

SECTION 1107.16 HOME OCCUPATIONS.

1107.16 SUBD. 1. PURPOSE. The purpose of this Section is to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the residential character or health, safety and general welfare of the surrounding neighborhood.

1107.16 SUBD. 2. APPLICATION. Subject to the non-conforming use provision of this Section, all occupations conducted in the home shall comply with the provisions of this Section. This Section shall not be construed; however, to apply to home occupations accessory to farming.

1107.16 SUBD. 3. HOME OCCUPATION REQUIREMENTS.

1. Home Occupations shall comply with all of the following requirements:

- A. No Home Occupation shall produce light glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
- B. No equipment shall be used in the Home Occupation which will create electrical interference to surrounding properties.
- C. Any Home Occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
- D. No Home Occupation shall require internal or external alterations or involve construction features not customarily found in dwellings, except where required to comply with local and state fire and police recommendations.
- E. There shall be no exterior storage of equipment or materials used in the Home Occupation, except personal automobiles used in the home occupation may be parked on the site.
- F. The Home Occupation shall meet all applicable fire and building codes, City ordinances, and County and State requirements.
- G. Only one sign shall be permitted. Such sign shall be a non-illuminated nameplate of not more than four square feet in area, which shall be comprised of high-quality, durable material(s) and attached to the dwelling.
- H. No Home Occupation shall be conducted between the hours of 10:00 P.M. and 7:00 A.M. which allows for customers or any on-street parking facilities during that period of time.

- I. Only one other person beyond those who customarily reside on the premises shall be employed.
- J. All Home Occupations shall be conducted entirely within the principal building and shall not be conducted in an accessory building.
- K. Home Occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway, or garage.
- L. No sale of products or merchandise shall occur on the property other than that which is incidental to the Home Occupation, except that merchandise which may be sold via electronic medium, provided customers do not come to the Home Occupation premises for any part of the transaction.

1107.16 SUBD 4. PROHIBITED USES.

The following uses have a tendency to be too intense or potentially disruptive for home occupations and thereby adversely affect residential areas. The following uses are specifically prohibited as Home Occupations:

- A. Repair services of all kinds, including auto repair, appliance repair and small engine repair.
- B. Music, dance or exercise instruction which provides instruction to groups of more than two individuals at a time.
- C. Medical and dental offices.
- D. Mortuaries.
- E. Kennels.
- F. Automobile and equipment sales.
- G. Machine shops, welding, or manufacturing.
- H. Any home occupation which involves the use of hazardous materials or activities; or which adversely impacts governmental facilities and services.
- I. Any other uses that do not comply with the conditions established for home occupations.

1107.16 SUBD. 5. NON-CONFORMING USE.

Home Occupations lawfully existing on the effective date of this Ordinance may continue as non-conforming uses. Expansion of a Non-Conforming Home Occupation is prohibited. Any existing Legal Non-Conforming Home Occupation that is discontinued for a period of more than one (1) year, or is in violation of the provisions of the Ordinance under which it was initially established, shall be brought into conformity with the provisions of this Section.

1107.16 SUBD. 6. INSPECTION.

The City hereby reserves the right upon any home occupation to inspect the premises in which the occupation is being conducted to ensure compliance and the provisions of this

Section.

1107.16 SUBD. 7. VIOLATION

1. Home Occupations may operate as long as the residence complies with the provisions of this Section. At such time as the city has reason to believe a violation has occurred, the property owner shall be notified to cease the operation of the violating activities, or request a hearing before Board of Adjustment and Appeals to consider the matter pursuant to Chapter 2, Section 206.00.

(Ord. 14-06, Section 1107.16, Adopted October 20, 2014.)

(Ord. 17-01, Section 1107.16, G, Adopted February 21, 2017.)