










# HOW TO OPEN A RESTAURANT IN WESTPORT, CT

*DISCLAIMER: This document is intended as general information only and does not constitute legal advice. It is not intended to be a complete description of the legal requirements. Please consult your attorney for specific information about legal matters.*

Typically, restaurateurs follow the order listed below. While progressing in this manner, applicants may have to return to departments from which they have already received approvals. The icons used in this document are meant to elucidate what could be a non-linear process. They show the applicant that while at a specific department, he/she may have to return so as to allow for better planning.

ICON	GOVERNING BODY	CONTACT INFORMATION
	Westport Town Hall	110 Myrtle Westport, CT 06880 203-341-1110
	Planning & Zoning Department (P&Z)	Town Hall - Room 203 203-341-1030 203-454-6145 Fax
	Department of Public Works (DPW)	Town Hall - Room 210 203-341-1120 203-454-6108 Fax
	Westport Weston Health District (WWHD)	180 Bayberry Lane Westport, CT 06880 203-227-9571 203-221-7199 Fax
	Conservation Department	Town Hall - Room 205 203-341-1170 203-341-1088 Fax
	Building Department	515 Post Road East, 2nd Floor Westport CT 06880 203-341-5025 203-341-5009 Fax
	Fire Marshal	515 Post Road East, 2 <sup>nd</sup> Floor Westport, CT 06880 203-341-5000 203-341-5009 Fax
	Federal Government	
	State of Connecticut	

## I. PRELIMINARY INQUIRY



### Zoning

It is advisable to call the Planning and Zoning Department (P&Z) at 203-341-1030 to confirm that your restaurant is located in a commercially zoned area. If your restaurant is on or near the water, speak with P&Z about FEMA compliance of the building. If adjacent to wetlands and watercourses, such as the Saugatuck River please also inquire with the Conservation Department (203) 341-1170.

### Septic or Sewer Approvals



If the property is on a **septic system**, the **Westport Weston Health District (WWHD)** will perform an evaluation to make sure the septic system is adequate for a commercial restaurant. If the septic system is adequate, WWHD will give their approval to P&Z.

OR



If the property is on a **sewer**, you will need to get grease trap approval from the **Water Pollution Control Authority (WPCA)** coordinator in the **Public Works Department**. You will be given a "F.O.G." (Fats, Oils, & Grease) Discharge Permit Application to complete and return along with a copy of your establishment's menu (no fee). Information on the State's requirements are [here](#). The WPCA coordinator will perform a Grease Recovery Review and provide comments about what items need to be completed prior to the final inspection after construction. Once DPW signs off on the grease trap, they will give approval to P&Z.

## II. ZONING & CONSTRUCTION

For your reference, all land use and construction regulations are [here](#). Town staff is here to help you complete your project within compliance.



### Westport Weston Health District (WWHD) Approval of Proposed Restaurant for Construction

Schedule a meeting with the WWHD and bring the completed [Application for Food Establishment Plan Review](#), payment, and all of the documents and materials listed under [Plan Review Guidelines for Food Establishments](#).

*Note:* The new 2017 FDA Food Code is scheduled to become effective in 2019. This change requires a restaurant owner to register with the State of CT before the local health department will issue a license.



### Land Use Approval [Fee Schedule](#)

Submit a [Zoning Permit Application](#) and make sure you provide the required documents listed in page two. When you meet with P&Z, make sure you mention if your application includes a request for patio seating.



### Building Permit for Construction Projects [Fee Schedule](#)

It is recommended that you schedule a meeting with the Building Department immediately after speaking with P&Z so there is no time lapse in getting your permits. This will be a joint meeting with the Building Department and the Fire Marshal's Office to review plans for building and fire code compliance. Bring to this meeting the information and documents listed on the [Building Permit Application Requirements](#) form as well as the completed [Code Data Worksheet](#) and [Building Permit Application](#). Preliminary plan review meetings to discuss designs in-progress are welcome. Once the plans are approved, a Building Permit will be issued and construction may begin. A Zoning Permit is required before the Building Department will issue a Building Permit.



### Construction and Inspections

During construction you must pass several inspections by various departments. For the Building Department, inspections vary by project and will be communicated to you by the Building Inspector during the plan review. The Fire Marshal will conduct inspections for fire code compliance during or after construction. Health District sanitarians will conduct inspections during and after construction for FDA Code Compliance. While not a requirement for approval, the Assessor's Office will also visit the site for an interior inspection.



### Close Out

Once construction is completed, WWHD and the Public Works Department grant their final approvals, you will need to obtain the Zoning Certificate of Compliance (ZCC) from P&Z. The P&Z will likely complete an inspection to make sure that all zoning regulations have been met. To officially complete your project, you must obtain a Certificate of Occupancy. The Building Department and Fire Marshal's Office require the ZCC before issuing the Certificate of Occupancy (CO) after a final inspection is passed.

The time it takes for land use approvals vary by project and is seasonal. Check with each department for their most current permit turnaround times. To avoid delays, ensure all required documentation is submitted with each application and avoid changes and revisions.

## III. FOOD PERMIT



To apply for your food permit please submit the ZCC, the CO, the Qualified Food Operator's certificate, the facilities pest control and garbage removal contracts, along with the completed Application to Operate a Food Facility with the appropriate fee, to the Health District. The Food Permit will be issued 1 to 2 business days after a satisfactory inspection.

## IV. BUSINESS AND TAX CONSIDERATIONS: LOCAL, STATE AND FEDERAL



### Trade Name Registration Fee: \$10-15

To register a sole proprietorship business with the town, you will need to obtain a Trade Name Certificate from the Town Clerk's Office (located in Room 105 at Town Hall, 110 Myrtle Ave). You will have to provide a notarized "live" signature on your Trade Name Certificate Form and pay a fee (*cash or check payable to the Town of Westport*): \$10 for the Certificate, \$2 if you want the Town Clerk to notarize, and \$3 if you want a certified copy of the Certificate. For more information about registering your business visit the Secretary of the State's Website or visit the Connecticut Economic Resource Center's page about Business Registration Requirements.

After you file your Trade Name, visit the Assessor's Office (located in Room 104 at Town Hall/ 203-341-1135) to learn about filing a Personal Property Declaration and exactly what items will need to be claimed on the form.



### Employer Identification Number (EIN)

You must obtain a Federal Employer Identification Number (also known as Federal Tax Identification Number) from the IRS.

How to apply for an EIN

Apply for an EIN




### CT Tax Registration Form


You must complete the REG-1 Business Tax Registration Form to register your business with the State of Connecticut and obtain a CT State Tax ID Number.

Instructions for Form REG-1

Registration information






Register a new business online


 **Sales and Use Tax Permit** One-time fee of \$100  
This permit is required in order to provide a service in the State of Connecticut. You must have a State Tax ID Number to obtain a Sales and Use Tax Permit. [CT State Resource](#)


 **CT Unemployment Insurance Tax Information**  
All employers must register their employees with the Unemployment Insurance Tax Division using the UC-1A Employer Status Report form.  
[Employer Status Report for Unemployment Compensation Form](#)  
[More information about Unemployment Insurance](#)

*NOTE:* The [Connecticut Economic Resource Center \(CERC\)](#) is a good resource for further information about how to start or conduct business in Connecticut.

## V. OTHER CONSIDERATIONS


     **Liquor Permits** Fees vary  
If you would like to serve alcohol at the restaurant, you must obtain an [On-Premises Liquor Permit](#) from the State of Connecticut. The permit is applied for with the state Department of Consumer Protection, and the actual license gets filed with the Town Clerk. Please note that the application requires local signatures by P&Z, the Fire Marshal, the Town Clerk, and the Health District. If you plan to serve alcohol on an outdoor patio you must complete the [Patio, Extension of Use and/or Additional Consumer bar Application](#) with the state. In most instances, a final liquor permit is issued between 60 to 90 days from the time the application is filed with the Department of Consumer Protection. Licenses must be registered and stamped by the Town Clerk's office, and the cost is \$20 per stamp. The Liquor Control Statement is signed by the Director of Health after construction is completed to ensure that all plans were followed and all the correct equipment is in place.

 **Delivery**  
If your restaurant will offer delivery services, the [CT Department of Motor Vehicles](#) requires commercial or mixed plates for the delivery vehicle.

 **Resale**  
If you will be buying products from a wholesaler/distributor for the purpose of resale, you must obtain a [Resale Certificate](#).

### Music

If you plan to play music at your restaurant, you may need a music license from at least one of the major music companies such as Broadcast Music, Inc. (BMI) or the American Society of Composers, Authors and Publishers (ASCAP). Visit the [National Restaurant Association's page](#) for more information about music licensing.

 **Wall or Free-Standing Sign** Fee: \$140  
Please review the Westport [Zoning Regulations on Signs](#). All Free Standing Signs and Wall signs over 50 square feet in size require a [Zoning Permit](#) and review by the Architectural Review Board: [Architectural Review Board Application](#). Please be advised that properties located in the Historic Downtown District will require approval from the Historic District Commission. Contact the Building Department at 203-341-5025 to ask if your sign requires a Building Permit depending on how it is affixed to the building.

A new business may put up banners, balloons, etc. for the first 30 days to announce a Grand Opening.

# Congratulations on opening your restaurant in Westport!