

# APPLICATION FOR HOME OCCUPATION LICENSE

Date of Application: \_\_\_\_\_ Fed Tax ID: \_\_\_\_\_

Name of Business: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Names of all occupants conducting business: \_\_\_\_\_

\*\*\*\*\*

Vehicle used for business: Y or N Year: \_\_\_\_\_ Model: \_\_\_\_\_ Make: \_\_\_\_\_

Drivers License Number: \_\_\_\_\_ Vehicle Tag Number/State: \_\_\_\_\_

Have you conducted a previous business at this address? \_\_\_\_\_ If yes, the name of the previous business(es), description and dates: \_\_\_\_\_

## PLEASE READ THE CITY ORDINANCE ON THE REVERSE SIDE OF THIS APPLICATION

I have completely read and fully understand Chapter 605 Home Occupations of the City Code pertaining to home occupations.

The business I wish to operate does \_\_\_\_\_ does not \_\_\_\_\_ comply with all "criteria," Sec. 605.240

If not, state reasons: \_\_\_\_\_

I declare under penalty of false statement that to the best of my knowledge and belief, the statements made herein are correct and true.

\_\_\_\_\_  
Name of Owner/Applicant

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner/Applicant

**Make check or money order in the amount of \$35.00 payable to the City of Mission and mail to:  
City Clerk, 6090 Woodson, Mission, KS 66202**

## OFFICE USE ONLY:

License effective: \_\_\_\_\_ to July 1, \_\_\_\_\_

Receipt Date: \_\_\_\_\_

License No: \_\_\_\_\_

Zoning Verification: \_\_\_\_\_

Date Verified: \_\_\_\_\_

(approved signature)

**SECTION 605.230: DEFINITION - HOME OCCUPATION:** Any occupation in which goods are produced or services are rendered being clearly secondary to the main use of the premises as a dwelling place and does not change the character thereof or have any exterior evidence of such secondary use either in the form of signs, materials, equipment, noise, odor or other nuisance or unusual pedestrian or vehicle traffic appurtenant to such home occupation. This occupation shall be carried on or conducted by members of a family residing in the dwelling and no more than two employees, and in connection with which there is kept no stock in trade of commodity for sale upon the premises except articles produced by members of the family.

**SECTION 605.240: CRITERIA:** A home occupation is permitted as secondary use of dwelling only when the following criteria are met:

1. The home occupation shall be conducted by resident occupants of the dwelling unit in which the occupation is conducted and may have no more than two employees who do not reside in such dwelling unit.
2. No alteration to the dwelling, building, premises or property shall be made which changes the external appearance of the dwelling, premises or property in a manner that causes the structure to lose its residential character or detract from the residential character of the neighborhood.
3. The home occupation shall be conducted entirely within the main dwelling building and no such home occupation shall be conducted in an accessory building, garage or structure, whether attached or detached.
4. The home occupation shall not occupy more than twenty-five percent (25%) of the floor area of the dwelling.
5. The entrance to the space devoted to a home occupation shall be from within the dwelling.
6. There shall be no outside storage of any equipment, machinery or materials used in the home occupation.
7. No mechanical or electrical equipment other than normal domestic or household equipment shall be used.
8. No signs shall be permitted.
9. No home occupation shall be permitted which generates, results in or contributes to traffic (vehicular or pedestrian), parking, sewage or water use in excess of what is usual and normal in the residential neighborhood.
10. No home occupation shall be permitted which results in or contributes to electrical disturbance or interference of any sort.
11. No home occupation shall be permitted which creates or has the potential to create or become a nuisance, public or private, or a hazard or danger to the health, care, safety or welfare of any person or property (i.e., use or storage of toxic materials or chemicals).
12. No stock in trade of commodity, except articles produced by members of the family residing on the premises, shall be displayed or sold on the premises.
13. A home occupation may only attract business-related vehicular and pedestrian visits between the hours of 7:00 a.m. and 8:00 p.m.

**SECTION 605.250: LICENSE REQUIRED - TERM FEE:** Persons shall, before beginning business or before continuing such business after a license has expired, make application for and secure an occupational license. The license period shall be from July 1st to July 1st in each year and a fee in the amount established in the fee schedule set out in Chapter 103, Section 103.050, is required to be paid on or before the first day of July each year or before commencing business. A penalty of five percent per month shall be added in case of failure to pay the required fees when due for each month or fraction thereof that the fees have remained unpaid. Home occupation fees will not be prorated and no refunds for business ceasing during the year shall be made.

**SECTION 605.260: LICENSES:** A) *Issuance of License.* All home occupation licenses shall be issued by the City Clerk upon satisfactory completion of the application form and payment to the City Clerk of the fee in accordance with the fee schedule. All licenses shall be signed by the Mayor, the City Treasurer and the City Clerk. The City Clerk shall affix the Seal of the City to the license. B) *Renewal of License.* The renewal of each home occupational license shall also require the satisfactory completion of the annual renewal form and payment of the fee in the amount established in the fee schedule. C) *Revocation.* A home occupation license may be revoked by the City Clerk for failing to meet home occupation criteria.

**SECTION 605.270: CITY SHALL RECORD LICENSES:** The City Clerk shall keep records in which shall be entered the names and addresses of each and every person or firm licensed, the date of the license, the amount paid therefor and the time when the license shall expire.

**SECTION 605.280: UNLAWFUL ACTS:** A) Any person, firm or corporation who shall conduct or pursue in the limits of the City any trade, profession, occupation or business for which a license is required by this Article after a license should have been obtained to conduct or pursue such trade, profession, occupation or business without having obtained the same shall be deemed to do so unlawfully. B) Every person filing a false return shall be guilty of violating this Article and such conduct deemed to be unlawful. Every person or firm shall file the application with the City Clerk and pay the required fee on or before July 1st of each year or before commencing business. C) An individual who engages in any business herein required to be licensed on behalf of any corporation, partnership, firm, organization, association without having first obtained the licenses required, the individual is legally responsible to the same extent as if such acts were in his/her own name or on his/her own behalf and shall be subject to the penalties provided below. D) Any person violating the provisions of this Article shall, upon conviction thereof, be punished by a fine or not less than \$5 nor more than \$500 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. E) Nothing herein contained shall prevent the City or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

**SECTION 605.290. PAYMENT OF FINE DOES NOT PAY FEE - CIVIL ACTION:** The payment of a fine or the serving of a jail sentence for failure to pay the fee and secure a license shall not constitute payment of the fee nor excuse the person from making payment and the City may proceed by civil action to collect the fee.