

# HOW TO START A SMALL BUSINESS in Upper Darby



Welcoming  
Center *for*  
NEW PENNSYLVANIANS

*Connecting immigrants, employers,  
and communities*

Many Philadelphia-area entrepreneurs start out by opening a small business in the suburbs, such as Upper Darby, PA. Whether you are a newcomer to the area, or locally born and raised, there is a lot you'll need to know before opening your doors.

The Welcoming Center for New Pennsylvanians works with receiving communities and immigrants to promote economic development, and can be a resource in helping you start your business.

## HOW TO START A SMALL BUSINESS IN UPPER DARBY

This guide provides an overview of things to consider when starting a small business in Upper Darby. We've included the procedures, regulations, and licenses that affect every small business, as well as the additional licensing and training required for businesses that sell or handle food.

Of course, every business is unique and regulations can change, so please consider this pamphlet as a guideline, not a comprehensive resource. It is important that you contact your township offices (listed in this guide) to make sure that you are in compliance with current procedures.

### Welcoming Center for New Pennsylvanians

The Welcoming Center for New Pennsylvanians is a nonprofit economic development organization that works with work-authorized immigrants and native-born Americans to foster economic vitality in the Philadelphia region. In addition to employment services, legal clinics, and resource referrals, the Welcoming Center provides small business support to local entrepreneurs of all backgrounds.

If you are considering opening a small business in Upper Darby or elsewhere in the Philadelphia area, please contact the Welcoming Center. We can help with:

- Information and referrals to business resources
- Small business seminars
- English language instruction and related customer service training for entrepreneurs
- Technical assistance to business associations with diverse membership
- Conflict resolution training

# UNDERSTANDING THE REGULATIONS

---

All businesses are required to follow regulations, which are government rules. These regulations may differ depending on the type of business that you intend to open. It is important that business owners understand and comply with regulations to protect their customers and their business investment.

## For all businesses

Zoning regulations specify what types of businesses can operate in a particular location, and set rules about signs and parking.

Building code regulations require that both the structure and the space within a business property are safe and accessible for customers and employees. Building codes specify how electrical, plumbing, heating, and fire safety systems must be installed and maintained.

## For businesses that sell, serve, and/or prepare food (such as groceries, coffee shops, delis, restaurants, caterers)

Food establishments are highly regulated in the United States to prevent sickness.

Food establishment regulations specify how food storage, preparation areas, and equipment should be set up, and how systems like water supply and sanitation should be installed and maintained.

# IMPORTANT RESOURCES AND PHONE NUMBERS

---

## Upper Darby Licenses and Inspection (L&I) Department

100 Garrett Road, Room 109

Upper Darby, PA 19082

Phone: 610-734-7613

[www.upperdarby.org/licenses-inspection.html](http://www.upperdarby.org/licenses-inspection.html)

Your primary contact for opening a small business in Upper Darby.

## Upper Darby Public Health Department

100 Garrett Road, Room 306

Upper Darby, PA 19082

Phone: 610-734-7640

[www.upperdarby.org/health.html](http://www.upperdarby.org/health.html)

If your business will sell, serve, and/or prepare food, contact the Health Department before investing in your business.

## Upper Darby Finance Department

### Business Taxes and Licenses

100 Garrett Road, Room 102

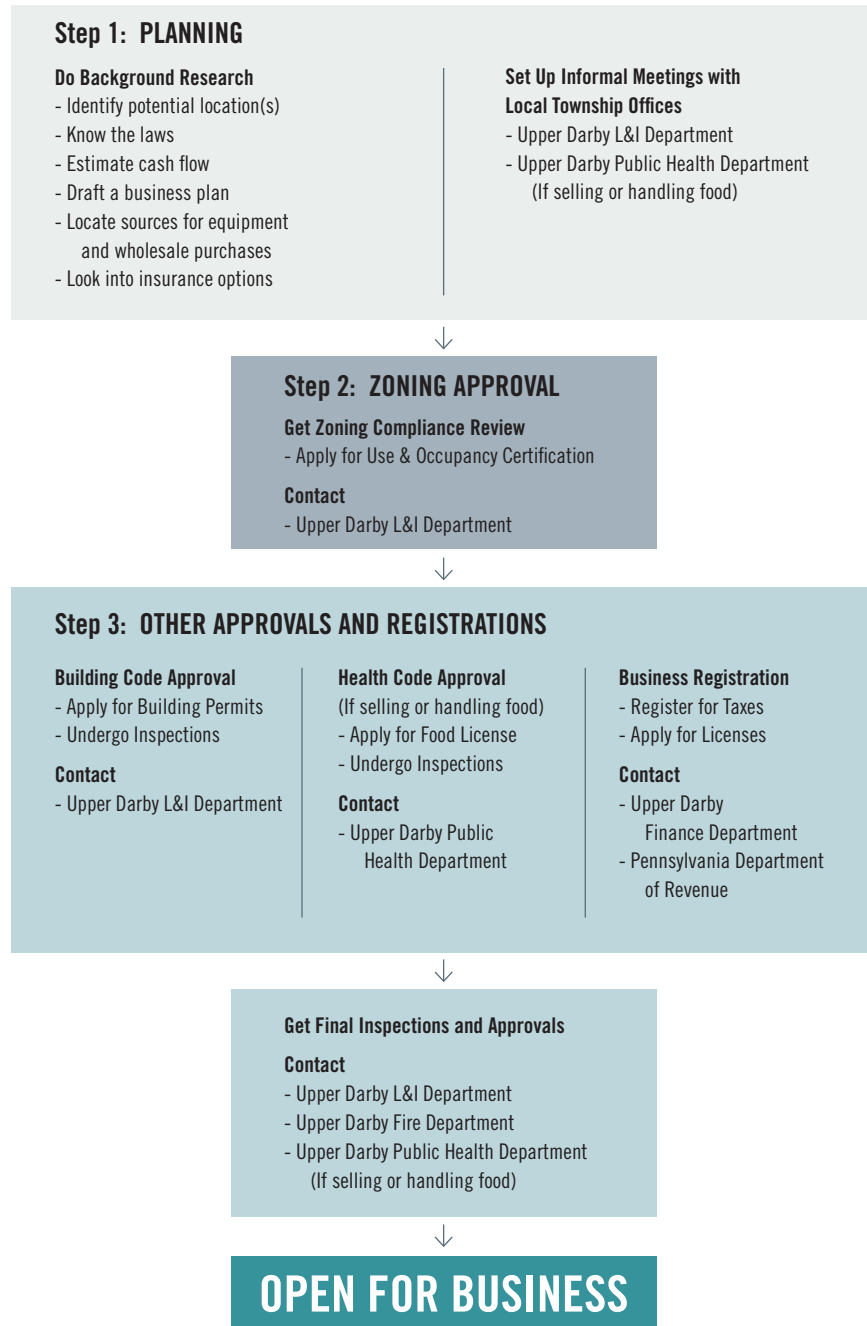
Upper Darby, PA 19082

Phone: 610-734-7618

[www.upperdarby.org/local-taxes.html](http://www.upperdarby.org/local-taxes.html)

The Finance Department can help you register your business and understand township business taxes.

## Steps to Take When Starting a Business



# STEP 1: PLANNING YOUR BUSINESS

## Before You Begin

Think about basic business operations:

- **Identify your potential location(s)**, but do not invest money until you understand the zoning requirements. If your business is not correctly zoned, you will need to spend additional time and money seeking a zoning variance.
- **Know the law.** Federal, state, and local laws regulate business operations, including taxes, employees, and sale of controlled substances, such as alcohol or firearms.
- **Estimate your weekly revenue and expenses.** Get a general sense of how much you will be earning and spending during the first year of operation.
- **Consider creating a business plan.** With a business plan, you may be eligible for loans, grants, and other financing options. See page 12 for a list of organizations that can help you.
- **Find equipment sources** and develop relationships with wholesalers.
- **Look into business insurance options** to protect against damages, crime, or loss of income.

## As You Plan

Meet with Upper Darby Township staff before you invest money in your business or finalize your plans. L&I staff will help you understand the zoning regulations and identify the certificates, permits, and licenses you will need to open your business. If your business will sell or handle food, Public Health Department staff will help you understand food establishment regulations and what you will need to do to obtain your license.

## Important: Confirm the Upper Darby Location

Sometimes the city named in the mailing address of a property is not the same as the township or municipality where the business is physically located. Check with the Upper Darby Township L&I Department by calling 610-734-7613 to confirm that your new business is actually located within the boundaries of Upper Darby. This is important because the township where your business is located sets the rules you will need to follow to set up your business legally.

# STEP 2: ZONING APPROVAL

## Getting Started

To operate a business in Upper Darby, you need to get Use and Occupancy certifications showing that you have received zoning approval (Use) and that your business meets building code regulations (Occupancy).

To obtain application forms for Use and Occupancy certification from the Upper Darby L&I Department, call 610-734-7613. They will give you a New Business & Takeover application packet that contains Use and Occupancy applications and includes:

- General information about licenses, permits, and certificates needed to get Use and Occupancy approval
- General tips about what the building code requires for your business property and what will be inspected (such as exits, maintenance, fire protection, plumbing, and electrical, heating, or air conditioning systems)

You can also get the New Business packet online at the Upper Darby Licenses and Inspection Permits page. Visit [www.upperdarby.org/permits.html](http://www.upperdarby.org/permits.html) and scroll down to Permit Applications/Business Permits.

## Obtaining Zoning Approval

When you apply for Use certification for your business, you identify where your business will be located and what goods or services you will be selling. You also describe physical changes you are planning to make to the property and any signs you plan to add or change. This information is used for the zoning compliance review.

## Zoning

In the United States, the government regulates how private property may be used through a system known as zoning. Zoning governs the “use” of property. For example, zoning indicates whether a property can be used as a restaurant, store, daycare, salon, home, or other function. Zoning also regulates the size, spacing, and other characteristics of lots and buildings, as well as signs and parking.

Before you invest in or lease a property or business, check with the Upper Darby L&I Department to find out if the zoning code allows this property to be used for the type of business you plan to operate — even if the same type of business is operating there now. If you do not get zoning approval early in the process, you may experience problems in the future with opening the specific type of business that you desire in your location. If you do not receive zoning approval, you may need to appear before the zoning board of appeal to seek a zoning variance.

# STEP 3: OTHER APPROVALS AND REGISTRATIONS

## Obtaining Building Code Approval – For All Businesses

When you apply for Occupancy certification, you provide a floor plan of your business as well as details about the interior layout, physical systems, fire protection systems, and signs. Upper Darby L&I Department staff use this information to identify what building permits you will need to get and what inspections L&I staff will make.

## Building Permits and Inspections

If you are making physical changes to the business property or changing the way the building will be used, you will need to apply for building permits before you begin work. Separate permits are required for work on plumbing, construction of walls or additions, and electrical, heating, or air conditioning systems. You may need to have plans and drawings prepared by an architect or engineer. L&I staff will do inspections as work proceeds. For permit applications or questions, contact the L&I Department by calling 610-734-7613.

## Final Approval

Before you open, L&I staff will inspect your new business to make sure that it is compliant with building codes. Your fire protection systems will also need to be certified. Even if you have not made any physical changes, your new business will need to be inspected before you open.

## A Note About Building Plans

Be sure to check with Upper Darby L&I (and the Health Department, if you will be selling or handling food) to find out the type of building plans or drawings needed for the changes you are making to your business space. While big changes will require drawings done by an architect or engineer, some small changes may not require professionally prepared drawings.

## Obtaining Health Code Approval – Only for Businesses Selling or Handling Food

Businesses that sell, serve, and/or prepare food items are classified as “food establishments” and must be licensed and approved by the Upper Darby Public Health Department. The Health Department regulates food handling processes and construction or alteration of food establishments to ensure compliance with the township health code. Contact the Health Department by calling 610-734-7640 to identify what you will need to do before opening for business.

The Health Department works closely with the Upper Darby L&I Department (responsible for building code compliance) during the inspection and approval process.

Be aware that, to ensure food safety, the Health Department regulates many aspects of food establishment activity, such as:

- Equipment design and installation
- Ventilation
- Flooring
- Utility lines
- Ceiling construction
- Beverage systems
- Vermin control
- Lighting
- Water and waste drainage
- Restroom and locker facilities
- Reuse and recyclables

### Final Approval

Before you can open, the Health Department must do final inspections and approve your license to operate a food service establishment. Even if you have not made any physical changes, your new business will need to be inspected prior to opening. After you open, the Health Department will continue to do random inspections to ensure compliance with the health code.

## Regulation of Food Establishments

Businesses that sell, serve, and/or prepare food are highly regulated in the US to prevent sickness and ensure safety. Businesses such as groceries, convenience stores, mini-marts, delis, restaurants, cafeterias, and caterers must all be licensed and must comply with health code regulations. These regulations can be complex, depending on the types of food you plan to sell and how these foods are packaged, prepared, stored, served, etc. The Upper Darby Public Health Department (610-734-7640) can help you understand which regulations apply to your specific business and what you will need to do to be in compliance.

### Food Sanitation Manager Certification

Most food establishments are required to have a full-time employee certified as a Certified Food Sanitation Manager (CFSM). The employee must complete an approved food safety and certification course (typically 16 hours long). The certified employee does not need to be present at your business during all operating hours.

Contact the Upper Darby Public Health Department at 610-734-7640 for more information on the CFSM requirements for your business. They can give you information about approved certification courses offered in English and other languages.

### Registering Your Business – For All Businesses

To conduct business in Upper Darby, you must register your new business with the Upper Darby Finance Department and get a Business Privilege License. This license must be renewed each year. Contact the Finance Department by calling 610-734-7618 for an application, or go to [www.upperdarby.org/finance.html](http://www.upperdarby.org/finance.html) (click on Services Tax Forms, then scroll down to Other Local Taxes).

The Finance Department also can help you understand the local taxes you will need to pay for your business. The Finance Department is located at 100 Garrett Road, Room 102, Upper Darby, PA 19082.

You must also register your new business entity and business name with the State of Pennsylvania and get a sales tax license. To get the forms you will need, contact the Pennsylvania Department of Revenue by calling 610-619-8018 or 717-787-1064 or go to the Pennsylvania Open for Business website: [www.paopen4business.state.pa.us](http://www.paopen4business.state.pa.us)

If you plan to hire employees, you will need to get an Employer Identification Number (EIN) from the U.S. Internal Revenue Service (IRS). For an application, call the IRS at 800-829-4933 or apply online at [www.irs.gov/businesses/small/article/0,,id=102767,00.html](http://www.irs.gov/businesses/small/article/0,,id=102767,00.html)

As an employer you will also have tax obligations such as tax withholding and unemployment compensation. To learn more and get the forms you need, contact the Pennsylvania Department of Revenue by calling 610-619-8018 or 717-787-1064 or go to: [www.paopen4business.state.pa.us](http://www.paopen4business.state.pa.us)

# ADDITIONAL INFORMATION

## Licenses, Taxes, and Certifications

NOTE: These costs may change in the future.

### Building Permit — Fees Vary

Required if you are making changes to the property. Fee is usually based on the cost of the work to be done. Contact the Upper Darby L&I Department by calling 610-734-7613.

### Business Privilege/Mercantile Registration and License — \$15

Allows you to do business in Upper Darby. Must be renewed each year. Contact the Upper Darby Finance Department by calling 610-734-7618.

### Business Privilege/Mercantile Tax — Fees Vary

An Upper Darby tax on gross business receipts. Get more information about business taxes from the Upper Darby Finance Department by calling 610-734-7618.

### Sales Tax License — No Fee

The Pennsylvania Sales Tax License is required for most retail businesses. For more information, call the Pennsylvania Department of Revenue by calling 610-619-8018 or 717-787-1064.

### Use and Occupancy Certification – \$100

All businesses must have certificates of Use and Occupancy from Upper Darby Township. Contact Upper Darby L&I by calling 610-734-7613.

### Food Establishment License (If selling or handling food) — \$30 to \$450

If you sell, serve, and/or prepare food, you are required to get a Food Establishment License from the Upper Darby Public Health Department. The type of license you will need depends on the type of food service business you plan to operate. To get a license application, contact the Health Department by calling 610-734-7640.

### Food Safety/Sanitation Course Certification

(If selling or handling food) — \$150 to \$180 plus textbook

If you sell, serve, and/or prepare food, you may be required to have a full-time employee who is a Certified Food Sanitation Manager (CFSM). By calling the Upper Darby Public Health Department at 610-734-7640, you can get more information on what is required for your business and about certification courses offered in English and other languages.

### Other Licenses or Certifications — Fees Vary

Depending on the industry or type of business you are opening, you or your employees may need to get other licenses or certification from the state or county. For example, beauty salons and operators are licensed by the State of Pennsylvania.

## Fees

Every application for a permit, license, and certification is likely to require you to pay a fee. The fee depends on the type of permit required, the number of inspections needed, and/or the cost of physical changes you are proposing. There are additional fees if you open a food establishment or seek a zoning variance.

## Small Business Assistance

These organizations offer free or low-cost services to Philadelphia-area entrepreneurs.

### **Empowerment Group**

Phone: 215-427-9245

Nonprofit organization providing entrepreneurship education, on-the-job training, and business development.

### **E-Business Institute**

#### **U.S. Small Business Administration**

[www.sba.gov/training](http://www.sba.gov/training)

An online “virtual campus” offering free tutorials, workshops, and educational resources to assist entrepreneurs with business start-up.

### **The Enterprise Center**

Phone: 215-895-4000

A nonprofit resource center offering a minority entrepreneurship program.

### **The Merchants Fund**

Phone: 215-399-1339

Loan matching and limited economic assistance for eligible merchants.

### **Philadelphia Development Partnership**

Phone: 215-545-3100

Nonprofit organization providing training and technical assistance, small loans, and a network of peers, service providers, and consultants.

### **SCORE Delaware County**

Phone: 215-344-6910

Delaware County chapter of SCORE, a national nonprofit organization, offering free one-on-one business counseling and seminars for small business owners.

### **Temple University Small Business Development Center**

Phone: 215-204-7282

Low-cost or free consulting and training services to help plan and grow your business.

### **Wharton Small Business Development Center**

Phone: 215-898-4861

Low-cost or free consulting and training services to help plan and grow your business.

### **Widener Small Business Development Center**

Phone: 610-619-8490

Low-cost or free consulting and training services to help plan and grow your business.

### **Women’s Business Development Center**

Phone: 215-790-9232

Nonprofit organization providing financial, management, technical, procurement, and certification assistance.

### **Women’s Opportunities Resource Center**

Phone: 215-564-5500

Nonprofit organization offering training, individual business assistance, and access to business and financial resources.

In addition to these contacts and organizations, the Welcoming Center for New Pennsylvanians is a resource for aspiring entrepreneurs and small business owners. Learn more about how we can help you at [www.welcomingcenter.org](http://www.welcomingcenter.org)

The Welcoming Center for New Pennsylvanians is a nonprofit organization that works to promote immigrant participation in the region's economic, political, and social life. These individuals enhance the productivity, profitability, and stability of the region's businesses and contribute to the state's overall economic growth. Our work recognizes that immigrant integration is a two-way process that must include the receiving community of native-born Americans.

**MAIN OFFICE**

One Penn Center  
1617 John F. Kennedy Boulevard  
13th Floor  
Philadelphia, PA 19103  
phone 215-557-2626  
fax 215-557-2825

**DELAWARE COUNTY OFFICE**

7000 Walnut St.  
Upper Darby, PA 19082  
phone 610-734-7715 or 215-557-2841  
fax 215-557-2825

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

Our United Way donor option number is 14726.

This project was financed by a grant from the Commonwealth of Pennsylvania, Department of Community and Economic Development.

**Welcoming  
Center *for*  
NEW PENNSYLVANIANS**

*Connecting immigrants, employers,  
and communities*