

## **ORDINANCE 2006 –05**

### **AN ORDINANCE RELATING TO HOME OCCUPATIONS AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Warsaw believes that it is important to foster economic development within the Village;

**WHEREAS**, the Council of the Village of Warsaw believes that it is appropriate to permit citizens to engage in economic activities from their home in situations where such activities will not negatively impact neighbors and without changing existing zoning classifications;

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Village of Warsaw, State of Ohio, County of Coshocton, that the following Home Occupation Ordinance is adopted as follows:

#### **1. PERMIT REQUIRED.**

(a) A written application must be made to the Mayor or his/her designee detailing the nature of the home occupation, the number of persons to be involved in such occupation, the expected length of time such home occupation shall be carried on, and any additional information as may be requested.

(b) The Mayor, or his/her designee, shall have the authority to issue a permit to carry on a home occupation after determining that the applicant satisfies the provisions of this ordinance.

(c) All applications shall be accompanied by a \$25.00 non-refundable application fee.

#### **2. REGULATIONS AND STANDARDS.**

(a) Operator. No person other than members of the family residing on the premises shall be engaged in such occupation.

(b) Use. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

(c) Signs. There shall be no external indication of such home occupation unless existing zoning rules permit such a sign.

(d) Outdoor storage of equipment, material, or stock or other items is not permitted. On-premise storage of explosives or highly flammable or extremely

hazardous materials as defined by the U.S. Environmental Protection Agency is not permitted.

(e) Sale of Goods. Goods sold on premises shall be limited so as not to create an undue burden on public facilities or create a negative effect on the neighbors.

(f) No traffic shall be generated by such home occupation in greater volume that would normally be expected in a residential neighborhood during such time and day, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Ordinance, and shall not be located in a required front yard.

(g) No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises.

(h) Number of Occupations. More than one home occupation may be conducted on the premises; however the combined business-related impact of all home occupations shall be considered when evaluating any application under this chapter.

(i) Without limiting any other requirements, delivery vehicles are only permitted by commercial services that customarily make residential deliveries.

### **3. EXEMPTIONS.**

Certain ancillary uses associated with an individual's employment or profession which do not include routine or regular meetings with members of the public at the residence, such as, bookkeeping, record keeping, telephone contacts, various forms of computer utilization, and the like, are not considered as the business use of property and are exempt from these regulations.

### **4. VIOLATION OF REGULATIONS.**

If one or more of the conditions in this Ordinance are violated, the Mayor shall have the power to revoke the permit to carry on the home occupation.

### **5. APPEALS.**

Any affected person may appeal the Mayor's decision to the Board of Zoning Appeals.

That Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare, and morals.

**WHEREFORE**, this Ordinance shall take effect and be in full force from and after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Gary Fischer, Mayor

ATTEST: \_\_\_\_\_  
Fiscal Officer

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