

Recording Fee: \$10.00

**CITY OF AUGUSTA
STATE OF MAINE
CERTIFICATE OF
SOLE PROPRIETOR ADOPTING
NAME OTHER THAN THEIR OWN
(M.R.S.A Title 31, Sec.2)**

The undersigned hereby certifies that he/she intends to engage in the

business as SOLE PROPRIETOR, and to adopt the name, style, or designation of

in the conduct of said business located at: _____

Name of Proprietor: _____

Address: _____

Town: _____ State: _____

Applicant/Proprietor has inquired and obtained all applicable permits from the Code Enforcement Department regarding the above said business.

Code Enforcement Official Signature

Date

**SIGNATURE OF PROPRIETOR MUST BE WITNESSED IN THE PRESENCE OF A NOTARY
PUBLIC / ATTORNEY AT LAW.**

Signature of Proprietor

STATE OF MAINE
Kennebec, ss.

Personally appeared before me the above signed _____

and made oath to the truth of the above certificate on this _____ day of _____, 20_____.

Notary Public / Attorney at Law

(NOTE: This certificate shall be deposited in the office of the clerk of the town in which the business is to be carried on, before commencing business.)

PARTNERSHIPS AND ASSOCIATIONS
CHAPTER 1
MERCANTILE PARTNERSHIPS AND ASSUMED BUSINESS NAMES

31 § 1. Filing of certificate; certificate of withdrawal

Whenever 2 or more persons become associated as partners or otherwise for the purpose of engaging in any mercantile enterprise, they shall before commencing business, deposit in the office of the clerk of the city or town in which the same is to be carried on a certificate signed and sworn by them, setting forth their names and places of residence, the nature of the business in which they intend to engage and giving the name under which they are to transact business. Whenever any member of such partnership or association withdraws therefrom, he may certify under oath to the fact of such withdrawal, which certificate shall be deposited in the clerk's office where the partnership certificate is recorded. He shall conclusively be presumed to be a member of the firm or association to the time of his depositing such certificate.

31 § 2. Business under assumed name; filing of certificate

Whenever a person intends to engage in such business as sole proprietor thereof, and to adopt any business name, style, or designation other than his own name exclusively, he shall, before commencing business, deposit in the office of the clerk of the city or town in which such business is to be carried on a certificate signed and sworn to by him, setting forth his name and place of residence, the name, style or designation under which the business is to be conducted, and stating that he is the sole proprietor.

31 § 3. Statements as conclusive; perjury

A person signing and making oath to any certificate deposited as provided by sections 1 and 2 shall not be permitted in any judicial proceeding to contradict the statements contained in such certificate. Whoever swears or affirms to any such certificate which is not true in fact shall be deemed guilty of perjury.

31 § 4. Records

The clerks of the several cities and towns shall record in suitable books, kept exclusively for the purpose, the certificates deposited under sections 1 and 2, and such books shall be open to public inspection.

31 § 5. Failure to file; penalty

Whoever fails to deposit seasonably the certificate required by sections 1 and 2 shall be punished by a fine of \$5 for each day he is in default.

31 § 6. Prohibition of certain names

No person or persons, partnership or other entity engaged in any business, except a corporation, may adopt a name for such business that contains the words "corporation," "incorporated" or "limited," or any abbreviation of such words. A limited partnership may use the term "limited partnership" as part of its name, a limited liability company may use the term "limited liability company" as part of its name and a limited liability partnership may use the term "limited liability partnership" as part of its name. [1995, c. 633, Pt. C, §10 (amd).]

31 § 6-A. Use of "Passamaquoddy" prohibited

A person or persons, partnership, corporation or other entity engaged in any business or activities may not adopt a name that contains the word "Passamaquoddy" or use of the work "Passamaquoddy" in connection with goods manufactured or sold or services provided after December 31, 1993 without written authorization from the Passamaquoddy Tribe. [1993, c. 210, §1 (new); §2 (aff).]

1. **Extent of authorization.** Unless greater authority is expressly granted by the Passamaquoddy Tribe, no authorization extends to a business, activity, product or service not disclosed to the Passamaquoddy Tribe at the time of the request for authorization. Authorization is revocable unless by its terms it is irrevocable. [1993, c. 210, §1 (new); §2 (aff).]
2. **Deceptive trade practices.** Violation of this section is a deceptive trade practice and unlawful under Title 10, chapter 206. [1993, c. 210, §1 (new); §2 (aff).]
3. **Exemptions.** The following are exempted from the provisions of this section:
 - A. The use of the words "Passamaquoddy Bay"
 - (1) As part of a trade name of an entity or sole proprietorship; or
 - (2) In connection with goods manufactured or sold or services provided and [1993, c. 210, §1 (new); §2 (aff).]
 - B. Use of the word "Passamaquoddy" by a person who was using it prior to the effective date of this Act:
 - (1) As part of a specific trade name of an entity or sole proprietorship; or
 - (2) In connection with specific goods or specific services provided.

The exemption in this paragraph does not extend to the use of the word "Passamaquoddy" as part of any trade name not in use prior to the effective date of this Act or in connection with any specific goods or services not being sold prior to the effective date of this Act. [1993, c. 210, §1 (new); §2 (aff).]

31 § 7. In applicable to corporations

Sections 1 and 2 do not apply to corporations. A corporation desiring to do business under an assumed name shall proceed as provided in Title 13-A, section 307. [1971, c. 439, §15 (new).]

CITY OF AUGUSTA, MAINE

In accordance with Order #273 passed by the Augusta City Council November 18, 1963, all applicants upon applying for any Municipal business or professional permit or license requiring the approval of the Municipal Officers must indicate in writing whether he owes the City any past due taxes or other financial obligations. Such information shall be verified by the City Treasurer who shall state what arrangements for payment have been made thereto. Such information to be made available to the city Council at the time such application is considered.

Date: _____

Name: _____

Address: _____

Type of License Requested: _____

Check here if no outstanding taxes or accounts with the City _____

	Real Estate Taxes	Personal Tax
Present Year (Past Due)	_____	_____
Prior Years Total (List Years) _____	_____	_____

Accounts Receivables Date _____	_____	_____
Other	_____	_____
TOTAL	_____	_____

Signature of Applicant

This is to certify that the above statement is correct. Arrangements have been made with the City Treasurer as follows:

Verified _____
City Treasurer/Tax Collector/Assistants

Date _____