



City of South Jordan Home Occupation Ordinance Agreement

Please read, sign, and return with the Home Occupation Business License application

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17.98.010 DEFINITION AND PURPOSE

A home occupation is any business or income producing activity conducted from a residential property. The home occupation provisions are intended to provide opportunities for minor in-home businesses which do not require the facilities of or have the impacts of larger concerns. Many types of businesses are allowed; provided, that they meet all of the provisions of this chapter. Home occupations do not include occasional baby sitting at the dwelling which would not be classified as a daycare or preschool operation. Home occupations are considered accessory uses in residential and agricultural zones. Garage or yard sales are not considered home occupations but may be held no more than four (4) calendar days per year. Sales of night crawlers gathered from the subject property, lemonade stands and similar occasional activities related to the subject premises are not considered home occupations. Temporary signage may be used to advertise yard sales, night crawlers, lemonade stands and similar occasional sales activities, provided it does not create a nuisance, is not placed on the public right of way and provided it is removed by seven o'clock (7:00) P.M. each day and upon conclusion of the activity. Home occupations will have no significant impact on the neighborhoods in which they are located and are considered to be secondary and incidental to and compatible with residential use. (Ord. 2014-16, 11-18-2014)

17.98.020 RESTRICTIONS

The following restrictions shall apply to any home occupation:

- A. All home occupations are required to obtain and maintain a current city business license and meet all requirements of [title 5](#) of this code.
- B. All home occupations shall comply with federal, state and local laws and ordinances.
- C. Home occupations shall not involve the unauthorized use of hazardous or annoying substances or processes nor shall they create any hazardous or offensive odors, noises, fumes, gases, dust, radiation, glare, electrical interference, vibrations, heat, wastes, pathogens or any other harmful substances or effects.
- D. Home occupations shall be conducted entirely within the primary dwelling unit and may not occupy, with either goods, materials, equipment or activities, garage area, or lot area, except that home occupation activities which could occur in the primary dwelling may occur in habitable space of a fully enclosed and properly permitted accessory building associated with a single-family residential dwelling. Training activities such as swimming, tennis and horseback riding or daycare or preschool activities may be conducted outdoors; provided, that no nuisance is created. Home occupations may not occupy more than thirty five percent (35%) of the floor area of the main building or one thousand (1,000) square feet, whichever is less.
- E. Home occupations shall not receive or generate more than a total of six (6) customers, visitors, vehicle round trips and/or deliveries per day except for approved preschools. Tractor/trailer rigs may not be brought to the residence.
- F. No more than one vehicle used with the home occupation and complying with provisions for vehicle storage of the zone in which the home occupation is located may be stored at the residence. Said vehicle shall be stored in a garage or at least six feet (6') behind the front or street side building lines of the dwelling.

- G. Home occupations shall not cause excessive demands on city services.
- H. Employees of home occupations shall consist only of members of the family residing in the dwelling or other individuals whose activities are conducted away from the residence.
- I. No display of merchandise or advertising shall be visible from the street or neighboring properties, except as permitted in section [16.36.050](#) of this code.
- J. The exteriors of dwellings may not be altered from a residential character as a result of or to enhance a home occupation.
- K. Home occupations involving pedestrian or vehicle traffic shall be conducted only between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M.
- L. More than one home occupation may be conducted on a property; provided, that these regulations are followed as though there were only one occupation on the property.
- M. Retail sales may not be conducted as a home occupation, except if incidental to another service performed by the operator. Otherwise, goods may not be distributed or disbursed at the residence.
- N. Meetings held for the purpose of marketing, taking orders or training may be held at the residence; provided, that no violations of this chapter occur.
- O. The city may place additional restrictions on a home occupation relating to hours of operation, parking, traffic or other matters as it deems necessary to mitigate impacts on the neighborhood and the city in general. (Ord. 2014-16, 11-18-2014)

17.98.030 PRESCHOOLS

Preschools for up to six (6) students may be conducted as home occupations in accordance with provisions of this chapter without a conditional use permit. Preschools for seven (7) to a maximum of twelve (12) students may be conducted as home occupations with approval of a conditional use permit/concept plan with the following and other conditions as determined by the city council:

- A. Maximum two (2) sessions per day and maximum four (4) sessions per week. Sessions shall be a maximum three (3) hours in length.
- B. Students' ages shall be three (3), four (4) or five (5) years old.
- C. Days and hours of operation shall be provided for review.
- D. All life safety and building codes shall be met and a building permit, if necessary, shall be obtained for remodeling.
- E. All state licensing requirements will be met.
- F. All other requirements of this chapter and other local, state and federal laws shall be met. (Ord. 2014-16, 11-18-2014)

17.98.40 APPLICATION

The following items shall be submitted to the city business licensing office in applying for a home occupation business license:

- A. Application forms as provided by the city and the associated fee as determined by the city council.
- B. Description of the nature of the home occupation and information as requested in the application.
- C. Sketch of the site plan of the property and the floor plan of the dwelling and the area to be devoted to the home occupation with dimensions and area calculations.
- D. List of materials and equipment to be used.
- E. Hours of operation and the number of customers, vehicle trips and deliveries to be made each day
- F. Other government approvals required for conducting the home occupation.
- G. Proposed remodeling needed to conduct the home occupation and whether a city building permit will be required.
- H. Signed affidavit by the applicant that all requirements and conditions of the city will be followed.
- I. Mailing labels and postage for owners of properties within three hundred feet (300') of the lot or parcel and within the same subdivision plat (if applicable) on which the home occupation is proposed. (Ord. 2014-16, 11-18-2014)

17.98.050 APPLICATION REVIEW PROCEDURE

The city business licensing office shall mail a written notice informing the neighboring property owners within three hundred feet (300') and within the same subdivision plat of the proposed home occupation. The city business licensing office and other city departments will review the home occupation business license application and may approve the application if all requirements are met and if no additional information conflicting with the provisions of this chapter has been filed within fourteen (14) days of the mailing. (Ord. 2014-16, 11-18-2014)

17.98.060 APPLICATION APPEAL PROCEDURE

If city staff finds that certain conditions cannot be met, that the proposed home occupation is not appropriate or is inconsistent with the definition and purpose of this chapter, the application shall be denied. The city business licensing office shall provide written notice of city staff's decision to the applicant and to all individuals who provided written responses to the original notice.

The applicant or an affected neighbor may appeal staff's decision for a public hearing before the planning commission within fourteen (14) days of the decision rendered by staff. The decision of the planning commission may be appealed to the city council within fourteen (14) days of the planning commission decision. Costs of notification for the planning commission and/or city council meetings shall be borne by the appellant. The planning commission or city council may place conditions on the approval of the home occupation business license application pertaining to the conduct of the business, subject to [chapter 17.84](#) of this title. (Ord. 2014-16, 11-18-2014)

17.98.070 REVOCATION

A home occupation may be commenced only upon completion of all plan improvements as stipulated in the accompanying approval. The home occupation will be conducted in conformance with approved plans and conditions. Application to amend a home occupation license may be requested by following the application procedures in this chapter. A home occupation license may be revoked by the city council, after a public hearing, if requested by the property owner or if it is shown that one or more of the following conditions exist:

- A. The use is conducted prior to completion of all required improvements and conditions.
- B. The use is established or conducted contrary to any of the approved plans or conditions.
- C. The use is conducted contrary to local, state, or federal laws.
- D. The use is creating a nuisance or hazard. (Ord. 2014-16, 11-18-2014)

Source: Municipal Code 17.98

**See also Title 5 of the City's Municipal Code for further rules and regulations pertaining to Business Licensing.
www.sjc.utah.gov/municipalcode

I clearly understand and am fully aware of the requirements and restrictions for a home occupation as stated above. I do hereby agree to abide by these requirements and restrictions for Home Occupations. I also understand that my residence may be inspected by an authorized representative of the City of South Jordan for compliance with these requirements, and that this license may be revoked if I violate the provisions of section 17.98 of the ordinances of South Jordan City.

Business Name: _____

Signature of Applicant

Date