

OBTAINING A CERTIFICATE OF OCCUPANCY

*** If you are a homebased business, change in name of business or a change of ownership without interruption of normal business operations at any point, you may disregard this form***

All other Business License Applicants **MUST** complete the tenant move-in process and obtain a Certificate of Occupancy **BEFORE** moving into your location. Failure to complete this process may delay the issuance of your business license and/or result in a citation being issued.

Please follow these directions for the tenant move-in process:

Visit www.SagesGov.com/marietta-ga

- You will need to create an account, and have the account accepted by the City of Marietta Permit Technician before you can create an application.
- Once the account is created and verified, login and go to the **HOME** tab.
- If you are not making any changes outside of paint and flooring - select the application tile called **Tenant Move-In Permit Application** which can be found under the **Public Works – Building** heading.
- If changes (demolition, renovation, modifications, alterations) need to be made to the space, you will need a **Building Permit Application** that must be applied for by a licensed General Contractor.
- Please be sure your “Project/Case” name in SAGES is the same as the business name listed for your business license.
- You will be expected to upload the following digital documents in this **Tenant Move-In Permit Application**:
 - A simple scale or dimensioned sketch of the top view of the space showing all rooms, doors, windows, stairs and/or ramps.
 - A dated and signed letter explaining how the business intends to use the space, contact information, hours of operation, and a statement that no construction will be done.
- Once submitted and accepted the application will be reviewed.
- When the review is completed, and fees are paid - your permit will be issued (emailed to the applicant).
- Once your permit is issued **YOU** will schedule your inspections through the Sages website; two will be required.
 - Fire 100%
 - Building Final
- Once the inspections are approved a new Certificate of Occupancy will be issued. The Certificate of Occupancy is required to be posted in view of your patrons.

For assistance with this process and/or the SAGES website please contact:
Building Department at (770) 794-5659



Business License and Revenue Division

For Office Use Only

205 Lawrence St., Box 609
Marietta, Georgia 30061-0609
Phone: (770) 794-5520
Fax: (770) 794-5685

Tax Cert. No.
Account No.
SIC code
Zoning
Date

REASON FOR APPLICATION (Check One) Have you previously applied for a business license with or office? Y or N

- [] New Business Started IF Y(es), enter Business location address
[] Existing Business Purchases Date of Purchase (mo., day, yr.)
[] Name Changed -- Previous Name
[] Location Changed -- Previous Location

Location of Business Number and Street (room, apt., or suite no.) City State Zip

Name of Business

Mailing Address Number and Street (room, apt., or suite no.) City State Zip

Date Business Started At Location (mo., day, yr.) Federal Tax ID Number

TYPE OF OWNERSHIP (Check One) [] Sole Proprietor [] Partnership [] Corporation [] Other (Specify)

Business Telephone Number E-Mail Address

Legal Name (Example: If Incorporated, Give Name of Corporation)

PLEASE FILL IN RESIDENTIAL INFORMATION:

[] Owner [] Partner [] President [] Other (Specify):

Name Number and Street (room, apt., or suite no.) City State Zip Phone
Social Security No. Date of Birth Driver's License no. & State

[] Owner [] Partner [] President [] Other (Specify):

Name Number and Street (room, apt., or suite no.) City State Zip Phone
Social Security No. Date of Birth Driver's License no. & State

Detailed Explanation of Business Activity to be Conducted at Location

Estimated Annual Gross Receipts (At This Location) \$ No. of Employees (Exclude Owners)

Construction Industry Licensing Board Card No. & Expiration Date (If Applicable)

Are the Owners United States Citizens? [] Yes [] No (If no, please provide proof of alien registration)

TO BE COMPLETED BY APPLICANT (Must be signed by owner, partner, or authorized officer of corporation)

I, being duly sworn according to law, do swear that the facts stated by me in the above and foregoing answers are true and no false or fraudulent statement is made herein. I will obtain within sixty (60) days of this application City of Marietta certificates of occupancy and fire inspections.
Date Applicant's Signature

Any check submitted with this application will be deposited by the City of Marietta. However, the depositing of such check does not constitute the grant of a license and every license must follow the normal review process prior to a final determination on whether to grant or deny the license. Further, the submittal of an application does not entitle the applicant to engage in the business applied for. Only the final and complete issuance of the license constitutes authority to transact such business.



HOME-BASED BUSINESS ACKNOWLEDGEMENT

"If this is a home based business you must fill in residential information on the application and provide proof of residency in the form of a copy of an electric bill or lease agreement"

By affixing my signature below, I (print name) _____ hereby acknowledge and affirm that I have been provided a copy of the City of Marietta's zoning standards as they apply to home occupational permits. I hereby agree to fully comply with said standards (as established in Section 712.04 of the City of Marietta Comprehensive Development Code), and if found in violation, understand that my business license may be revoked immediately in addition to other penalties under law.

Name of Business

Address of Business

Signature

Date

712.04 Home Occupations

A. Intent and Purpose.
Certain occupational uses termed "home occupations" are allowed in dwelling units on the basis that such uses are incidental to the use of the premises as a residence. They have special regulations that apply to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations ensure that the accessory home occupation remains subordinate to the residential use and the residential viability of the dwelling is maintained. The regulations recognize that many types of jobs can be done in a home with little or no effect on the surrounding neighborhood and, as such, may be permitted provided such uses:

1. Are incidental to the use of the premises as a residence;
2. Are conducted within the bona fide residence of the principal practitioner;
3. Are compatible with residential uses;
4. Are limited in extent and do not detract from the residential character of the neighborhood.

B. Definition of Accessory Home Occupations.
There are two types of home occupations, Type A and Type B. Permit requirements and uses allowed in each type vary and are allowed only if they comply with all of the requirements of this ordinance. Deviation from any standard requires a variance approval from City Council.

1. In Type A home occupations resident(s) use their home as a place of work, home office or business mailing address. Employees or customers are prohibited from coming to the site. Examples include artists, crafts people, writers and consultants.
2. In Type B home occupations resident(s) use their home for work, which requires or results in either an employee or consultant or agent or subcontractor or customer coming to the site. Examples are counseling, tutoring, and certain office uses. Type B home occupations must obtain a Special Land Use Permit from City Council due to their greater possible impact on the surrounding neighborhood as a result of individuals and visitors from outside the neighborhood coming to the property.

C. General Provisions and Prohibited Uses.

All home occupations shall meet the following:

1. A home occupation shall be incidental and accessory to the use of a dwelling as a residence. No more than 750 square feet or 25% of the floor space of the dwelling unit, whichever is less (including attached garages) may be used for the occupation.
2. There shall be no exterior evidence of the home occupation or alteration of the residence and/or accessory buildings to accommodate the home occupation. Internal or external changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting. Any alteration or addition which expands the floor area of the principal structure dedicated to the home occupation use shall void the existing business license and require a new business license be obtained, subject to property compliance verification by the Department of Development Services. For Type B home occupations, a new public hearing must be held for the rights associated with the Special Land Use Permit to be reestablished.
3. There shall be no outside operations or exterior storage of inventory or materials to be used in conjunction with a home occupation.
4. Off-site employees of the resident shall not congregate on the premises for any purpose concerning the home occupation nor park their personal vehicles at the location.
5. No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.
6. No more than one vehicle associated with the home occupation may be parked at the site. Such vehicle is limited to 1½ ton carrying capacity and must be used exclusively by the resident and parked on a valid improved surface.
7. No use or activity may create noise, dust, glare, vibration, smoke, smell, electrical interference or any fire hazard.
8. All home occupations shall be subject to periodic inspections by the Department of Development Services.
9. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, marine engines, lawn mowers, chain saws and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts is prohibited.
10. Group instruction, assembly or activity shall be prohibited.
11. Accessory home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
12. The Department of Development Services must approve all business licenses which shall be recertified annually.

D. Specific Criteria for Type A Home Occupations.

In addition to the general criteria established in Subsection C, Type A home occupations are subject to the following restrictions:

1. No clients, non-resident employees or customers are allowed on the premises.
2. Pickups from and deliveries to the site in regard to the business shall be restricted to vehicles which have no more than two axles and shall be restricted to no more than two pickups or deliveries per day between the hours of 8 a.m. and 6 p.m.
3. No signage regarding the home occupation is permitted on the property.
4. No advertisement shall be placed in any media (including flyers soliciting business) containing the address of the property.

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, Director



205 Lawrence Street
 Drawer 609
 Marietta, Georgia 30061-0609

Business License Manager
 Telephone: (770) 794-5520
 Fax: (770) 794-5685

Mayor's Office: (770) 794-5502
 City Manager's Office: (770) 794-5507
 City Clerk's Office: (770) 794-5526

Instructions and Information

Welcome to the City of Marietta. We are delighted that you have come to the City of Marietta to conduct your business. Should you have need for any assistance, please call us at (770) 794-5520. Even though you may have already submitted an application for your business license, which is required prior to conducting your business in the City, you may need to contact other departments in the City for certain services. May we suggest the following for assistance:

- 1. **Utilities, including Marietta Power** (770) 794-5152 Jasmine Chatman
- 2. **Zoning information and inspections** (770) 794-5671 Shelby Little (770) 794-5670 Rusty Roth
- 3. **Check the Tree Protection Ordinance before beginning any tree removal.** (770) 794-5670 Rusty Roth
- 4. **Permits for signs are required.** (770) 794-5671 Shelby Little (770) 794-5670 Rusty Roth
- 5. **Permits for building construction, repairs, permits, air conditioning and heating inspections, building inspections, plumbing inspections.** (770) 794-5651 Mark Rice
- 6. **Electrical inspection or permits** (770) 794-5647 David Pritchett (leave a voice mail)
- 7. **Permits and/or fingerprints for alcoholic beverage applications/manager permits, adult entertainment, massage parlors, pawnshops, and solicitors** (770) 794-5341 Nicole Oddi, Marietta Police Department
- 8. **Certain permits are required for any new signs or structural work done at your business site located in the City, the Downtown Marietta Development Authority (DMDA) or the Marietta Historical District.**
 If you are in the DMDA area, signs and structural changes must be approved by the DMDA prior to construction work being done in addition to other possible requirements from the City of Marietta.
 (770) 794-5502 Betsy Kelley
- 9. **Any monies owed the City for license fees, permit fees, utilities and taxes must be paid prior to the permit being released or the conduct of any work in the City being done.**
 (770) 794-5520 Business License Division
 (770) 794-5680 Property Tax Division
 (770) 794-5150 Marietta Power and Water
- 10. **All new businesses within the City of Marietta must contact the Marietta Fire Department to obtain an inspection prior to operating their business.**
 (770) 794-5466 Marietta Fire Department
- 11. **New construction or renovation done prior to a business occupying a new facility or building, shall meet all code requirements for permits and licenses. Certificate of Occupancy shall be issued prior to the business beginning operation.**
Note: Each business shall be in compliance with all aspects of the Marietta City Code prior to beginning operation in the City. Building Permits 770-794-5454
- 12. **Food Service or Restaurants need a health inspection report.**
 (770) 435-7815 Cobb County Environmental Health or
 (404) 656-3621 Georgia Department of Agriculture
- 13. **Personal Property Tax**
 Please note that even though your business is located in the City of Marietta, by law, Cobb County is responsible for all tax assessments.
 (770) 528-3123 Cobb County Personal Property Division
- 14. **Transportation and moving related businesses**
 (678) 413-8732 Department of Motor Vehicle Safety,
 Commercial Vehicle Compliance

We look forward to being of service to you and assisting you with City of Marietta services.

*Notify this office of any change of address, ownership, firm name, or classification.

Affidavit Verifying Status (O.C.G.A. § 50-36-1(e)(2) Affidavit)

Please read carefully before completing

- Affidavit must be notarized prior to being submitted to the Business License Division.
The City cannot notarize this affidavit. ***
- Include a copy of applicant's secure and verifiable identification document. A list of secure and verifiable documents is provided by the Attorney General on the Georgia Department of Law website.

By executing this affidavit under oath, as an applicant for a(n) Business License/Occupation Tax Certificate, as referenced in O.C.G.A. § 50-36-1, from the City of Marietta, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) I am a United States citizen. **(Provide state issued identification document. Example: driver's license)**
- 2) I am a legal permanent resident of the United States. **(Provide copy of alien registration document)**
- 3) I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. **(Provide copy of alien registration document)**

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed in _____ (city), _____ (state)

**SUBSCRIBED AND SWORN BEFORE
ME ON THIS, THE _____ DAY
OF _____, 20____.**

Signature of Applicant

Printed Name of Applicant

NOTARY PUBLIC

My Commission Expires:

****This affidavit does not apply to an applicant applying for or renewing an application for a public benefit within the same agency or political subdivision; if the applicant has previously complied with the requirements of Georgia Code Section 50-36-2 by submission of a secure and verifiable document, as defined in Code Section 50-36-2, and a signed and sworn affidavit affirming that such applicant is a United States citizen.*

Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, as an applicant for a(n) business license/occupation tax certificate as referenced in O.C.G.A. § 36-60-6(d), from the City of Marietta, Georgia, the undersigned applicant representing the private employer known as

_____ [printed name of private employer i.e. business name] verifies one of the following with respect to my application for the above mentioned document:

1. Check box (a) or (b) below

(a) On January 1st of the below signed year the individual, firm, or corporation employed **more than ten (10)** employees.

(b) On January 1st of the below signed year the individual, firm, or corporation employed **ten (10) or fewer** employees.

*****If the employer checked box (a) must fill out Section 2 below.**

2. By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation has registered with and utilizes the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. Furthermore, the undersigned private employer hereby attests that its federal work authorization company identification number (not federal employer identification number) and date of authorization are as follows:

_____ Federal Work Authorization Company Identification Number

_____ Date of Authorization

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed on the _____ Day of _____, 20____ in _____ (City), _____ (State)

Signature of Authorized Officer or Agent of Company

Printed Name of and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20____

NOTARY PUBLIC

My Commission Expires:
