

# NYC Starter Guide to Opening Your GROCERY



## CREATE YOUR BUSINESS

- **Create a plan** for the type of store you will open. If you plan to sell food or beverages, you'll need a Retail Food Store license.
- **Register your business.** LLCs, Corporations, and Limited Partnerships register with NY State (visit <http://on.nyc.gov/state>). General Partnerships and Sole Proprietorships register with the County Clerk (visit <http://on.nyc.gov/clerk>).
- **Apply for an Employer Identification Number (EIN)**, also known as a Federal Tax ID Number. This is used to identify your business. If you are a sole proprietor, you may be able to use your Social Security Number instead. Visit <http://on.nyc.gov/ein>.
- **Research the insurance you will need**, such as workers' compensation, liability, and disability insurance. Some are required for permits and licenses.

You will need to get a **Sales Tax ID** from NY State. Apply early to avoid delays in receiving other permits. Learn more at <http://on.nyc.gov/taxid>.



The types of items you sell, such as cigarettes, lottery tickets, and deli items, will affect which permits and licenses you need. The NYC Business Express Wizard ([on.nyc.gov/express](http://on.nyc.gov/express)) can help you determine which are necessary for you.



## PLAN YOUR SPACE

- **Find a location** zoned for your business. Learn more at <http://on.nyc.gov/zoning>.
- **Consult a licensed professional** to review your location and plan any construction. Only a registered architect or professional engineer may submit plans to the NYC Department of Buildings. Changes to your space must comply with NYC Department of Buildings, NYC Department of Health, and Fire Department regulations.
- **Sign your lease.** Before you sign, review your location with a licensed professional and a lawyer to make sure it is right for your business.



Allow for time to receive approval from the Landmarks Preservation Commission before performing work on a location that is landmarked or located in an historic district. Learn more at <http://on.nyc.gov/landmarks>.



If you serve food, **health violations are sometimes identified after you open your business**, such as an improperly placed hand-washing sink. Pay attention now to avoid costly changes after you are open.

If you serve food, **check your kitchen's grease interceptor, or plan to install one.** All commercial kitchens must capture grease from sinks, woks, floor drains, and other fixtures to prevent clogging pipes and sewer backups. Visit <http://on.nyc.gov/grease>.

Use this starter guide to help you plan your way to success. Get started today at <http://on.nyc.gov/express>.



## APPLY FOR CONSTRUCTION PERMITS

- Have your licensed professional submit plans and required documents to the NYC Department of Buildings.
- **Change and resubmit plans as needed.** If there are objections to the proposed work due to safety or compliance issues, your licensed professional will receive notice by email and resubmit the drawings with the necessary changes.
- Monitor your job **on NYC Department of Buildings BISWeb** (<http://on.nyc.gov/bis>). Your status will be listed as "Assigned to P/E (Plan Examiner)," "P/E in Process," "P/E Disapproved," or "Approved." The status does not reflect whether or not your licensed professional has resubmitted plans.
- Cooking on stoves or with gas ovens requires a range hood and fire suppression system. **Make sure your licensed professional files plans with the Fire Department.** Learn more at <http://on.nyc.gov/rangehood>.



A licensed professional may self-certify minor alterations online through a process called "professional certification" ("Pro Cert"). The application does not receive an initial NYC Department of Buildings plan review, but is subject to an audit. **Pro Cert could save you weeks in receiving your approvals and permits to start construction.**

Accelerate the plan review process for new buildings or major alterations that change a building's egress by directing your licensed professional to submit digital plans to the NYC Department of Buildings Hub. Learn more at <http://on.nyc.gov/hub>.



Consult with your licensed professional to identify utility requirements for your property (gas, electric, water, and sewer).



## BEGIN CONSTRUCTION

- After your plans are approved, your architect or general contractor must apply for and receive all necessary permits. All permits **must be displayed** at the worksite.
- Begin construction.
- **Progress inspections will be made throughout construction.** Consult with your licensed professional about any required progress inspections.



If you **want to install a canopy or signs** on the outside of the building, ensure you comply with the NYC Department of Transportation (for a canopy over the sidewalk) or the NYC Department of Buildings (if you nail or screw into the outside of the building).



## PREPARE TO OPEN

- When the job is almost complete, your architect should arrange for final inspections and sign-off. To avoid violations, **you must obtain a Certificate of Occupancy, Temporary Certificate of Occupancy, or Letter of Completion** before opening your doors.
- If **you plan to prepare food on site in any way**, such as heating food, making sandwiches, or making coffee, you'll need a permit. If prepared food makes up **more** than 50% of your revenue, you'll need a Food Service Establishment Permit from the NYC Department of Health (<http://on.nyc.gov/fsep>). If it's **less** than 50%, you'll need a Food Processing Establishment License from the NY State Department of Agriculture and Markets (<http://on.nyc.gov/fpel>).
- If you plan to **sell packaged food or beverages**, but will not prepare foods, you'll need a Retail Food Store license from the NY State Department of Agriculture and Markets (<http://on.nyc.gov/rfel>).
- Make sure your register is equipped to print your **business name and address** on your receipts.
- **Hire a private carting service** for waste removal. For information, go to <http://on.nyc.gov/carter>.



**Preparing and serving food?** No matter which licenses you have, make sure to get a Food Protection Certificate by: a) taking an online class followed by an in-person test, or b) taking a 5-day in-person class. **Be sure to have a certificate holder on site supervising food preparation during all hours of operations.** Learn more at <http://on.nyc.gov/foodcert>.

You will need a Grocery Store Beer / Wine Products License (<http://on.nyc.gov/beer>) to sell beer.



## OPEN YOUR DOORS

You've opened your doors and are operating your grocery. **Congratulations!** Plan ahead to keep things running smoothly.



## STAYING OPEN

**Post all required posters and permits**, such as signs for your CPR kit and No Smoking.

Mark your calendar. **Schedule equipment maintenance and set reminders** to renew your permits and licenses.

**Be ready for inspections.** These happen throughout the year, sometimes unannounced.

Monitor your goods to ensure you comply with expiration dates.

Work with your accountant to **prepare to pay taxes.** Learn More at <http://on.nyc.gov/biztax>.

Note that animals are not permitted on premises; only service animals are permitted.

For comprehensive information, visit **NYC Business Express** at <http://on.nyc.gov/express>.

The City's **New Business Acceleration Team, known as NBAT**, can speed up your launch by coordinating reviews of your plans, providing pre-launch consultations, and organizing inspections on your behalf. Visit <http://on.nyc.gov/nbat> or call **311** and ask for NBAT.

