

**Sec. 21-44. Home occupations.**

- (a) **Home occupations.** Is an accessory use of a dwelling unit involving the manufacture or provision of goods or services for a charge, fee or other compensation meeting. **Home occupations** are generally approved where no stock in trade is kept in bulk, nor commodity sold, on the premises; no person employed other than members of the immediate family residing on the premises; and provided not more than twenty-five (25) percent of the total floor area in the dwelling unit is devoted to such use. A **home occupation** is a permissible use in all districts.
- (b) Other requirements shall be:
- (1) There shall be no visible evidence of the conduct of a **home occupation** from the exterior of the building.
  - (2) **Home occupations** or activities shall not be conducted nor any equipment or process shall be used which constitutes a health hazard, creates or generates atmospheric pollution, light flashes, glare, odors, noise, vibrations or truck or other heavy traffic or other activities which are detectable to the normal senses off the premises, if the **occupation** is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.
  - (3) The **home occupation** shall be conducted entirely within the principal building that is used as the residential dwelling, except for related activities conducted off the premises for storage.
  - (4) All storage, including equipment, relating to the **home occupation**, shall be contained entirely within a completely enclosed structure. Storage of materials must comply with the rules and regulations promulgated by the state fire marshal.
  - (5) No merchandise or goods of any kind shall be sold or offered for sale upon the premises, nor picked up by customers from the premises, if such activities result in a violation of other provisions of the Code.
  - (6) Persons engaged in **home** occupations may not advertise the availability of services or products at the residence in which the **occupation** is conducted.
  - (7) No **home occupation** shall be allowed which involves the visitation of clients, customers, salesmen, suppliers, or any other person to the premises which would generate vehicular traffic in excess of two (2) vehicles per hour or more than ten (10) vehicles per day.
  - (8) Not more than one motor vehicle, maximum weight and size equivalent to  $\frac{3}{4}$  ton pickup or enclosed van, used in the conduct of the **home occupation** can be kept on the premises at any one time.
  - (9) No home occupational license shall authorize the violation of private deed covenants.
  - (10) The approval of the fire inspector of the city is required for all buildings, whether commercial, industrial or residential, for which occupational licenses are issued, where such buildings will be used or occupied by the public.

(11) Only the following home occupations, or others deemed similar, may be approved:

Accountant, agent, architect, artist, attorney, beautician, bookkeeper, broker, chiropractor, contractor (office only), consultant, counselor, draftsman, engineer, interior decorator, musician, seamstress, tailor, teacher, writer-editor.

(c) The following home occupations may be authorized by special exception after written approval is obtained by the appellant from neighbors within a two hundred-foot radius.

(1) Family day care homes provided that no more than five (5) children, including the caregiver's own children, are kept at any given time on the premises.

(2) Repair, or other occupations performed by handicapped persons which do not constitute a public nuisance.

(d) Statement of **home occupation** owner. In addition to purchase of a business/occupational license fees as set forth by Chapter 13, Licenses and Business Regulations, of the Code, the following statement of the **home occupation** owner shall be required before issuance of such business/occupational license.

"I hereby affirm that I have received a copy of Section 21-44, Mary Esther Code of Ordinances pertaining to **Home** Occupations and understand the limitations placed upon my **Home Occupation** by the provisions thereof."

\_\_\_\_\_

(Print Name)

\_\_\_\_\_

(Signature)

(Ord. No. 90-8, § 1, 4-2-90)