

CITY OF SOUTH BEND INDIANA



SMALL BUSINESS RESOURCE GUIDE

A HANDBOOK FOR STARTING A
SMALL BUSINESS IN SOUTH BEND

SMALL BUSINESS



RESOURCE GUIDE



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RESOURCES FOR STARTING A NEW BUSINESS

GENERAL REQUIREMENTS

Indiana does not have any one single, comprehensive business license. However, many businesses operating in Indiana may be subject to regulatory requirements that may involve several state agencies. Businesses that are starting, expanding, hiring employees for the first time, changing ownership or organizational structure, or moving into Indiana will need to consider the areas on the following pages.



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BUSINESS STRUCTURE

The first decision you must make is what type of business organizational structure will best meet your goals. The organizational structure of a business entity will determine what must be done to officially “form” the entity, how taxes are paid, and many other details that affect its day-to-day operation.

There are financial and legal advantages and disadvantages to each type of business organization. Anyone unsure of which structure will be best should go to: [in.gov/core/business_guide.html](https://www.in.gov/core/business_guide.html)

CHOOSE A NAME

Before selecting a business name, make sure no one else is using it.

Search the Indiana Secretary of State website at:

[in.gov/sos](https://www.in.gov/sos)

Search internet domain names at:

[whois.net](https://www.whois.net)

If applicable, search the United States Patent and Trademark office at:

[uspto.gov](https://www.uspto.gov)

Name Availability Line at **317.232.6576**

CHOOSE & REGISTER YOUR ENTITY TYPE

FORMAL BUSINESS ENTITIES

The following formal business entities require the filing of organizational documents with the Corporations Division of the Secretary of State: Corporation, S-Corporation, Limited Liability Company, Nonprofit Corporation, Limited Partnership, and Limited Liability Partnership.

All filings and reports for formal business entities should be sent to:

INDIANA SECRETARY OF STATE
Business Service Division
302 West Washington Street, Room E018
Indianapolis, IN 46204
317.232.6576
[inbiz.in.gov](https://www.inbiz.in.gov)

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BUSINESS STRUCTURE cont.

INFORMAL BUSINESS ENTITIES

Sole Proprietorships and General Partnerships DO NOT require filing with the Indiana Secretary of State to come into existence. If the business name does not contain the owner's name(s), file a Doing Business As (DBA), also known as an Assumed Business Name, form with your County Recorder's Office to secure your business name on a county list. Registration of a business does not protect the name from being used by another business. In St. Joseph County contact:

ST. JOSEPH COUNTY RECORDER
227 West Jefferson Boulevard, 3rd Floor
South Bend, IN 46601
Phone: 574.235.9525
sjcindiana.com

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INDEPENDENT CONTRACTORS

WHAT IS AN INDEPENDENT CONTRACTOR?

An independent contractor is a person, business, or corporation that provides goods or services to another entity under terms specified in a contract or within a verbal agreement. Unlike employees, an independent contractor does not work regularly for an employer but works as and when required.

INDEPENDENT CONTRACTOR VS. EMPLOYEE

To determine whether a worker is an independent contractor or employee under common law, you must examine the relationship between the worker and the business. All evidence of control and independence in this relationship should be considered. The facts that provide this evidence fall into three categories: behavioral control, financial control, and the relationship of the parties.

BEHAVIORAL CONTROL

Behavioral Control covers facts that show whether the business has a right to direct or control how the work is done through instructions, training, or other means.

FINANCIAL CONTROL

Financial Control cover facts that show whether the business has a right to direct or control the financial and business aspects of the worker's job.

THIS INCLUDES:

- The extent to which the worker has unreimbursed business expenses
- The extent of the worker's investment in the facilities used in performing services
- The extent to which the worker makes his or her services available to the relevant market
- How the business pays the worker
- The extent to which the worker can realize a profit or incur a loss

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INDEPENDENT CONTRACTORS cont.

RELATIONSHIP OF THE PARTIES

Relationship of the Parties covers facts that show how the parties perceive their relationship.

THIS INCLUDES

- Written contracts describing the relationship the parties intended to create
- The extent to which the worker is available to perform services for others in similar businesses
- Whether the business provides the worker with employee type benefits such as insurance, a pension plan, vacation pay, or sick pay
- The permanency of the relationship
- The extent to which services performed by the worker are a key aspect of the regular business of the company

EXAMPLES OF OCCUPATIONS WHERE INDEPENDENT CONTRACTOR ARRANGEMENTS ARE TYPICAL:

- Accountant
- Author
- Dry Cleaner
- General Contractor
- Hair Stylist
- Interpreter or Translator
- Market Stall
- Massage Therapist
- Personal Trainer
- Private Investigator
- Real Estate Agent
- Sales Representative
- Taxi Cab or Limousine Driver
- Tradesman
- Tutor

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PROS AND CONS OF WORKING AS AN INDEPENDENT CONTRACTOR:

PROS

- You are your own boss
- You set your own hours
- You pick and choose what jobs you want to work
- You decide how much you get paid
- No federal or state tax is withheld from your pay
- You can take increased business deductions

CONS

- No job security
- Might not get paid
- No guaranteed set hours
- Must pay self-employment taxes
- No employer provided benefits
- May be personally liable for business debts

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ESTABLISHING TAXING ACCOUNTS

FEDERAL TAX INFORMATION

Any business with employees must have an Employer Identification Number (EIN) which identifies the tax accounts of employers, corporations, partnerships, and limited liability companies. Under Federal guidelines, you also need an EIN if you have a qualified retirement plan, operate your business as a corporation or partnership or file employment taxes or excise taxes. To obtain an EIN, call the Internal Revenue Services (IRS) for *Form SS-4 Application for Employer Identification Number*. Business owners may also be required to file self-employment taxes quarterly.

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Contact the IRS for publications on self-employment taxes. If the business does not have employees and does not expect to have any, the IRS may not allow the business to obtain an EIN. In this situation, the business owner's social security number is used as the Federal Tax Identification Number.

INTERNAL REVENUE SERVICE

General Information: 800.829.1040

Forms: 800.829.3676

EIN Assignment: 800.829.4933

[irs.gov/businesses](https://www.irs.gov/businesses)

LOCAL IRS OFFICE

100 East Wayne Street, Suite 200

South Bend, IN 46601

800.829.1040

INDIANA STATE TAX INFORMATION

Inquiries for the following state tax requirements should be directed to:

DEPARTMENT OF REVENUE

100 North Senate Avenue, N105 (MS112)

Indianapolis, IN 46204

Sales Tax: 317.232.2240

[in.gov/dor](https://www.in.gov/dor)

LOCAL DEPARTMENT OF REVENUE

105 E. Jefferson Blvd. Ste. 350

South Bend, IN 46601

574.291.8270

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ESTABLISHING TAXING ACCOUNTS cont.

REGISTRATION FOR SALES, USE, AND INCOME TAXES

A single application, *Form BT-1 Business Tax Application*, is used to register with the Indiana Department of Revenue for sales tax, withholding tax, food and beverage tax, county innkeeper tax, motor vehicle rental excise tax, and prepaid sales tax on gasoline. A separate application is required for each business location. There is a \$25.00 non-refundable application fee for a Retail Merchant's Certificate.

SALES TAX — RETAIL MERCHANTS CERTIFICATE

Any individual or business entity engaged in the selling or transferring of tangible personal property is considered a retail merchant and is required to be registered as such by filing *Form BT-1*. Registering as a retail merchant accomplishes what people commonly refer to as “getting a tax ID number” or “getting a tax-exempt number”. The information regarding sales and use taxes should be read carefully, keeping in mind that taxes cannot be avoided on items which will not be resold.

SALES TAX — EXEMPTION CERTIFICATE

Any individual or business entity registered as a retail merchant may complete *Form ST-105 General Sales Tax Exemption Certificate* and purchase any items being obtained for resale or items being incorporated into a final product (manufacturing) for resale without incurring sales tax. Registered retail merchants must assess Indiana sales tax on the sale of tangible personal property unless the buyer presents a valid exemption certificate to the seller. The exemption certificate must be legible, signed, and include the tax exempt number of the buyer.

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INDIANA USE TAX

Use tax is due on tangible personal property brought into Indiana for use, storage, or consumption that was acquired in a retail transaction and sales tax was not paid at the point of purchase. Exceptions for this tax may be found in the Indiana Code (IC 6-2.5-5 and IC 6-2.5-3). The Indiana use tax rate is 7% as of April 1, 2008. Registered retail merchants must report and pay the use tax due on *Form ST-103 Indiana Sales Tax Return*. Business entities that are not retail merchants must report and pay the use tax due on the income tax return of the entity or on a *ST-115 Consumer's Use Tax Return*.

TYPES OF PURCHASES THAT ARE SUBJECT TO INDIANA USE TAX:

- Catalog purchases by phone or mail from out-of-state vendors.
- Internet purchases from out-of-state vendors.
- Items withdrawn from inventory for personal use or to give away.

WITHHOLDING TAX

Employers are considered to be withholding agents if they make payments of salaries, wages, tips, fees, bonuses, and commissions that are subject to Indiana state and/or county taxes, and are required by the Internal Revenue Code to withhold federal income tax on those types of payments.

Withholding agents are required to register with the Indiana Department of Revenue by filing *Form BT-1* (no fee required) and to withhold state income tax and county income tax, if applicable, from the income of all employees.

Independent contractors are required to file quarterly estimated income tax payments. For more information, contact the Indiana Department of Revenue, Withholding at 317.232.2240.

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ESTABLISHING TAXING ACCOUNTS cont.

REGISTRATION FOR SALES, USE, AND INCOME TAXES

CORPORATE INCOME TAX

Except as otherwise provided, a corporation doing business in Indiana, other than a corporation defined as a taxpayer under IC 6-5.5-1-17, is subject to gross income tax, adjusted gross income tax, and supplemental net income tax. For more information, contact the Indiana Department of Revenue, Corporate Tax Section at 317.232.0129.

INDIVIDUAL INCOME TAX

Individual taxes are paid by an individual operating an unincorporated business (an independent contractor, sole proprietor, or general partner).

Estimated tax payments must be made by an individual who receives income from which Indiana adjusted gross income tax, county adjusted gross income tax, county income tax, or county economic income tax is not properly

withheld; and has an annual income tax liability that is \$1,000 or less as of January 1, 2008. For more information, contact the Indiana Department of Revenue at 317.232.2240.

PROPERTY TAX

Property taxes in Indiana are imposed at the local level on real property (land and buildings) and certain type of personal property. The assessment date is January 1 of every year. Property taxes are based on a “rate per hundred” dollars of assessed value. For more information, contact:

DEPARTMENT OF LOCAL
GOVERNMENT FINANCE
Assessment Division
100 N. Senate Avenue, N1058
Indianapolis, IN 46204
317.232.3777
888.739.9826
in.gov/dlgf

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EMPLOYER RESPONSIBILITIES

Employment may be defined differently by laws regarding taxes, worker compensation, labor, and unemployment. Often, a worker's status as an employee is dependent on how much work is performed and how wages are paid. Some laws use tests involving the amount of control the payer has over how, where, and when the work is done. The IRS has *Publication 15A*, at [irs.gov](https://www.irs.gov), which outlines the criteria it uses to make the determination of whether a worker is an employee or an independent contractor.

The term "independent contractor" is used to refer to a business, a business owner with employees, or a self-employed business owner with no employees. This should not confuse the issue of employer responsibilities. If you have employees, you are responsible for them. If you are unsure of whether someone who performs services for you is an employee or independent contractor, consult each agency listed in this section to be sure of which definitions apply for which purposes. See pages 7-8 for a more detailed description of an independent contractor or view the IRS *Publication 15A*.

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EMPLOYER RESPONSIBILITIES cont.

UNEMPLOYMENT INSURANCE

Unemployment insurance is a partial, temporary replacement of income to employees who lose their jobs through no fault of their own. As an employer, the business will generally qualify for coverage if it:

- Has \$1,500 or more total gross payroll in a calendar quarter
- Employs one or more worker(s) for 20 weeks or more during a calendar year

Establishing State Employment Insurance Account: Employers must pay both Federal Unemployment Tax Act (FUTA) and State Unemployment Tax Act (SUTA) taxes. FUTA taxes are paid to the Internal Revenue Service. SUTA taxes are paid by establishing a state employment insurance account by filing *A Report to Determine Status Form 2837*, and then filing quarterly payments by submitting *Form UC-1 Quarterly Contribution Report and Form UC-5A, Quarterly Payroll Report to the Indiana Department of Workforce Development*. For more

information on state unemployment coverage you may obtain an Employer's Desk Guide by contacting:

DEPARTMENT OF WORKFORCE
DEVELOPMENT (DWD)
101 North Senate Avenue
Indianapolis, IN 46204
800.437.9136
in.gov/dwd/2328.htm

WORKERS' COMPENSATION

All Indiana employers must obtain workers' compensation insurance from a private insurance carrier. If an injury to an employee occurs and results in more than one day away from work, the employer must electronically file an Indiana Workers' Compensation First Report of Employee Injury, Illness.

Certification of Independent Contractor Status and Workers' Compensation Exemption: Independent contractors in the construction and building trade are required to apply to the

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Indiana Department of Revenue for Certification of Independent Contractor Status. Clearance must first be received from the Department of Revenue before the Workers' Compensation Board may process an application for exemption. For more information, contact:

INDIANA DEPARTMENT OF REVENUE
PO BOX 2305
Indianapolis, IN 46206
317.232.5977
[in.gov/dor/4473.htm](https://www.in.gov/dor/4473.htm)

WORKERS' COMPENSATION BOARD
402 West Washington Street Room W196
Indianapolis, IN 46204
800.824.2667 or 317.232.3808
[in.gov/wcb/](https://www.in.gov/wcb/)

LABOR LAWS

Information regarding any Indiana labor laws may be obtained by contacting:

INDIANA DEPARTMENT OF LABOR
402 West Washington Street, Room W195
Indianapolis, IN 46204
317.232.2655
[in.gov/dol](https://www.in.gov/dol)

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LOCAL AND FEDERAL REGULATIONS

Cities and counties in Indiana have jurisdiction over many areas, which can affect small businesses. Zoning regulations and signage issues are almost always local issues. Contractor licensing (for contractors other than plumbers) is also a local option. Some areas also have a “transient merchant” license or some other regulation of those doing business without an established business location. Since regulations vary from city to city and county to county, it is always necessary to contact the local government wherever the work is being done. Consult a local telephone directory for contact information regarding local government offices. For general information regarding the federal government agency contact:

FEDERAL CITIZEN INFORMATION CENTER

800.333.4636 or 800.688.9889

usa.gov



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PERSONAL CREDIT

Before approaching a bank or investor for a loan, it is advisable to know the condition of your credit report. For your free annual personal credit report, go to freecreditreport.com.

INSURANCE

For the necessary insurance coverage, bonding, or liability insurance, check with your local insurance agent or broker. Performance bonds may be required for jobs of \$1,000 or more. Financial statements or tax returns may also be needed. Licensing bonds and performance bonds sell for \$50 and up.

TRAFFIC INFORMATION

For information regarding traffic counts, streets, or access roads, contact:

MICHIANA AREA COUNCIL OF
GOVERNMENT (MACOG)
227 West Jefferson Boulevard, 11th Floor
South Bend, IN 46601
574.287.1829
macog.com
e: macogdir@macog.com

BUILDING AND ZONING

The Building Department reviews and issues all permits for construction, demolition, remodeling, and occupancy of structures (i.e. electrical, plumbing, HVAC, windows, and roofing). The Zoning Ordinance establishes the allowed uses and development standards (i.e. required setbacks, allowed signage, and landscaping) for a site. For more information contact:

ST. JOSEPH COUNTY/SOUTH BEND
BUILDING DEPARTMENT / ZONING
125 South Lafayette Boulevard, Suite 100
South Bend, IN 46601
574.235.9554 / 574.235-9451
southbend.in.gov

MISHAWAKA CITY
PLANNING DEPARTMENT
600 East 3rd Street
Mishawaka, IN 46544
574.258.1625
mishawaka.in.gov

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LOCAL AND FEDERAL REGULATIONS cont.

COUNTY HEALTH PERMITS

Several types of businesses, including all those engaged in handling food, must obtain health permits and be inspected by the County Public Health Department.

ST. JOSEPH COUNTY HEALTH
DEPARTMENT
227 West Jefferson Boulevard, 9th Floor
South Bend, IN 46601
574.235.9750 #3
sjcindiana.com

HEALTH ISSUES

The Department of Health administers all sanitary standards pertaining to handling and processing of foods including the Food Handlers Certification. For more information, contact:

Indiana Department of Health
2 North Meridian Street
Indianapolis, IN 46204
317.234.8569
in.gov/isdh

ALCOHOLIC BEVERAGES

Any individual or business serving, selling, or manufacturing beer, wine, or liquor for consumption will need to contact the Alcohol Tobacco Commission to obtain a permit or license. For more information, contact:

ALCOHOL TOBACCO COMMISSION
302 West Washington Street, Room E114
Indianapolis, IN 46204
317.232.2430
in.gov/atc

INDIANA OCCUPATIONAL SAFETY AND HEALTH ACT (IOSHA)

The Indiana Department of Labor, IOSHA Division, is the sole compliance agency for occupational safety and health standards in the state of Indiana. The ultimate goal of IOSHA is the elimination of occupational injury, disease, and illness among Indiana workers. There are general industry standards that apply to any employer. Some specific industries have their own standards as well. Additionally, employees

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may not suffer dismissal or discrimination for making known a concern about workplace health or safety. For more information, contact IOSHA at 317.232.2655 or visit their website in.gov

DIVISION OF INSAFE

INSafe's primary function is to aid businesses with voluntary compliance with IOSHA standards and to develop comprehensive safety and health programs through safety education and training. INSafe offers technical assistance, recommendations for reducing or eliminating existing hazards and assessment of employer's safety and health programs.

For more information, call 317.232.2688 or visit their website in.gov

CHILD LABOR LAWS

The Indiana Department of Labor's Bureau of Child Labor enforces the Indiana child labor laws, which apply to minors, ages 14 through 17 years. Generally, any minor between ages 14 through 17 years must obtain an Employment Certificate before beginning employment. Employment Certificates are issued by the School Corporation the minor attends. For more information regarding the employment of a minor, call 317.232.2655 or visit their website at in.gov

SMALL BUSINESS

LOCAL AND FEDERAL REGULATIONS cont.

AGE DISCRIMINATION

The Indiana Department of Labor's Employment Standards Division administers Indiana's Age Discrimination Act and investigates charges of age discrimination at state covered businesses (generally those employing fewer than 20 employees). For more information, call 317.232.2655. Charges of age discrimination against employers of more than 20 employees must be filed with the Equal Employment Opportunity Commission (EEOC) at 800.669.4000 or visit the website at eeoc.gov

MINIMUM WAGE

The Employment Standards Division also administers the Indiana Minimum Wage, which applies to employers not subject to the Federal Labor Standards Act. Indiana's minimum wage is \$7.25 per hour. For more information regarding state and federal minimum wage laws, call 317.232.2655 or visit their website at dol.gov

WAGE PAYMENT

Employees who are not paid all wages earned on the regular payday for the periods in which they are earned may file a wage claim with the Employment Standards Division. For additional information, call 317.232.2655 or visit their website at in.gov

NEW HIRE REPORTING

Effective October 1, 1997, under Indiana State Statute IC22.4.1.4-2 and the Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) all public, private, non-profit, and government employers are required to report all new and rehired employees within 20 days of hire to the Indiana New Hire Reporting Center. Failure to report a new employee could result in a fine of \$500. Please see the following website at in-newhire.com or for questions, call 866.879.0198 or 317.612.3028.

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POSTING REQUIREMENTS

Many state and federal employment laws have corresponding posting requirements. Please keep in mind that most of the posters have size requirements included in state or federal law, and many of the “combined posters” sold by private companies do not meet these size requirements. At least one copy of each poster is free to any employer and the contact information is listed below for each one. Please visit website in.gov/dwd/2455.htm.

MINIMUM WAGE FEDERAL

Your Rights under the Fair Labor Standards Act and Employee Polygraph Protection Act posters. Contact the U.S. Department of Labor, Wage, and Hour Division at 866.487.9243. In South Bend, contact 574.236.8331.

STATE

Indiana Minimum Wage Law poster needed by anyone not covered by Federal Minimum Wage and has two or more employees during any work week. Contact the Indiana Department of Labor at 317.232.2655.

EQUAL EMPLOYMENT OPPORTUNITY

FEDERAL

The Law poster. Contact Equal Employment Opportunity Commission at 800.669.4000 or 317.226.7469.

STATE

Equal Opportunity is the Law poster. Contact the Indiana Civil Rights Commission at 800.628.2909 or 317.232.2600.



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POSTING REQUIREMENTS cont.

OCCUPATIONAL SAFETY AND HEALTH

FEDERAL

No poster is needed in Indiana.

STATE

Safety and Health Protection on the Job poster is needed by anyone with employees in Indiana.

Contact Indiana Department of Labor, IOSHA Compliance Division at 317.232.2694.

CHILD LABOR

FEDERAL

Federal requirements are covered on the Fair Labor Standards Act poster listed under Minimum Wage.

STATE

The *Notice of Teen Worker Restriction* poster is required to be posted by all Indiana employers who employ teens ages 14 through 17 years of age. Contact the Indiana Department of Labor, Bureau of Child Labor at 317.232.2675.

UNEMPLOYMENT COMPENSATION

STATE

Indiana Employment and Training Services Act poster. Contact the Indiana Department of Workforce Development at 800.437.9136 or 317.232.6715.

WORKERS' COMPENSATION STATE

Workers' Compensation Notice is needed by almost anyone with employees. Contact the Workers' Compensation Board at 800.824.2667 or 317.232.3808.

USERRA (Uniformed Services Employment and Re-Employment Rights Act) FEDERAL

Federal law protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. Also prohibits employers from discriminating against past and present members of the uniformed services and applicants to the uniformed services. Contact the U.S. Department of Labor at 866.487.2365.

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LICENSES AND PERMITS

Every business may need one or more federal, state, or local licenses or permits to operate. Licenses can range from a basic operating license to very specific permits.

Regulations vary by industry, state, and locality, so it is very important to understand the licensing rules where your business is located. Not complying with licensing and permitting regulations can lead to expensive fines and put your business at serious risk.

FEDERAL

If your business will involve the following, contact the appropriate agency.

- Broadcasting - Federal Communications Commission at 888.225.5322 or visit fcc.gov
- Ground Transportation, i.e. trucking - U.S. Department of Transportation at 855.368.4200 or visit www.transportation.gov
- Investment Advising - Securities and Exchange Commission (SEC) at 800.732.0330 or visit sec.gov
- Manufacturing of Tobacco, Alcohol, or Firearms/Selling Firearms - U.S. Bureau of Alcohol, Tobacco, and Firearms at 202.648.7080 or visit www.atf.gov



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LICENSES AND PERMITS cont.

- Preparation of Meat Products - U.S.
Food and Drug Administration (FDA)
at 888.463.6332 or visit www.fda.gov

STATE

Indiana has over 400 different licenses, permits, certifications, and other permissions, which could be required for certain businesses. Any questions regarding which licenses or permits are necessary should be addressed to the state agency that governs your profession, or contact:

STATE INFORMATION CENTER
317.233.0800 or 800.457.8283
(within Indiana)
in.gov/core/help.html

LOCAL

Certain types of businesses must hold special city/county permits or licenses. Businesses are classified by both size and type with fees applied accordingly.

CITY OF SOUTH BEND
BUSINESS LICENSES
227 West Jefferson Boulevard, Suite 1400S
South Bend, IN 46601
574.235.5912
southbendin.gov

MISHAWAKA CITY
PERMITS AND LICENSES
600 East 3rd Street
Mishawaka, IN 46544
574.258.1622
mishawaka.in.gov/permits

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UTILITIES

AT&T
Business Service
888.944.0447
att.com

XFINITY
800.934.6489
comcast.com

VERIZON
888.804.0875
verizonwireless.com

SPRINT
844.305.4990
sprint.com/business

INDIANA MICHIGAN POWER
800.311.4634
indianamichiganpower.com

NORTHERN INDIANA
PUBLIC SERVICE
COMPANY 800.464.7726
nipsco.com

SOUTH BEND WATER WORKS
125 West Colfax Avenue
South Bend, IN 46601
574.235.9236
southbendin.gov

MISHAWAKA UTILITIES
Electric, Water, Wastewater Treatment
126 North Church Street
574.258.1630
mishawakain.gov

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DIRECTORY OF ADDITIONAL SERVICES

DOWNTOWN SOUTH BEND, INC. (DTSB)

217 South Michigan Street

South Bend, IN 46601

574.282.1110

downtownsouthbend.com

Competitive grants to encourage the growth of a vibrant and thriving retail climate in the downtown area through the Exterior Enhancement Grant, Interior Improvement Grant, Retail Assistance Mini Grant, and DTSB Municipal Riverfront Development District Liquor License.

SERVICE CORPS OF RETIRED

EXECUTIVES(SCORE)

South Bend, IN

574.310.8097

michiana.score.org

Experienced and knowledgeable volunteers that help small business owners and potential small business owners achieve success through free mentoring and low cost workshops and webinars.

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SMALL BUSINESS ADMINISTRATION (SBA)

429 North Pennsylvania, Suite 100

Indianapolis, IN 46204

800.827.5722

sba.gov

isbdc.org

Delivers a variety of programs and services, including startup and operational assistance through small business training and counseling, financial assistance, business opportunities, such as government contracting, subcontracting, procurement, and much more.

SBA'S WOMEN BUSINESS CENTER (WBC)

111 Monument Circle, Suite 1950

Indianapolis, IN 46204

317.464.2245

sba.gov/wosb

Provides business training and counseling, access to credit and capital, and marketing opportunities, including federal contracts to women-owned and economically disadvantaged women-owned small businesses.

ST. JOSEPH COUNTY CHAMBER

OF COMMERCE

101 N. Michigan St., Suite 300

South Bend, IN 46601

574.234.0051

sjchamber.org

Offers leadership, advocacy, programs, and resources. Joining the Chamber of Commerce is a smart move for your business as businesses that participate in this group promote each other and work together so businesses will grow and prosper quickly.

INDIANA SMALL BUSINESS

DEVELOPMENT CENTER

574.520.4126

isbdc.org

Business Advisors work with businesses at all stages from concept development, feasibility assessment, and business planning to start-up, growth, and maturity. Consulting services are confidential and provided at no cost.

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DIRECTORY OF ADDITIONAL SERVICES cont.

SPARK - WOMEN'S
ENTREPRENEURSHIP INITIATIVE
132 Specs Unica Hall
Notre Dame, IN 46556
574.284.4059
saintmarys.edu

Helps local women create a corporate identity and business plan. Additional resources include implementing marketing strategies, promotional materials, time management skills, bookkeeping, attaining a business loan, and general success strategies.

DEPARTMENT OF COMMUNITY
INVESTMENT
227 West Jefferson Boulevard, Suite 1400S
South Bend, IN 46601
574.235.9371
southbendin.gov

Assists with all your business needs including relocation or expansion plans through location-based incentives and site location assistance.

THE COMPANY CORPORATION
251 Little Falls Dr.
Wilmington, DE 19808
855.236.4043 or 800.818.6082
incorporate.com

The Company Corporation is a registered agent that can help register your name in your state and complete the DBA registrations for corporations, limited liability companies (LLC), and some sole proprietorships and partnerships. Helps customers meet their compliance needs after they have incorporated.

MINORITY AND WOMEN'S BUSINESS
ENTERPRISE
402 West Washington Street, Rm W469
Indianapolis, IN 46204
317.232.3061
mwbe-enterprises.com

Provides expert consult to minority and women-owned business owners seeking MBE, WBE, DBE, 8(a) and WOSB business certification.

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DEFINITIONS/GLOSSARY

INFORMAL ENTITIES

SOLE PROPRIETORSHIP

The most basic type of business to establish. The sole owner assumes complete responsibility for all liabilities and debts of the business. The personal tax rate is usually lower than the corporate tax rate.

Sole proprietorships are generally utilized in situations where an individual is looking for the easiest way to get their business off the ground. As soon as one starts doing business, a sole proprietorship exists, subject to licensing and zoning requirements.

GENERAL PARTNERSHIP

Two or more individuals as co-owners of a for profit business. All partners are responsible for the liabilities and debts of the partnership. Profits are taxed as income to the partners based on their ownership percentage.

FORMAL ENTITIES

LIMITED LIABILITY CO.

A limited liability co. is designed to provide the limited liability features of a corporation and the tax efficiencies and operational flexibility of a partnership. A LLC has members rather than shareholders. A member enjoys protections from the liabilities and debts of the LLC.

CORPORATION

A corporation is complex and generally suggested for larger established companies with multiple employees. The corporation assumes all liabilities and debts. It is owned by shareholders and their ownership is represented by shares of stock. A shareholder enjoys protection from the corporation's debts and liabilities.

S-CORPORATION

An S-corporation is similar to a C-corporation, but you are taxed only on the personal level. The S-corporation's special tax status eliminates the double taxation that can occur with a

SMALL BUSINESS

DEFINITIONS/GLOSSARY cont.

C-corporation's income. No tax is paid at the corporate level, profits or losses are reported on the individual shareholders returns. Any tax due is paid by shareholders at their individual tax rates.

LIMITED PARTNERSHIP

A limited partnership is 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. Unlike partners in a general partnership, limited partners in a limited partnership have limited liability.

Examples of a business activity where limited partnerships are frequently used are real estate development or in the film industry.

LIMITED LIABILITY PARTNERSHIP

Limited liability partnerships operate much like limited partnerships, but give each member of the LLP protection from personal liability, except to the extent of their investment in the LLP. Generally, partners in a LLP are not responsible for another partner's debts, obligations, or

liabilities resulting from negligence, malpractice, or misconduct.

Examples of a business activity where limited liability partnerships are frequently formed are accountants, physicians, attorneys, and architects.

NOT-FOR-PROFIT

A not for profit organization is a type of organization that does not earn profits for its owners. All of the money earned by or donated to a not for profit organization is used in pursuing the organization's objectives. Generally, not for profit organizations can apply for a tax exempt status so that they are not subject to most forms of taxation.

Typically not for profit organizations are charities or other type of public service organizations. Examples include public radio, museums, foundations, social welfare or advocacy groups, professional/trade associations, and religious organizations.

RESOURCE GUIDE



ESSENTIAL STEPS TO STARTING A BUSINESS

- Determine the legal structure of your business.
- Choose and register the entity type
- File for a tax identification number
- Register for state and local taxes
- Understand employer responsibilities
- Obtain local business licenses and permits

OBTAINING LOCAL LICENSING

Obtaining a business license in the City of South Bend is easy. Applications are accepted, online, in person or by mail. Business hours are Monday - Friday 8:00 a.m. to 5 p.m.

REQUEST A BUSINESS LICENSE APPLICATION

The first step in applying for a business license is to contact the Business License Administrator to help determine what type(s) of license(s) you will need based on your business activity.

Michelle Adams
Business License Administrator
227 West Jefferson Blvd. Ste. 1400S
South Bend, IN 46601
madams@southbendin.gov
574.235.5912

SMALL BUSINESS

OBTAINING A LOCAL LICENSE cont.

BE PREPARED

When applying for your South Bend business license you will need to provide the following information:

- A detailed description of your business activity
- The exact business address
- Name of your business entity and ownership information
- Identification - a valid driver's license, state identification card, voter's registration card, or another official photo identification
- Federal Employers Identification Number(EIN)
- A State of Indiana Tax Identification Number
- Personal data - residential address, phone number, social security number, and date of birth
- Site plan or diagram of proposed facility

PAY YOUR FILING FEE

Once your application for a business license is complete and you are ready to submit it to the Business License Administrator, you must pay the \$5.00 application fee. The final license fees will vary based on the type of license(s) for which you are applying.

PLAN FOR INSPECTIONS

Certain types of businesses require that the establishment undergo and pass an inspection from one or more City and/or County departments. Common inspections include the Fire Department, County Health Department, Building Department, Code Enforcement, Board of Public Works and the Police Department. You should be prepared for any inspection when you file your completed application. You may check the status of an inspection by contacting your Business License Administrator.

In the event that the business did not pass any or all of the inspections, you will be notified either by the inspector or the Business License Administrator and told to correct all violations and schedule a new inspection. If the license is being denied, you will receive a denial notice from the Legal Department to notify you of the denial and to inform you that you may contest the denial and request a hearing.

RESOURCE GUIDE



LICENSE FEES AND POSTING OBLIGATIONS

After inspections are completed and approved, you will be notified of the balance due. Once you have paid-in-full, the license(s) will be sent to the mailing address you indicated on the business license application. Business license(s) must be posted in a conspicuous location within the business establishment.

RENEWALS

Licenses must be renewed annually. A renewal notification will be mailed to you approximately 30 days prior to the expiration date of your current license. A 10% late fee will be assessed if the renewal application is submitted after the expiration date.

