # _____ PHONE NO. _____

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH
FULL INFORMATION, AND FALSE STATEMENTS
HEREIN MAY RESULT IN THE REJECTION OF
YOUR APPLICATION OR THE SUBSEQUENT
REVOCATION OF YOUR LICENSE IF ISSUED.

Note: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar (see Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

License No. _____ Granted _____ Fee \$ _____

Signed _____

VEHICLE STORAGE # _____

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

Section 57. No one person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

Section 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license: provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of Class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which will expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100.dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles in sections fifty-nine to sixty six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate should be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to a person within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which 7 days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the license is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made hereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.



Town of Braintree
BOARD OF LICENSE COMMISSIONERS
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Braintree, MA 02184
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CLASS II STORAGE APPLICATION

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPLICANT: _____
(list both the corporate name and the name under which you are doing business (D/B/A))

ADDRESS: _____ CITY TOWN: _____

PHONE #: _____ FAX # _____

LOCATION of PROPERTY: _____

PRINCIPLE BUSINESS CONDUCTED ON PREMISES: _____

ACCESSORY BUSINESS CONDUCTED ON PREMISES: _____

GROSS PROPERTY AREA: _____

HOURS OF OPERATION: _____

NUMBER OF MOTOR VEHICLES TO STORE: _____

ATTACH PLAN OF PROPERTY (diagram should show buildings, signs, fences, parking (if parking permit is required), limits of paving, etc.)

Approve, with restriction, if any:

Date: _____

Board of License Commissioners



Town of Braintree
BOARD OF LICENSE COMMISSIONERS
One JFK Memorial Drive
Braintree, MA 02184
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REPAIR STORAGE APPLICATION

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPLICANT: _____
(list both the corporate name and the name under which you are doing business (D/B/A))

ADDRESS: _____ CITY TOWN: _____

PHONE #: _____ FAX # _____

LOCATION of PROPERTY: _____

PRINCIPLE BUSINESS CONDUCTED ON PREMISES: _____

ACCESSORY BUSINESS CONDUCTED ON PREMISES: _____

GROSS PROPERTY AREA: _____

HOURS OF OPERATION: _____

NUMBER OF MOTOR VEHICLES TO STORE: _____

ATTACH PLAN OF PROPERTY (diagram should show buildings, signs, fences, parking (if parking permit is required), limits of paving, etc.)

Approve, with restriction, if any:

Date: _____

Board of License Commissioners



Joseph C. Sullivan
Mayor

**TOWN OF BRAINTREE
BOARD OF LICENSE COMMISSIONERS**

One JFK Memorial Drive
Braintree, Massachusetts 02184
Tel: 781-794-8151 Fax: 781-794-8128

LICENSING BOARD

Joseph F. Powers, Town Clerk, Chairman
Mary E. McGrath, Dir Municipal Lic, Clerk
Russell W. Jenkins, Police Chief
James F. O'Brien, Fire Chief
Russell Forsberg, Inspector of Buildings

Licensing/Legal Assistant

Annette M. McLaughlin

**CRIMINAL OFFENDER RECORD INFORMATION (CORI)
ACKNOWLEDGEMENT FORM**

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR EMPLOYMENT, VOLUNTEER,
SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES

The Town of Braintree Board of License Commissioners is registered under the provisions of M.G.L. c. 6, §172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to the Town of Braintree Board of License Commissioners to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing The Town of Braintree Board of License Commissioners with written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY: The Town of Braintree Board of License Commissioners may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that The Town of Braintree Board of License Commissioners must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

SIGNATURE

DATE

SUBJECT INFORMATION:

Last Name First Name Middle Name Suffix

Maiden Name (or other name(s) by which you have been known) _____

Date of Birth _____ Place of Birth _____

Last Six Digits of Your Social Security Number: _____ - _____

Sex: _____ Height: _____ ft. _____ in. _____ Eye Color: _____ Race: _____

Driver's License or ID Number: _____ State of Issue: _____

Mother's Full Maiden Name _____

Father's Full Name _____

Current and Former Addresses:

Street Number & Name _____ City/Town _____ State _____ Zip _____

Street Number & Name _____ City/Town _____ State _____ Zip _____

⚡ NOTE: DO NOT COMPLETE THE INFORMATION BELOW

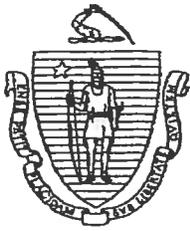
The above information was verified by reviewing the following form(s) of government issued identification:

- Massachusetts Driver's License
- Other _____

VERIFIED BY: _____

Name of Verifying employee (Please Print)

Signature of Verifying Employee



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: BRAINTREE Permit/License # _____

Issuing Authority (circle one):
 1. Board of Health 2. Building Department 3. City/Town Clerk **4.** Licensing Board 5. Selectmen's Office
 6. Other _____

Contact Person: Licensing Office Phone #: 781-794-8151

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required."

Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

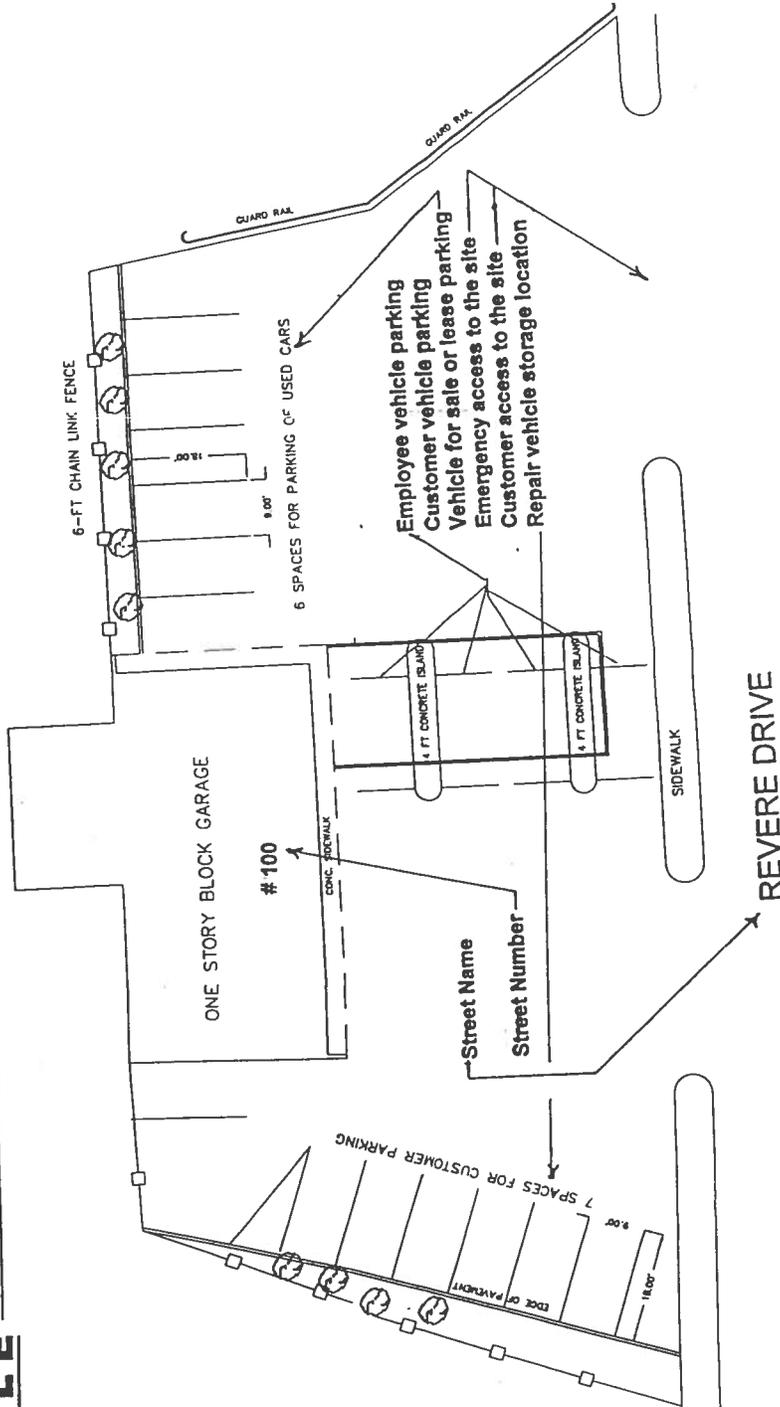
The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111

Tel. # 617-727-4900 ext 406 or 1-877-MASSAFE

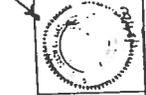
Fax # 617-727-7749

www.mass.gov/dia

SAMPLE



Name & Address of Land Surveyor
 Site Address & Owner Information



ACME ENGINEERING
 CIVIL ENGINEERING SURVEYING GEOTECHNICAL SERVICES
 1 Main Avenue Braintree, MA. 02104 781-555-0000

NO.	DATE	REVISIONS

PROPOSED PARKING PLAN
 100 Revere Drive Braintree, MA.
 OWNER: ACME AUTOWORKS
 ADDRESS: 100 REVERE DRIVE BRAINTREE, MA.

SHEET NUMBER
1
 DATE: ...
 P.L.C. G. Voda

FREQUENTLY ASKED BOND QUESTIONS

1. *Why do I need a bond?*

Answer: On December 24, 2002, acting-Governor Jane Swift signed a bill into law that requires *all Class 2 Dealers* in the Commonwealth of Massachusetts to post a \$25,000 bond with their municipalities upon issuance of a new license or a renewal.

2. *What does the bond cover?*

Answer: A bond covers a dealer for claims made against him by a consumer who has experienced problems with a vehicle that has been sold to him. The bond compensates the consumer in the event that the dealer is unable or unwilling to make good on the consumer's claim. Unlike an insurance policy, however, although the bond makes the consumer whole, the dealer is responsible for paying the bond company back for the satisfied claim.

3. *What if I have multiple locations?*

Answer: A separate bond shall be required for each different name under which the dealer conducts his business and for each city or town in which the dealer has a place of business.

4. *How can a consumer make claim against the bond?*

Answer: In the event that a consumer has been wronged, the consumer must proceed through the normal steps of mediation with the dealer followed by court action if no resolution of the dispute can be attained. The bond will compensate a consumer's claim only upon a court-ordered judgment against the dealer. At this point, if the dealer is unwilling or unable to pay the consumer the judgment, the bond will do so.

5. *What will happen if I don't post a bond?*

Answer: Cities and towns must have a copy of the dealer's bond or an alternative that will be accepted, such as a certificate of deposit or irrevocable letter of credit equal to the bond amount, upon submission of the application for a new license or license renewal. Failure to provide these will result in the city or town denying the issuance of a current-year license to the dealership.

6. *Do my salesmen need to be bonded, too?*

Answer: No. The bond is issued to the dealership and covers the employees of the business. However, this means that it is the owner-principal, not the individuals operating under a license, who is held responsible for whatever claims are made against the dealership.