



2017

Home Occupation Business License Application

15720 Main Street, #110, Mill Creek, WA 98012

Phone 425-551-7254

www.cityofmillcreek.com

Business Name _____ Owner Name _____

Business Location Address _____ Mill Creek WA 98012
City State Zip

Mailing Address (if different) _____
City State Zip

Email Address _____

Washington State Tax ID Number (UBI) _____ Local Business Phone _____

NOTE: You need to register your business with the State of Washington. Contact the Department of Revenue at 425-984-6400 to register or with questions.

Description of Business _____

Do you intend to peddle your services inside the city limits? (i.e., door-to-door advertising) Yes No If yes, then a peddler's information form is required. Please contact City Hall at 425-551-7254 to obtain the form or visit the City's website at www.cityofmillcreek.com.

| <i>This section must be filled out completely and is applicable to ALL businesses</i> | | |
|---|---|-----------------|
| Annual Fee | Annual Fee \$25. Businesses starting operation <u>after July 31, 2017</u> will be charged one-half of the Annual Fee. | \$ _____ |
| Group A <input type="checkbox"/> | One-time Fee \$50. Group A Home Occupations have only employees who reside at the residence working at the home occupation – no outside employees. | \$ _____ |
| Group B <input type="checkbox"/> | One-time Fee \$100. Group B Home Occupations may have no more than one employee who does not reside at the residence working at the home occupation. | \$ _____ |
| TOTAL: | | \$ _____ |

In issuing a business license, the City of Mill Creek makes no representation that the business is in compliance with City or state laws and regulations. It is the responsibility of the business owner to investigate, maintain and ensure compliance with all applicable laws and regulations. Home Occupation Business Licenses are valid only for the calendar year in which they are issued (January-December) and must be **renewed annually**. Licenses will be issued within approximately 30 days.

I hereby certify that the statements and information above are true and complete to the best of my knowledge and that **I have read, understood, and agree to comply with the home occupation standards (MCMC Chapter 17.23, which are attached)**. I acknowledge that the statements and information furnished on this application are of public record and are available for public inspection pursuant to RCW CH.42.56.

Signature _____ Date _____

| | | | |
|-----------------------------|--------------------------|-------------------|--|
| For Office Use Only: | Business License # _____ | | |
| Date Received _____ | Customer # _____ | Prepared by _____ | |
| Amount Paid _____ | Check # _____ | Mailed _____ | |

FOR OFFICIAL USE ONLY

Zoning Approve Deny Date _____ Initials _____

Building
Department Approve Deny Date _____ Initials _____

Chapter 17.23 HOME OCCUPATIONS

Sections:

- 17.23.010 Purpose.
- 17.23.020 Permit required.
- 17.23.030 Application process.
- 17.23.040 Exemptions.
- 17.23.050 Ineligible activities.
- 17.23.060 Minimum standards.
- 17.23.070 Required findings.
- 17.23.080 Review, enforcement and penalties.
- 17.23.090 Appeal.

Legislative history: Ord. 95-356.

17.23.010 Purpose.

A. The intent of this chapter is to ensure that home occupations are properly permitted, are undertaken only within a dwelling unit located in a residential use district, are incidental to the primary residential use of the structure and land, and are compatible with the residential character of the neighborhood.

B. In addition, the intent of this chapter is to ensure that business activities that are allowed in residential neighborhoods are regulated as home occupations and that such activities not able to meet the requirements of this chapter are performed in business, commercial, retail and other more appropriate zone districts.

C. This chapter is not intended to regulate typical family or personal activities, or occasional visits by business associates and outside service providers, except as otherwise provided. (Ord. 2005-609 § 2)

17.23.020 Permit required.

A. Applicability. No home occupation shall be operated within the city except in accordance with the provisions of this chapter. A home occupation permit is required for all home occupations except those exempt pursuant to this chapter.

B. Transferability. A home occupation permit is not transferable to another person, entity or business and is valid only for the property address set forth on the permit. (Ord. 2005-609 § 2)

17.23.030 Application process.

A. Applications. The application for a home occupation permit shall be submitted on forms obtained from the director of the department of community development, and shall be acknowledged by the property owner if other than the applicant. The application shall contain all of the information required by the director of community development.

B. Procedure. The director shall verify that the application is consistent with the requirements of this chapter, and that the application contains proof of registration with the Washington State Department of Revenue, or proof of exemption from registration, and proof of all other necessary licenses and permits, including all applicable city licenses.

C. Approval Process. Group A home occupations shall be processed in accordance with the administrative approval procedures of MCMC 14.09.010. Group B home occupations shall be processed in accordance with the approval procedures of MCMC 14.09.020.

D. Limitation. Only one Group B home occupation permit may be in effect at any one time with regard to any residential dwelling unit, including any building accessory thereto. (Ord. 2005-609 § 2)

17.23.040 Exemptions.

The following activities are exempt from the permit requirements of this chapter, but shall otherwise comply with the substantive requirements of this chapter:

A. Authors, composers and writers.

B. After hours paperwork and similar activities performed by residents on evenings and weekends, who have a primary office elsewhere.

C. Tutoring, teaching, or fine arts instruction, provided not more than one student or pupil is present at any one time.

D. Services or activities that are not performed at the residence of the actor, such as newspaper delivery, babysitting, lawn care and gardening, parties for the sale of items such as Tupperware, Mary Kay, etc., and similar services; provided, however, such services may require a home occupation permit if activities related to the service otherwise qualify for a home occupation.

E. Instructional activities involving up to five nonresidents, which occur not more than one time per week.

F. Family home day cares as defined by Chapter 14.01 MCMC.

G. Adult family home as defined by Chapter 14.01 MCMC. (Ord. 2005-609 § 2)

17.23.050 Ineligible activities.

The following activities are not eligible for a home occupation permit because of their incompatibility with maintaining residential neighborhood character:

A. Medical or professional clinics.

B. Retail activities of any type.

C. Stables, kennels, animal husbandry or farming activities except as provided in Chapter 17.06 MCMC.

D. Vehicle repair, automobile detailing or automotive servicing activities.

E. Any activities involving more than five customer or business visits per day. (Ord. 2005-609 § 2)

17.23.060 Minimum standards.

Every home occupation shall meet all of the following minimum standards:

- A. No variation from the residential character of the dwelling or neighborhood is permitted. No physical change shall be made to the exterior of the structure solely to accommodate the home occupation.
- B. All activities shall be conducted entirely within the principal or accessory structure.
- C. Maximum gross floor area devoted to the home occupation shall not exceed 20 percent of the gross floor area, or 600 square feet, whichever is less.
- D. No stock in trade or any other material associated with the home occupation shall be visible on the site.
- E. No retail customers shall visit the premises at any time. No customer pick-up of stock in trade is permitted at any time. Business visits are prohibited after 9:00 p.m.
- F. No signs of any type regarding the home occupation shall be exhibited or displayed on the site.
- G. Except for one nonresident worker authorized by a Group B home occupation permit, and except for occasional visits by business associates and outside service providers, persons who do not reside on the premises are prohibited from working at the home occupation.
- H. Materials, goods or commodities shall be delivered to or from the home occupation only from 8:00 a.m. to 7:00 p.m. Truck delivery or pick-up not common to a residential dwelling is not allowed.
- I. All parking shall be off-street, and shall be accommodated by the on-site garage and driveway. Gross vehicle weight of any one vehicle shall not exceed 6,000 pounds.
- J. Heavy equipment, large power tools or power sources not common to a residential dwelling are not allowed. The home occupation shall not be visible or audible from any point on the property line, and no electrical or other similar interference may be caused beyond the property boundary.
- K. No production, generation or storage of any hazardous waste or substance is allowed.
- L. The home occupation shall comply with all other applicable standards of the Mill Creek Municipal Code. (Ord. 2005-609 § 2)

17.23.070 Required findings.

The city manager or other body charged with approving a home occupation permit shall not approve the home occupation permit unless all of the following affirmative findings are made:

- A. The home occupation does not involve equipment or processes that introduce noise, smoke, dust, fumes, vibrations, odors, or other conditions or hazards in excess of those normally common to residential areas.

- B. The home occupation does not significantly increase local vehicular or pedestrian traffic.
- C. The home occupation is not materially injurious or detrimental to adjoining or abutting properties.
- D. The home occupation does not endanger the public health, morals, safety, and welfare, does not create a nuisance, and is not detrimental to the public interest.
- E. The home occupation complies with all applicable local, state and federal laws and regulations.
(Ord. 2005-609 § 2)

17.23.080 Review, enforcement and penalties.

- A. Every Group B home occupation permit shall be reviewed by the department of community development within six months of the date of final approval and annually thereafter.
- B. A violation of any provision of this chapter shall be a civil infraction. The penalty for the first violation within any 12-month period shall be a fine of \$150.00. The penalty for a second violation within such time period shall be a fine of \$200.00. The penalty for a third or subsequent violation within such time period shall be a fine of \$250.00. Each day or portion thereof during which a violation exists or continues shall constitute a separate violation, for which an additional penalty (in the amount of the fine specified in the notice of infraction) shall accrue and be imposed, under the outstanding notice of infraction.
- C. A home occupation permit may be suspended or revoked by the director as an administrative decision pursuant to MCMC 14.09.010. The director may base his action on:
 - 1. Lack of compliance with the conditions of the permit or its approval, or with the provisions of the development code, or upon a finding that the operation of the home occupation creates a nuisance or hazard, or has been abandoned, or was procured by mistake, fraud or deception; or
 - 2. Accumulation of three civil infractions within any 12-month period. (Ord. 2008-682 § 2; Ord. 2005-609 § 2)

17.23.090 Appeal.

- A. Decisions made under the authority of this chapter may only be appealed in accordance with Chapter 14.11 MCMC, except as set forth in subsection B of this section.
- B. Civil infractions issued under MCMC 17.23.070(B) may only be appealed in accordance with the rules of appeal governing civil infractions. (Ord. 2008-682 § 2)

The Mill Creek Municipal Code is current through Ordinance 2016-807, passed June 28, 2016.

Disclaimer: The City Clerk's Office has the official version of the Mill Creek Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

