

Chapter 17B
HOME OCCUPATIONS

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SEC. 17B.1 DEFINITIONS

The term "home occupation" when used in this chapter is defined as follows: Any occupation conducted totally or partially upon the premises and carried on by the inhabitants thereof, which occupational use is clearly incidental and secondary to the use of the premises for dwelling purposes, which use neither changes nor adversely affects the residential character of the neighborhood or the city and which does not violate section 17B.2 of this code. The term "premises" as used in this chapter shall mean any real property on which there is a building used partially or wholly as a residence or dwelling and/or out buildings used in connection with said residence, or dwelling, which real property is located in Zones A, B, C, and E in the City of Piedmont. (Ord. No. 349 N.S., ' 1; Ord. No. 388 N.S., ' 1; Ord. No. 532 N.S., ' 1,)

SEC. 17B.2 RESTRICTIONS

No home occupation shall violate the following restrictions:

- a. There shall be no employee or other persons involved in the home occupation other than members of the resident family living on the premises, or persons who are primarily employed on such premises as a domestic servant or housekeeper.
- b. The occupational use shall not generate pedestrian or vehicular traffic beyond that normal to the district or neighborhood in which it is located and no business invitees shall be permitted to visit the premises.
- c. The occupation shall not involve the delivery or storage of resale merchandise on the premises on which the occupation is conducted.
- d. There shall be no outdoor storage of materials or supplies in connection with the home occupation.
- e. There shall not be any sign used in connection with the home occupation on the premises where the home occupation is being conducted.

f. No more than one room in the residence or any structure on the premises where the residence is located shall be used in connection with the home occupation, and under no circumstances shall a garage be used in any way related to such home occupation.

g. In no way shall the conduct of the occupation upon the premises be such that it may be reasonably recognized as serving a non-residential purpose, either by use of color, materials or construction, lighting, signs, sounds or noises, vibrations, or in any other manner.

h. There shall be no advertising, notices, publications or other written or oral means used to connect the occupation with the premises on which it is conducted and particularly there shall be no use of the address of such premises in any way connected with the occupation, provided that this shall not prohibit the use of name cards, stationery or invoices with the address of the premises.

i. The following occupations or businesses shall not be permitted on any premises in any manner, including the use of a telephone number of such premises in any way related to the occupation or business; automobile mechanic or garage; retail general merchandise; sale or storage of scrap metals, salvaged materials, or garbage (other than garbage normally associated with a residence); sale, production or marketing of pornographic publications, films, or products of any type; massage business of any type; manufacture of products requiring heavy machinery.

j. No provision under this chapter shall prevent the rental or sale of a residence or the normal advertising or the posting of signs related to such rental or sale as otherwise permitted by this code.

Violation of any sub-section of this Chapter shall be grounds for immediate revocation of a home occupation permit. (Ord. No. 349 N.S., '2; Ord. No. 388 N.S., '2; Ord. No. 532 N.S., '2, Ord. N.S. 540 N.S '2)

SEC. 17B.3 REGULATIONS

a. In order to conduct a home occupation on any premises located in Zones A, B, C, and E in the City of Piedmont, an application must be made by the resident proposing such an occupational use upon a form and in the manner prescribed by the City Clerk.

b. In addition to the application form the applicant must submit a rendering of the floor plan of the house showing which room or portion of a room will be used for the home occupation. This drawing should be accurate in its representation of the premises but need not be an architectural rendering.

c. The fee for a home occupation permit shall be non-refundable as set forth from time to time by resolution of the City Council.

d. The applicant or applicant's representative shall mail to all adjacent residences (as defined in Sec. 17.2.3) a notice of intent to conduct business, the form of which shall be prescribed by the City Clerk. Said notice will set forth

- (1) The applicant's name
- (2) The address of the proposed home occupation
- (3) The type of business to be conducted
- (4) A fifteen (15) day period during which comments on the home occupation may be directed to the City Clerk.

e. The applicant or applicant's representative shall provide an affidavit of service to the City Clerk as proof of satisfaction of Sec. 17B.3(d) above.

f. No home occupation permit shall be issued during the 15 day notification period.

g. Upon completion of the notification period, the application and any comments received shall be reviewed by the Public Works Director and City Administrator who shall determine if a home occupation should be granted under this section based upon the fact that none of the restrictions of Section 17B.2 have been violated or will be violated due to the proposed nature or conduct of the home occupation.

h. All persons receiving a home occupation permit shall be required to have a valid city business license. Lapse of six (6) months or more in a business license shall constitute grounds for cancellation of the home occupation permit.

i. Home occupation permits shall be valid so long as there is no change in the location or nature of the business and a valid city business license is on file in the City Clerk's office and none of the restrictions of Section 17B.2 have been violated." (Ord. No. 349 N.S., '3; Ord. No. 388 N.S., '3, Ord No. 532 N.S '3)