Here is a **formal, consolidated ordinance** based on the comprehensive and overlapping source material you provided. All duplications have been removed, provisions harmonized, and legal structure clarified. This draft follows a standard municipal ordinance format, integrating the most stringent and relevant standards from each source. Formatting, Chapter and Section numbering shall be corrected prior to submitting to Council.

ORDINANCE NO. 2025-XX

AN ORDINANCE OF IVINS CITY ESTABLISHING REGULATIONS FOR HOME OCCUPATIONS, INCLUDING DEFINITIONS, LICENSE REQUIREMENTS, PROCEDURES, CONDITIONS, ENFORCEMENT, AND REVOCATION

WHEREAS, the City Council of Ivins City recognizes the importance of protecting the residential character of neighborhoods while allowing residents the opportunity to operate small-scale, low-impact businesses from their homes; and

WHEREAS, the City finds it necessary to establish clear standards for such home-based businesses to ensure public health, safety, and welfare, and to minimize potential conflicts between residential and business uses;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City, Utah, as follows:

Chapter 5.10 – Home Occupation Business License Ordinance

SECTION 5.10.010 – PURPOSE AND INTENT

The purpose of this chapter is to allow residents to conduct limited business activities within their residences in a manner that is incidental and secondary to the residential use. The operation of such businesses shall not disrupt the neighborhood, alter the residential character of the premises, or exceed the impact of normal residential living. Home occupations are a conditional privilege and not a right and may be revoked upon noncompliance or neighborhood disruption.

SECTION 5.10.020 – DEFINITIONS

As used in this Ordinance:

- **Residence** means the dwelling unit designed for living and sleeping purposes, excluding detached garages and accessory buildings.
- **Residential Premises** means the land and structures located in any area zoned for residential use.

- **Home Occupation** means any business activity for which compensation is received and which is conducted wholly within a residential dwelling or an attached garage, as permitted herein.
- **In-Home Office** means a portion of the residence used solely for office activities such as record-keeping, billing, scheduling, and similar administrative functions.

SECTION 5.10.030 – LICENSE REQUIRED

No person shall conduct a home occupation without first obtaining a Home Occupation Business License approved by the Planning Commission or City staff, as applicable. No license shall be issued until the applicant certifies compliance with all applicable deed restrictions, CC&Rs, and state and local laws.

SECTION 5.10.040 – APPLICATION REQUIREMENTS

Applications shall include:

1. Applicant's full name, DOB, and contact information;
2. Business name and nature of the business; hours of operation.
3. Federal, state, and contractor license numbers, if applicable;
4. Site plan indicating areas to be used including sufficient parking of vehicles.
5. Signed verification of truthfulness and compliance;
6. Anticipated daily average of customers.
7. Other documentation as required by staff.

SECTION 5.10.050 – APPROVAL PROCEDURE

A. In-Home Offices: May be approved by City staff if impacts are minimal.

B. Other Home Occupations: Require Planning Commission review and may be approved with conditions or time limits.

C. Courtesy Notification: Applicants must provide stamped and addressed envelopes for all property owners within 300 feet. City staff will mail a courtesy notice informing neighbors of the proposed use.

SECTION 5.10.060 – STANDARDS AND CONDITIONS

Home Occupation Business License holders must comply with all of the following conditions:

1. Business shall be incidental and secondary to the residential use and not alter the appearance or character of the neighborhood.
2. Only residents of the home may be employed, unless otherwise approved under a Class B Home Occupation permit.
3. The use shall be entirely within the residence or attached garage, not exceeding 25% of the total floor area or 500 square feet, whichever is less.
4. Use of the garage must allow at least one vehicle to remain parked therein and must not eliminate required residential parking.
5. No exterior storage or display of goods, materials, or equipment.
6. No signs shall be displayed except for a 12” x 12” window sign, if allowed.
7. No noise, odor, dust, vibration, or light beyond residential norms.
8. No more than two business-related vehicles, each not to exceed one ton GVW. One trailer (max. 15 ft) may be used if parked on site.
9. No deliveries outside those customary to residential areas. Semitrucks and forklifts are prohibited.
10. Business activities shall not generate traffic beyond what is typical for a residence.
11. Activities must comply with all building, fire, electrical, health, and zoning codes.
12. Daycares, classes, or group lessons must not exceed 10 students at one time. Outdoor activity must occur only between 7:00 AM and 8:00 PM.
13. Business must not increase demand for municipal or utility services beyond typical residential levels.
14. Sales must be limited to items produced on-site or incidental to the primary service offered.
15. Any additional conditions imposed by the Planning Commission or staff shall be binding and recorded on the license.

SECTION 5.10.070 – LICENSE TERM AND RENEWAL

All Home Occupation Business Licenses shall be valid for one year and are renewable annually provided that all conditions have been met and no violations have occurred.

SECTION 5.10.080 – INSPECTION AND ENFORCEMENT

City staff, including zoning and licensing officers and Fire, may inspect the residence periodically at reasonable times to ensure compliance. Refusal of inspection may result in denial or revocation of the license.

SECTION 5.10.090 – REVOCATION OR DENIAL

A license may be denied or revoked for:

1. Failure to comply with license conditions or applicable laws;
2. Unlawful activity on the premises;
3. Fraud or misrepresentation on the application;
4. Repeated verified complaints or violations.

Written notice of denial or revocation shall be provided to the applicant/licensee, stating the reason.

SECTION 5.10.100 – APPEALS

Applicants may appeal a denial or revocation to the City Council or designated administrative hearing officer within ten (10) days of receiving notice. A hearing shall be held within thirty (30) days of the appeal.

SECTION 5.10.110 – CATEGORIES OF USE

A. Prohibited Uses include but are not limited to:

- Health services (except telehealth consultation)
- Auto repair/painting
- Kennels or animal boarding
- Manufacturing or industrial uses
- Equipment repair (e.g., lawnmowers, appliances)

B. Examples of Permitted Uses (if compliant with all conditions):

- Artist/photography studios
- Hair salons/barber services
- Consultants, architects, accountants
- Tutors, music or fitness instructors
- Family daycare (max. 5 children unless otherwise licensed)
- In-home IT or secretarial services

SECTION 5.10.120 – FEES

Fees for licenses and renewals shall be assessed in accordance with the Ivins City Consolidated Fee Schedule.

SECTION 5.10.130 – SEVERABILITY

If any section, clause, or provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 5.10.140 – REPEALER

This Ordinance repeals and replaces Ordinance No. 2003-01 and any other ordinances in conflict herewith.

SECTION 5.10.150 – EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption by the Ivins City Council.

PASSED AND ADOPTED this ___ day of _____, 2025.

IVINS CITY COUNCIL
By: _____
Mayor

Attest:

_____

City Recorder