

## **TOWN OF BICKNELL HOME OCCUPATION BUSINESS ORDINANCE NO. 8-2025**

**WHEREAS, the Town of Bicknell wishes to protect and provide for the public health, safety, and general welfare of the Town of Bicknell;**

**WHEREAS, the Town of Bicknell wishes to promote, guide and regulate home occupation business in accordance with the General plan without disrupting a neighborhood's residential atmosphere;**

**WHEREAS, the Mayor and Town Council deem it necessary, to adopt certain rules to regulate home occupation businesses in the Town of Bicknell;**

**THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BICKNELL, WAYNE COUNTY, STATE OF UTAH:**

### **Section 1: PURPOSE**

- A. It is the purpose and intent of this ordinance to allow persons residing in dwellings in the Residential Agricultural Zone or the Commercial Residential Zone to provide a service, develop a product for sale, and operate certain kinds of small businesses while at the same time maintaining the peace, quiet, and domestic tranquility.
- B. Home occupations are a privilege that can be revoked if in the opinion of the Town Council, a disruption of the residential neighborhood occurs.

### **Section 2: DEFINITIONS**

- A. Home Occupation Business - A home occupation business is **a business run from a residential dwelling, where the business activity is secondary to the dwelling's primary use as a residence**. It is essentially a home-based business that operates within a residential property.
- B. Examples of home occupation businesses: Artists, authors, musicians, bakeries, catering, barber/beauty shops, nail salons, computer/internet sales/programming, consulting services, daycare, preschool, handyman, contractor offices, crafts for sale, janitorial, housekeeping, mobile services, music lessons, tutoring, auto repair, product installation, professional offices, yard care, dance lessons, sewing or upholstering, tax preparation, phone or internet sales.

### **Section 3: PROCEDURE**

- A. A business/home occupation license application shall be submitted and approved before a dwelling unit in a residential zone may be used for business purposes.

B. Business/home occupation license applications shall be submitted to and reviewed by the Town Clerk. If it is deemed that it meets the conditions of this ordinance, the Town Clerk will issue a Home Occupation Business Permit and Business License to the applicant. If it is determined it does not meet the conditions of this ordinance, the applicant will be referred to the Planning Commission and Town Council for further consideration.

## **Section 4: CONDITIONS**

A. All home occupations shall meet all of the following conditions and requirements:

1. Individuals who own and operate the business must live at the residence; and the business must operate on the same lot as the residence.
2. Any accessory building used in a home occupation shall meet requirements of the zone in which the home occupation is located and must be on the same lot.
3. The business shall not employ persons other than bona fide residents of the home except for employees working totally outside of the residence.
4. The business does not use, produce, or store hazardous chemicals as defined in Utah Code 19-6-302.
5. The business shall not change or distort the general character and appearance of the residential dwelling.
6. The portion of the residence used by the home occupation business shall remain secondary to the residential use of the dwelling.
7. It shall generate no vehicular, pedestrian traffic or parking in excess of that normally associated with residential use. Vehicles relating to the business may not block access to a neighbor's property.
8. The business shall not have traffic coming for business purposes between the hours of 10:00 p.m. and 7:00 a.m.
9. Any signs related to the home occupation shall comply with Bicknell Town ordinances.
10. The home occupation shall not create a nuisance by reason of noise, dust, odor, vibration, fumes, smoke, electrical interference or other causes.
11. Retail sales on the premises or online sales shall be limited to merchandise directly related to the services offered by the home occupation.
12. Any business which involves the repair, sale, service, inspection or any type of work on any type of vehicle, motorcycle, automobile, or off-highway vehicle, as defined in Utah State Code 41-1a-102 may be allowed, but must comply with the following conditions:
  - a) Any vehicles, motorcycles, or cars must have work actively being performed on them and shall not remain on the premises longer than thirty (30) days unless stored inside an outbuilding or behind a privacy fence.
  - b) Off street parking must be provided and utilized.

B. Home occupations which do not meet all of the above criteria, may be allowed, but shall be required to apply to the Planning Commission where further conditions may be established before forwarding to the Town Council.

## **Section 5: BUSINESS LICENSE REQUIRED**

A Business License fee must be paid in accordance with Bicknell Town fee schedule, and all other appropriate state and federal requirements must be met.

## **Section 6: SAVING CLAUSE**

If any provision(s) of this ordinance shall be held or deemed to be invalid, inoperable, or unenforceable for any reason, such shall not have the effect of rendering any other provision(s) invalid, inoperable, or unenforceable to any extent. The remainder of the provisions herein shall be deemed to be separate, independent, and severable acts of Bicknell Town.

## **Section 7: EFFECTIVE DATE**

The provisions of this ordinance shall become effective when passed and approved by the Bicknell Town Council and after any required posting and/or publication has been accomplished according to law.

PASSED AND APPROVED by the Bicknell Town Council this 7<sup>th</sup> day of August 2025.

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Noreen Johnson, Mayor

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Attest: Kelsey Brinkerhoff, Town Clerk

Roll Call Vote:

Kerry Stevens	Yes	No
Steve Albrecht	Yes	No
Weston Johnson	Yes	No
Gregg Anderson	Yes	No