

NYC Starter Guide to Opening Your RESTAURANT



CREATE YOUR BUSINESS

- **Create a plan** for the type of restaurant you will open.
- **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 food and beverages you sell, such as frozen desserts and alcohol, will affect which permits and licenses you need.

Be sure to comply with all applicable wage laws. Learn more at <http://on.nyc.gov/wages>.



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.

Taking over a space that previously was a restaurant can save time and construction costs, but only if the restaurant had passed inspections and was in compliance with regulations.

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>.

Cosmetic changes can add time and paperwork, so consider the impact of each change on your timeline.

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.

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.

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 will use **uncommon cooking methods**, such as serving raw seafood, expect more extensive NYC Department of Health inspections later in the process. Begin your inspections early to avoid delays.



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

- **Obtain your Food Service Establishment Permit** with the NYC Department of Health. Learn more at <http://on.nyc.gov/fsep>.
- 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.
- **Hire a private carting service** for waste removal. For information on choosing a licensed private carter, go to <http://on.nyc.gov/carter>.



Make sure you or one of your employees has a Food Protection Certificate. 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 premises supervising food preparation during all hours of operations.** Learn more at <http://on.nyc.gov/foodcert>.



Start your application process early if you plan to serve alcohol (<http://on.nyc.gov/alcohol>) **or open a sidewalk cafe** (<http://on.nyc.gov/sidewalk>), as both require consultation with your Community Board and several approvals.

If 75 people or more will gather in your restaurant at any time, you will need a **Place of Assembly Permit**.



OPEN YOUR DOORS

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



STAYING OPEN

Post all required posters and permits, such as the CPR kit sign. Learn more at <http://on.nyc.gov/signs>.

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

Be ready for inspections. Some happen quarterly, and some are twice a year.

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

Avoid sewer backups by **properly maintaining your grease interceptor**. Learn more at <http://on.nyc.gov/grease>.

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.

