

SEC. 9-10-01. PURPOSE.

IT IS THE PURPOSE OF THIS CHAPTER TO PROVIDE FOR THE ORDERLY CONDUCT OF A LIMITED COMMERCIAL ACTIVITY ON PROPERTY OTHERWISE ZONED FOR RESIDENTIAL PURPOSES. SUCH ACTIVITY SHALL NOT BE OF A NATURE THAT WOULD IMPOSE ANY DISRUPTION TO THE QUALITY OF LIFE, SAFETY, CHARACTER, HEALTH, WELFARE OR APPEARANCE OF A RESIDENTIAL NEIGHBORHOOD.

SEC. 9-10-2. LICENSE FEES; VIOLATIONS; PENALTIES.

ALL PERSONS CONDUCTION A BUSINESS, OCCUPATION, TRADE OR PROFESSION IN A RESIDENCE, SHALL OBTAIN A HOME OCCUPATION PERMIT FROM THE FINANCE DIRECTOR OR HIS DESIGNEE. THE FEE FOR SUCH PERMIT SHALL BE IN AN AMOUNT ESTABLISHED BY THE GOVERNING BODY FROM TIME TO TIME IN A SEPARATE ORDINANCE. THE CONDUCT OF ANY BUSINESS, TRADE OR PROFESSION WITHIN A RESIDENCE IN THE CITY WITHOUT COMPLIANCE WITH THIS SECTION SHALL BE A VIOLATION THEREOF, AND UPON CONVICTION, SHALL SUBJECT THE OFFENDER TO THE PUNISHMENTS PROVIDED FOR IN SECTION 1-1-8 OF THIS CODE.

(ORD. NO. 98-013, § 1, 7-20-98; ORD. NO. 08-11, § 34, 3-17-2008)

SEC. 9-10-3. OPERATING REGULATIONS.

ALL BUSINESS OCCUPATIONS, TRADES OR PROFESSIONS QUALIFYING AS HOME OCCUPATIONS UNDER THIS CHAPTER SHALL EXIST AND OPERATE SUBJECT TO THE FOLLOWING PROVISIONS, CONDITIONS AND RESTRICTIONS:

- (1) *LOCATION.* HOME OCCUPATION SHALL BE CONDUCTED ONLY WITHIN THE PRINCIPAL RESIDENTIAL STRUCTURE, INCLUDING GARAGE AREA, AND ONLY IF GARAGE DOOR REMAINS CLOSED.
 - A. NO HOME OCCUPATION PERMIT/LICENSE SHALL BE ISSUED FOR A HOTEL, MOTEL, INTOWN SUITE, EXTENDED STAY FACILITY OR ANY SIMILAR TYPE FACILITY.
- (2) *USE OF PREMISES.* AN AREA EQUAL TO NOT MORE THAN TWENTY-FIVE (25) PERCENT OF THE FULL AREA OF THE PRINCIPAL STRUCTURE AND GARAGE AREA MAY BE UTILIZED FOR HOME OCCUPATIONAL PURPOSES.
- (3) *GROUP INSTRUCTION/ASSEMBLY.* NO HOME OCCUPATION SHALL BE PERMITTED WHEREIN GROUP INSTRUCTION OR GROUP ASSEMBLY OR ACTIVITY IS INVOLVED. TO THAT END, NO DANCE INSTRUCTION, EXERCISE CLASSES OR SIMILAR ACTIVITIES.
- (4) *EMPLOYEES.* ONLY MEMBERS OF A FAMILY RESIDING ON THE PREMISES MAY BE EMPLOYED ON THE PREMISES IN PURSUIT OF THE BUSINESS, TRADE OR OCCUPATION OR PROFESSION.
- (5) *COMMODITY.* NO COMMODITY SHALL BE SOLD ON THE PREMISES.
- (6) *OUTDOOR STORAGE.* NO OUTDOOR STORAGE OF ANY ITEMS RELATED TO THE BUSINESS, TRADE, PROFESSION OR OCCUPATION SHALL BE ALLOWED IN CONNECTION WITH ANY HOME OCCUPATION.
- (7) *MAINTENANCE OF RESIDENTIAL CHARACTER.* NO ALTERATION OF THE RESIDENTIAL CHARACTER OF THE PREMISES MAY BE MADE, AND THE HOME OCCUPATION SHALL NOT BE ALLOWED TO CREATE A NUISANCE OR TO CREATE ANY UNDUE DISTURBANCE.
- (8) *SIGNS.* NO SIGNS RELATING TO THE HOME OCCUPATION SHALL BE ALLOWED ON THE PREMISES.
- (9) *NOISE.* NO BUSINESS, TRADE, PROFESSION OR OCCUPATION SHALL QUALIFY AS A HOME OCCUPATION IF THE PURSUIT OF SUCH GENERATES NOISE WHICH IS AUDIBLE BEYOND THE PROPERTY LINES OF THE PROPERTY UPON WHICH THE PREMISE IS LOCATED.
- (10) *VEHICLES.*
 - A. NO BUSINESS, TRADE, PROFESSION OR OCCUPATION WHICH GENERATES VEHICULAR TRIPS OR NONRESIDENTS TO THE PREMISES EXCEEDING TEN (10) PER DAY SHALL QUALIFY AS A HOME OCCUPATION. NO BUSINESS DELIVERY MAY BE MADE TO THE PREMISES HOLDING THE HOME OCCUPATION LICENSE BY ANY SEMI-TRACTOR TRAILER.
 - B. FOR PURPOSES OF THIS PARAGRAPH, THE TERM "COMMON CARRIER" SHALL INCLUDE ANY DELIVERY VEHICLE HAVING MORE THAN TWO (2) AXLES.
- (11) *VEHICLE ADVERTISING.* NO VEHICLES WHICH DISPLAY ADVERTISING RELATING TO AN OCCUPATION, BUSINESS, TRADE OR PROFESSION CARRIED ON THE PREMISES OF A HOME OCCUPATION MAY BE UTILIZED IN SUCH A MANNER SO AS TO AVOID THE RESTRICTION ON SIGNS CONTAINED ABOVE.
- (12)

**** For further information in regards to the Home Occupation Ordinance. You can visit www.municode.com or obtain a copy from City Hall located at 745 Forest Parkway Forest Park, Georgia 30297 Ph# (404) 366-4720**



VEHICLE LIMITATIONS. NO MORE THAN ONE (1) PASSENGER VEHICLE DISPLAYING ADVERTISING RELATING TO THE BUSINESS, TRADE, PROFESSION OR OCCUPATION CARRIED ON THE PREMISES MAY BE PARKED ON OR ABOUT THE PREMISES AT ANY ONE TIME. OFF STREET PARKING MUST BE PROVIDED ON PAVED SURFACES.

(13)

STORAGE OR PARKING OF EQUIPMENT. EXCEPT AS ALLOWED BY ITEM (12) ABOVE, NO BUSINESS, TRADE, OCCUPATION OR PROFESSION OTHERWISE QUALIFYING AS A HOME OCCUPATION SHALL BE PERMITTED TO PARK OR STORE ANY VEHICULAR OR MOTORIZED EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, TRUCKS, VANS, TRACTORS, EARTH MOVING EQUIPMENT, CONSTRUCTION VEHICLES, TRAILERS, OR LIKE ITEMS USED IN CONDUCTING OF SUCH BUSINESS ON THE PREMISES.

(14)

CHEMICALS. NO BUSINESS, TRADE, OCCUPATION OR PROFESSION WHICH WOULD OTHERWISE QUALIFY AS HOME OCCUPATION MAY STORE ANY CHEMICAL NOT NORMALLY USED FOR COMMON HOUSEHOLD PURPOSES ON THE PREMISES.

(15)

INSPECTIONS. AS A CONDITION FOR THE GRANTING OF THE HOME OCCUPATION LICENSE, THE LICENSEE AGREES THE CITY SHALL CONDUCT AN INSPECTION DURING NORMAL BUSINESS HOURS FOR THE PURPOSE OF DETERMINING WHETHER OR NOT THE PROVISIONS OF THIS CODE SECTION ARE BEING COMPLIED WITH.

(16)

OCCASIONAL USE. THE OCCASIONAL USE OF PORTIONS OF THE PREMISES FOR THE RECEIPT OF TELEPHONE CALLS, OF CONSULTATION WITH CLIENTS, OR THE MAINTENANCE OF A HOME OFFICE BY AN EMPLOYEE OR OWNER OF A BUSINESS WHICH MAINTAINS AN ACTIVE OFFICE LOCATION IN A PROPERLY ZONED AREA SHALL NOT REQUIRE A HOME OCCUPATION PERMIT, PROVIDED THAT ALL THE OTHER LIMITATIONS OF THIS SECTION SHALL CONTROL.

(17)

PRODUCE. NOTHING CONTAINED WITHIN THIS CHAPTER SHALL PROHIBIT THE OCCASIONAL SALES OF SEASONAL PRODUCE GROWN ENTIRELY UPON THE PREMISES FROM A HOME GARDEN.

(ORD. NO. 98-013, § 1, 7-20-98; ORD. NO. 11-12, § 1, 4-18-2011)

SEC. 9-10-4. OCCUPATION LIMITED TO DWELLERS THEREIN; LANDLORD PERMISSION FOR TENANTS.

THE HOME OCCUPATION SHALL BE CONDUCTED ENTIRELY WITHIN THE DWELLING UNIT AND SHALL BE SUPERVISED BY ONE (1) OR MORE PERSONS LIVING WITHIN THE PREMISES.

WRITTEN CONSENT BY THE OWNER OF THE PROPERTY IS REQUIRED TO ENGAGE IN ANY FORM OF HOME OCCUPATION BY A TENANT; SUCH IS REQUIRED TO BE PRESENTED AT THE TIME OF APPLICATION.

(ORD. NO. 98-013, § 1, 7-20-98)

SEC. 9-10-5. APPROVAL OF APPLICATION; ADMINISTRATIVE PROCEDURES.

ALL APPLICATIONS FOR HOME OCCUPATION PERMITS SHALL BE REVIEWED BY THE FINANCE DIRECTOR AND/OR THEIR DESIGNEE REGARDING COMPLIANCE WITH THE PROVISIONS SET FORTH HEREIN.

(A)

ALL APPLICANTS MUST PROVIDE TWO (2) PROOFS OF RESIDENCE. A GEORGIA DRIVER'S LICENSE AND A UTILITY BILL, AND A COPY OF THE APPLICANT'S LEASE, IF THEY ARE RENTING THE DWELLING.

(B)

SUBMITTED APPLICATIONS WHICH FAIL TO COMPLY WITH THE PROVISIONS OF THIS CODE SHALL BE DENIED, AND THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE FINDINGS OF FACT CAUSING THE DENIAL.

(C)

APPLICATIONS FOUND TO BE IN COMPLIANCE WITH ALL THE PROVISIONS OF THIS CODE SHALL BE APPROVED UPON THE POSTING REQUIREMENTS SET FORTH IN [SECTION 9-10-6](#), AND ISSUED A PERMIT, PROVIDED THAT ALL WRITTEN OBJECTIONS TO THE APPLICATIONS, IF ANY, HAVE BEEN REVIEWED AND FOUND TO BE WITHOUT MERIT AND UNSUPPORTED BY FACT.

(ORD. NO. 11-12, § 2, 4-18-2011)

SEC. 9-10-6. POSTING REQUIRED FOR PERMIT APPLICATION.

ALL APPLICANTS FOR A HOME OCCUPATION PERMIT SHALL BE REQUIRED TO PLACE A NOTICE ON THE PREMISES, SETTING FORTH THE FACT THAT A HOME OCCUPATION PERMIT HAS BEEN APPLIED FOR. THIS NOTICE SHALL BE POSTED ON THE PREMISES FOR AT LEAST TEN (10) DAYS PRIOR TO THE DISPOSITION OF THE PERMIT APPLICATION.

SEC. 9-10-7. APPEALS AND HEARING ON APPLICATION DISPOSITION.

APPLICATIONS WHICH ARE DENIED BY THE FINANCE DIRECTOR AND/OR THEIR DESIGNEE SHALL HAVE THE RIGHT TO APPEAL TO THE CITY MANAGER. SUCH APPEAL SHALL BE IN WRITING AND DELIVERED TO THE CITY MANAGER NO LESS THAN TEN (10) DAYS AFTER THE DENIAL OF THE APPLICATION. THE APPEAL SHALL BE RULED UPON BY THE CITY MANAGER WITHIN THIRTY (30) DAYS OF THE RECEIPT OF THE APPEAL. THE CITY MANAGER SHALL HAVE THE RIGHT TO OVERTURN, MODIFY, OR AFFIRM THE DECISION MADE BY THE FINANCE DIRECTOR AND/OR THEIR DESIGNEE. THE CITY MANAGER'S RULING IN THE MATTER SHALL BE FINAL. ANY PERSON AGGRIEVED BY A DECISION BY THE CITY MANAGER SHALL THEN HAVE THE RIGHT TO APPEAL TO THE SUPERIOR COURT OF CLAYTON COUNTY BY WRIT OF CERTIORARI WITHIN THIRTY (30) DAYS OF THE CITY MANAGER'S DENIAL OF THE APPLICATION.

BEFORE ISSUANCE OF A HOME OCCUPATION LICENSE, THE APPLICANT MUST MEET THE FOLLOWING CONDITIONS:

1. THERE SHALL BE NO INVENTORY MAINTAINED ON THE PREMISES.
2. *MAINTENANCE OF RESIDENTIAL CHARACTER.* NO ALTERATION OF THE RESIDENTIAL CHARACTER OF THE PREMISES MAY BE MADE, AND THE HOME OCCUPATION SHALL NOT BE ALLOWED TO CREATE A NUISANCE OR TO CREATE ANY UNDUE DISTURBANCE.
3. *SIGNS.* NO SIGNS RELATING TO THE HOME OCCUPATION SHALL BE ALLOWED ON THE PREMISES.
4. *NOISE.* NO BUSINESS, TRADE, PROFESSION OR OCCUPATION SHALL QUALIFY AS A HOME OCCUPATION IF THE PURSUIT OF SUCH GENERATES NOISE WHICH IS AUDIBLE BEYOND THE PROPERTY LINES OF THE PROPERTY UPON WHICH THE PREMISE IS LOCATED.
5. *VEHICLE ADVERTISING.* NO VEHICLES WHICH DISPLAY ADVERTISING RELATING TO AN OCCUPATION, BUSINESS, TRADE OR PROFESSION CARRIED ON THE PREMISES OF A HOME OCCUPATION MAY BE UTILIZED IN SUCH A MANNER SO AS TO AVOID THE RESTRICTION ON SIGNS CONTAINED ABOVE.
6. *VEHICLE LIMITATIONS.* NO MORE THAN ONE (1) PASSENGER VEHICLE DISPLAYING ADVERTISING RELATING TO THE BUSINESS, TRADE, PROFESSION OR OCCUPATION CARRIED ON THE PREMISES MAY BE PARKED ON OR ABOUT THE PREMISES AT ANY ONE TIME. OFF STREET PARKING MUST BE PROVIDED ON PAVED SURFACES.
7. *STORAGE OR PARKING OF EQUIPMENT.* EXCEPT AS ALLOWED BY ITEM (12) ABOVE, NO BUSINESS, TRADE, OCCUPATION OR PROFESSION OTHERWISE QUALIFYING AS A HOME OCCUPATION SHALL BE PERMITTED TO PARK OR STORE ANY VEHICULAR OR MOTORIZED EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, TRUCKS, VANS, TRACTORS, EARTH MOVING EQUIPMENT, CONSTRUCTION VEHICLES, TRAILERS, OR LIKE ITEMS USED IN CONDUCTING OF SUCH BUSINESS ON THE PREMISES.
8. *CHEMICALS.* NO BUSINESS, TRADE, OCCUPATION OR PROFESSION WHICH WOULD OTHERWISE QUALIFY AS HOME OCCUPATION MAY STORE ANY CHEMICAL NOT NORMALLY USED FOR COMMON HOUSEHOLD PURPOSES ON THE PREMISES.
9. *INSPECTIONS.* AS A CONDITION FOR THE GRANTING OF THE HOME OCCUPATION LICENSE, THE LICENSEE AGREES THE CITY SHALL CONDUCT AN INSPECTION DURING NORMAL BUSINESS HOURS FOR THE PURPOSE OF DETERMINING WHETHER OR NOT THE PROVISIONS OF THIS CODE SECTION ARE BEING COMPLIED WITH.

I HAVE BEEN PROVIDED AND HAVE READ A COPY OF THE CITY OF FOREST PARK ORDINANCE REGULATING HOME OCCUPATIONS.

SIGNATURE

DATE

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