CITY OF MOORE
ORDINANCE 1062.25

AN ORDINANCE AMENDING PART 9, CHAPTER 15 OF THE MOORE CITY CODE BY AMENDING SECTION 9-1502 "HOME OCCUPATIONS' BY ADDING "DOG/CAT DAYCARE AND BOARDING" AS AN ALLOWED HOME OCCUPATION AND ESTABLISHING A LIMIT OF FIVE ANIMALS ON PREMISE AT ANY GIVEN TIME; AMENDING SECTION 9-1504 ESTABLISHING THE BOARD OF ADJUSTMENT TO HEAR APPEALS TO HOME OCCUPATION DECISIONS AND ESTABLISHING A 200' NOTIFICATION RADIUS FOR SUCH APPEALS

WHEREAS,

NOW THEREFORE, be it ordained by the Council of the City of Moore, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** "Sec 9-1502 Home Occupations" of the Moore Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 9-1502 Home Occupations

A home occupation is any occupation or profession carried on in a residence which is clearly incidental and secondary to the residential use of the premises. Residents of a dwelling unit may conduct home occupations as accessory activities, provided the residents observe the following standards:

A. Home occupations shall exhibit no evidence that a business is being conducted from the premises. A home occupation shall not permit:
    1. Outside volunteers or employees to be engaged in the business activity other than the persons principally residing on the premises;
    2. Exterior signage which identifies the property as a business location.
B. The total area devoted to all home occupation(s) shall not exceed 10 percent of the gross floor area of the dwelling or housekeeping unit. Areas within attached private garages and accessory storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for indoor storage of goods associated with the home occupation, as well as for the home occupation itself.
C. No outside storage is allowed.
D. The following activities are examples of permitted home occupations:
    1. Dressmaking, seamstresses, tailors;

2. Artists and sculptors;
3. Resident owned and operated beauty and/or barbershops (limited to one chair);
4. Tutoring limited to two students at a time;
5. Home crafts, such as model making, rug weaving, and lapidary work;
6. Office facility of a minister, rabbi, or priest;
7. Office facility of a salesman, sales representative or manufacture's representative;
8. Office facility of a professional;
9. Repair shop for small (less than 1.5 cubic feet) household items;
10. Telephone answering or soliciting;
11. Computer programming and small scale repair;
12. Home cooking and preserving;
13. Music and arts instruction (limited to two students at a time);
14. Massage therapist;
15. Typing/word processing service;
16. Personal training (no more than two persons in a group); and
17. Animal grooming (limited to two pets at a time).
18. Dog/Cat Daycare and Boarding limited to five animals on the premise at any given time, including the property owner's animals.

Additional uses may be allowed which meet the intent of this chapter, if not specifically prohibited by subsection E below.

E. The following activities shall be prohibited as home occupations:
1. Repair, building or servicing of vehicles;
2. Antique shop;
3. Gift shop;
4. Veterinary clinic or hospital;
5. Painting of vehicles, trailers or boats;
6. Large appliance repair (including stoves, refrigerators, washers and dryers);
7. Upholstering;
8. Cabinet and woodworking shops;
9. Machine and sheet metal shops;
10. Martial arts or dance/aerobics studio;
11. Small engine repair and any use which may include hazardous chemicals;
12. Dispensing of medical drugs or other items which may be potentially hazardous to the surrounding area;
13. Parking and storage of heavy equipment;
14. Storage and/or distribution for use on other properties of building materials, toxic or flammable materials, fertilizer, and spray painting or spray finishing operations that involve toxic or flammable materials which, in the judgement of the Fire Marshal, pose a dangerous risk to the residence, its occupants,

and/or surrounding properties;

15. Retail sales;
16. Mortuaries;
17. Dancing studios, exercise studios;
18. Private clubs;
19. Restaurants; and
20. Medical marijuana sales, production, and collective gardens.

F. Sales shall be limited to mail order and telephone sales, with off-site delivery. No on-site retail sales are permitted.

G. Services to patrons shall be arranged by appointment or provided off site.

H. The home occupation(s) shall not use electrical or mechanical equipment that results in:

1. A change to the fire rating of the structure(s) used for the home occupation(s);
2. Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or
3. Fluctuations in line voltage off premises.

I. There shall be no offensive noise, vibration, smoke, dust, odors, heat, light or glare noticeable at or beyond the property line resulting from the operation.

J. The home occupation shall not pave any additional area beyond the normal paved area of a driveway for the purpose of accommodating additional off street parking.

K. No business involving the pickup or delivery of goods products, or servicesservicesorservicesproducts will be conducted between the hours of 7:00 pm and 7:00 am.

L. The home occupation shall not include the remodeling of the exterior of the dwelling or the accessory structure that changes the residential character.

SECTION 2: **AMENDMENT** "Sec 9-1504 Action Regarding Complaints And Violation Of Standards" of the Moore Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 9-1504 Action Regarding Complaints And Violation Of Standards

A. Complaints. The City of Moore or the public may originate complaints. Complaints from the public shall clearly state the objection to the home occupation, such as but not limited to:

1. Generation of excessive traffic;
2. Exclusive use of on-street parking spaces; or
3. Other offensive activities not compatible with a residential neighborhood.

B. Review of Complaints. The community development director, and/or his/her designee, shall review written complaints. The community development director and/or his/her

designee shall notify the operator in writing of the complaints and the operator shall have 10 days to provide a written response to the complaints. The director shall either approve the use as it exists, order the home occupation to cease, or compel measures to be taken to ensure compatibility with the neighborhood and conformance with this chapter and provide written notice to the operator of the director's decision.

C. Cessation of Home Occupation Pending Review. If it is determined by the community development director, and/or his/her designee, in the exercise of reasonable discretion, that the home occupation is question will affect public health and safety, the use may be ordered to cease, pending city council review and/or exhaustion of all appeals.

D. Appeals to the Board of Adjustment. If the operator of a home occupation disagrees with the decision of the community development director and/or his/her designee, the operator may appeal such decision to the Board of Adjustment.

    1. All appeals to the Board of Adjustment are subject to Article 1, Chapter B of the Land Development Code, with the following exceptions:
        a. Appeals to the Board of Adjustment for Home Occupations shall provide notice to all surrounding property owners within a 200' radius of the property with the Home Occupation. There shall be no newspaper publication requirement.
    2. The Board of Adjustment, after hearing testimony, shall either approve the use as it exists, order compel measures to be taken to occupation to cease, or compelmeasuressuitableto andbeconditionstakento ensure compatibility with the neighborhood and conformance with this chapter. Written Notice of such decision shall be provided to the operator of the home business.
    3. All appeals to the Board of Adjustment are subject to to A

E. Penalty. If a person violates of this section after the community development director or Board of Adjustment has ordered the occupation to cease, it shall be considered an offence punishable as provided in section 1-108 and 1-109.

REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF MOORE COUNCIL
2/19/2025.

Presiding Officer

Mark Hamm, Mayor, City of Moore

Attest:

CITY OF MOORE CORPORATE SEAL OKLAHOMA

Vanessa Kemp, City Clerk, City of Moore

Brian K. Miller, City Attorney,
Approved as to Form, City of Moore