



# **Doing Business in New Providence**

B O R O U G H O F  
**NEW PROVIDENCE**

SETTLED IN 1720

# Doing Business in New Providence

Whether you're starting a new business or your business is establishing a location in the borough, there are a number of items of interest you may wish to address as you open for business.

## Starting a New Business

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There are numerous forms and filings required of a new business, depending on the structure you select, the nature of your business and any regulations which your industry may impose. Your first task when starting a new business should be to discuss your plans with an accountant and an attorney. These professionals can help you navigate the numerous choices you will face and will guide you to the resources you may utilize to achieve your goals. Basically, you need to address the following:

- Form of Business
- Registration with Federal and State organizations
- Insurance
- Recordkeeping
- Employees
- Taxation

The Borough of New Providence does not require any licensing or registration per se, but depending on your location and activities, you may be subject to certain Borough rules and regulations.

Contact: [Keith Lynch, Director of Planning and Development, 908-665-6430](#)

## Using an Existing Business Location

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Most businesses find a place to lease. Generally, the landlord's leasing contract will dictate the terms of lease and control basic operations at that location. Certain items may not be covered in the lease such as utilities, garbage pickup, repairs and maintenance.

Make sure your location is zoned for the business you plan to conduct. You may need to send a letter that describes the operation of the proposed business to the Borough's Construction Official. If your proposed location is zoned for your type of business you will get a Zoning Certificate of Occupancy. If your location is not zoned for the business you will be conducting, you may apply for a clearance from the Board of Adjustment (Zoning Board).

In any case, when the use is permitted, you need to get a Continued Certificate of Operation, which involves the changing of tenants.

Zoning Board Contact: [Margaret Koontz, Zoning Board Secretary, 908-665-1124](#)

## **Building and Renovation**

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If you want to build a new structure or renovate an existing structure, you have to submit an application to the Planning Board. The application can either be a site plan, sub division, conditional use, or variance application. In addition to approvals for changes to the structure, the application can also address the length of the setbacks and driveway and the number of parking spaces. If the application cannot be approved due to the building codes then the business can apply for a variance from the Planning Board.

Application packets can be obtained from the Planning Board Secretary and are returned to the secretary when completed. Included in the application are the architectural plans and other plans from licensed contractors. Once the application is submitted, the Borough's Construction Official looks over the application and the other borough departments (such as Engineering, the Police and Fire Department) can look over the application to see how it pertains to them. These departments submit their findings and recommendations to the planning board. The borough gets 45 days to review the application. Once the Borough Departments have reviewed the application, a hearing must be scheduled within a second 45 day period.

The business has to publish a legal notice in the newspaper and mail a certified mailing to property owners that are within 200 feet of the property requesting approval. The business gets a listing of the property owners with the application from the planning board. The business must send this mailing within at least ten days of the hearing. The hearing is limited to three hours. This means that more than one meeting could be necessary. The business is represented by an attorney and the hearing usually involves bringing in experts, such as a planner or engineer, to describe the plan in detail.

The final step is that the Planning Board votes on the application, and the majority rules. Then the board adopts a resolution of do's and don'ts. The Planning Board Attorney writes a summary of the hearing and conditions that must adhered to. A resolution is written which memorializes the determination of the board. This is voted on after the summary is written.

During construction the town engineer monitors the job. There is a final inspection and a certificate of occupancy must be issued to move into the new space.

In order to facilitate this process, building codes are in a book which can be purchased from the planning board.

[Planning Board Contact: Margaret Koontz, Planning Board Secretary, 908-665-1124](#)

## **Operating a Business: Items of Note**

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### **Ordinances**

The borough is run by codes known as ordinances. The Borough's ordinances are split into four sections; Administrative Legislation, General Legislation, Land Use

Legislation and Board of Health Legislation. The Administration Legislation ordinances address the day-to-day operation of the Borough's Government. General Legislation deals with the rules and regulations affecting residents and businesses in the community. Some examples include alarm systems, fees and licenses, garbage, peddling and soliciting, property maintenance, and vehicles. Land Use Legislation ordinances are used to maintain property and land in the borough. Some examples of Land Use Legislation ordinances are affordable housing, soil removal, and storm water control. The Board of Health ordinances look to maintain public health awareness and environmental conditions.

All new businesses should check the list of ordinances on the borough's website:

<http://www.newprov.org/BoroughOrdinances.cfm>

### Fire Codes

One of the most important things to consider is fire prevention and safety. Businesses are required to fill out an application for registration of the business with the fire department. All businesses are required to maintain certain standards and are subject to inspection at least annually. The building's fire codes need to conform to the New Jersey State Fire Code and are reviewed by a building and fire inspector. The business gets a certificate from the fire department documenting continued conformance to the fire codes.

All business will have some requirement for fire extinguishers. Some businesses will have to pay the borough or the state annually if there are life hazards, such as ovens or gasoline pumps. The rules will vary depending on the nature of the business and the equipment it uses.

Top Ten Violations
Exit lights out
Emergency lights out
Fire extinguishers missing/not tested
Alarm system, smoke detectors not tested
Storage
Ceiling tiles damaged or missing
Extension cords
Egress 44" and 36"
Utilities not labeled
No records on premises

Probably the best practice for safety is to ask the fire department for advice. Some of the more practical and important tips follow:

- Get a lock box in case of an emergency.
- Put up holiday displays properly and according to their enclosed instructions.

Contact: [Drew Vignali, Fire Inspector, 908-665-8248](tel:908-665-8248)

## Police

The Borough Police department has the duty to protect life and property; preserve the public peace; prevent and detect crime; detect and arrest offenders; enforce the laws, including the statutes of the United States and the state and all ordinances of the Borough; regulate and control traffic; and perform such other duties or functions as may be considered proper.

On a day-to-day basis the police deal with numerous issues. For a new business they offer the following tips and suggestions:

- If you need a dumpster on public land, file for a dumpster permit. Call 665-1400. The police department approves or disapproves the permit.
- If building a new structure, contact the police for input on the design of a parking lot to ensure that it can accommodate the size of ambulances and fire trucks.
- Register for alarms and update contact numbers.

Contact: [Anthony D. Buccelli, Jr., Chief of Police, 908-665-1111](tel:908-665-1111)

## Emergency Communications Network (Code Red System)

The code red system is a reverse 911 system. The system has been in operation for several years. The Police Department and/or Office of Emergency Management record messages which are sent to all of the phone numbers that are registered in the database. The police send messages in case of gas leaks, missing children or other incidents. To sign up for the code red system you go to the borough website and click the Code Red link on the homepage, then complete the registration form. Code Red alerts are also emailed, posted on the borough's Facebook page @Newprovnj, and Tweeted from Newprovnj.

Contact: [Anthony D. Buccelli, Jr., Chief of Police, 908-665-1111](tel:908-665-1111)

## Board of Health

The New Providence Board of Health is responsible for assessing the state of public health in the community, developing policies to address public health needs and assuring that these needs are met. To fulfill these responsibilities, the board is bound by State mandates that are part of the Sanitary Standards Code adopted by the Board. The Board is focused on the health and the welfare of the citizens. Some of the businesses under the jurisdiction of the Board of Health are dry cleaners, laundromats, pet shops, beauty salons, and any business that serves food, such as restaurants or businesses that have a cafeteria. New businesses need to talk to the health inspector. When a business submits a site plan, the board of health reviews the plan to see if it conforms to sanitary code standards. The health inspector has a non published schedule and they inspect businesses twice a year.

Contact: Nicole Sarna, Board of Health Secretary, 908-665-1400

## Public Works

Businesses must take care of their own recycling and garbage pickup. The pickup schedule depends on the type of business. According to borough ordinances, commercial enterprises should recycle clean corrugated paper products, office paper, newspaper, mixed paper, glass containers, aluminum and steel cans, PET and HDPE bottles, vehicle batteries, used motor oil, and uncontaminated roofing material. Facilities serving 500 or more meals per day have additional requirements.

Contact: Jim Johnston, Public Works Manager, 908-665-1076

## Signs

All business signs must conform to zoning codes. These are enforced by the construction board but the applications go through the planning board. The sign ordinance addresses the size, location and sign information.

Contact: Margaret Koontz, Planning Board Secretary, 908-665-1124

## New Providence Business Community

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The Business Community provides community leadership through the promotion of economic development in the Borough of New Providence. The organization also coordinates community events, serves to increase awareness of businesses operating in the Borough, fosters goodwill and improves communications for members with the borough's government. By joining the Business Community, you will get to know other local business owners, have access to unique promotional opportunities, and hear the latest information from borough officials.

Visit the organization's website at <http://www.newprovbiz.com/>

There are many potential benefits for your business when you join the Business Community:

- Opportunity to meet and get to know other business owners and professionals in the community
- Opportunity to learn first-hand what is happening in New Providence
- Access to your business information and website through the NewProvBiz website
- Opportunity to showcase your organization to other members and the community
- Opportunity to reach local residents through participation in locally sponsored events
- Access to the resources of member organizations
- Enhanced communication with local government organizations
- Visibility, promotion, and referrals
- Networking and relationship building opportunities
- Educational and professional development opportunities

To become a member, go to <http://npbpa.com/paypal.html> and complete the online form; fill out the membership form in the New Members brochure, or contact:

***Clare E. Wherley***  
***Vice President & Membership Chair***  
*908-464-0102*  
[\*clare@lassuswherley.com\*](mailto:clare@lassuswherley.com)

## **Growing Your Business**

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The Borough of New Providence hosts numerous celebrations and activities for the enjoyment of all members of the community. All of these events offer local businesses the opportunity to participate through sponsorships, advertising, or active participation. Come grow your business in our community!

### **Memorial Day Parade**

Residents and businesses join forces to celebrate and recognize the contributions of our soldiers in uniform, both today and throughout history.

### **Farmers Market**

The farmers market is run by the New Jersey Fresh Farmers Market. New Jersey Fresh means that the fruits, vegetables and flowers are grown in the state of New Jersey. Other items are also sold such as cheese, bread, olives, spreads and organic

baked goods. The farmers market runs on Wednesdays from the end of June to the end of October. Businesses have the opportunity to come and have a table set up at the market.

### **Sponsorships with the Recreation Department**

Businesses are able to sponsor baseball, basketball, softball, and t-ball teams in the New Providence Recreation Department League. Sponsorships can be a specific team, league or grade level. Some benefits of sponsoring a recreation department team are that your business name will be on the team's t-shirt and the season's website, and your assistance helps develop and improve the local programs. Last spring there were 514 boys and girls who participated in the Recreation Department's Spring Sports.

### **5K Race**

Presented in partnership with the NJ Sharing Network, this is a 5 kilometer walk/run for participants throughout the streets of the borough. There are also events for children to participate. Businesses can sponsor the event, sponsor the specific mile markers on the road course, provide food, have a table at the event, or develop a store-specific promotion or event on race day to attract runners after the race. The run is held in June and draws several thousand participants.

### **July 3**

The annual Independence Day celebration takes place in downtown New Providence. The festivities include a live DJ, special children's programs, and fabulous fireworks. South Street closes from Gales Drive to Springfield Avenue for people to enjoy the festival. Local business can remain open to showcase their wares and provide giveaways and refreshments to patrons. This event is presented in partnership with the event sponsor, Investors Savings Bank.

### **Summer Concert Series**

The summer concert series is held in July and August in Centennial Park. This event is marketed specifically for New Providence residents. Businesses have the opportunity to sponsor the concerts. Businesses are also able to put their name on the street banner, introduce the concert, and have a special banner on display at the concert. Approximately 200 guests attend each concert.

### **Street Festival**

This September event is held in the main center of the Borough. The streets are filled with various exhibits, vendors, and activities. Local residents come to enjoy the food and entertainment. Businesses can participate in this event by serving as a sponsor, a vendor, or setting up a booth.

### **Halloween**

After school is dismissed on Halloween, various businesses in the downtown area distribute candy to trick-or-treaters. Children are usually accompanied by parents or

other responsible adults. It's a festive time at the end of October and the celebration highlights the fall activity.

### **Christmas Walk**

The Christmas Walk is an evening gathering on the Friday after Thanksgiving in the Downtown area. This event marks the start of the holiday season and features Santa Claus, who distributes candy from the Provident Bank parking lot. Businesses can showcase their wares and provide giveaways and refreshments to patrons.