

To whom it may concern:

Enclosed please find the application for your Common Victualler License and the Worker's Compensation Insurance Affidavit.

It is **important** that you complete all items on the application and return to:

OFFICE OF THE Board of Selectmen  
35 Central Street  
Stoneham, MA 02180

Also, you **must include** the following with your application:

- 1. A check payable to the "Town of Stoneham" in the amount of Fifty Dollars (\$50.00) for a new license application or Twenty Five Dollars (\$25.00) for a renewal license application.**
- 2. Proof of worker's compensation policy declaration page (showing the policy number and expiration date) must be attached. (Pursuant to State Worker's Compensation Law, MG.L. c. 152, sec. 25A, no business or organization may be issued a license or permit without proof of Worker's Compensation Insurance coverage, unless they are not required to have such coverage under law.)**

If you have any questions, please contact our office at (781) 279-2680. Thank you for your cooperation in this matter.

Sincerely,

*Erin Sinclair*

Erin Sinclair  
Office Manager



# Town of Stoneham

## COMMON VICTUALLER LICENSE APPLICATION

**INDIVIDUAL, PARTNERSHIP OR CORPORATE NAME:**

\_\_\_\_\_

**D/B/A, IF DIFFERENT:** \_\_\_\_\_

**LOCATION:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_

The business for which this application is being filed is a **(please check one)**:

Corporation       Partnership       Limited Partnership       Sole Proprietorship

**FOR CORPORATION:**

Give the name and home address of each officer and director: (Please add 2<sup>nd</sup> page if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR PARTNERSHIP OR INDIVIDUAL:**

Give the names and home addresses of all partners or individual Owners:

\_\_\_\_\_  
\_\_\_\_\_

Manager's Name: \_\_\_\_\_

Home Address and Phone #: \_\_\_\_\_

Hours of Operation: \_\_\_\_\_

Menu (General Type of Food Served): \_\_\_\_\_

Floor Space: \_\_\_\_\_ sq. ft.      Seating Capacity: \_\_\_\_\_

Parking Capacity: \_\_\_\_\_      Number of Employees: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

(Individual, Managing Partner, or Corporate Officer)

**PLEASE MAKE CHECKS PAYABLE:** Town of Stoneham

**NEW FEE: \$50.00**

**RENEWAL FEE: \$25.00**

**IMPORTANT: Please turn over and complete both forms and sign application**

**Common Victualler Application**

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I certify under the penalties of perjury that I, to the best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

\_\_\_\_\_  
\* Signature of Individual

\_\_\_\_\_  
By: Corporate Officer

**\* This license will not be issued unless this certification clause is signed by the applicant.**

\_\_\_\_\_  
\*\*Social Security # (Voluntary)  
or Federal Identification Number

\*\*Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency **will be subject to license suspension or revocation.** This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

To be completed by Town of Stoneham:

**APPLICATION APPROVED BY**

\_\_\_\_\_  
CHIEF OF POLICE

\_\_\_\_\_  
BUILDING INSPECTOR

\_\_\_\_\_  
BOARD OF HEALTH

\_\_\_\_\_  
FIRE DEPARTMENT



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 a 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: \_\_\_\_\_ 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: \_\_\_\_\_ Phone #: \_\_\_\_\_

# 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."

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## 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.

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## 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.

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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](http://www.mass.gov/dia)