

**CITY OF MOORE
ORDINANCE 970(21)**

**AN ORDINANCE OF THE CITY OF MOORE, OKLAHOMA AMENDING PART 9,
LICENSE AND BUSINESS REGULATIONS, ADDING CHAPTER 15, HOME
OCCUPATIONS, SECTIONS 9-1501 PURPOSE AND INTENT, 9-1502 HOME
OCCUPATIONS, 9-1503 APPLICABILITY AND EXEMPTIONS; PROVIDING FOR
REPEALER, AND PROVIDING FOR SEVERABILITY.**

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

SECTION 1: **ADOPTION** “CHAPTER 9-15 HOME OCCUPATIONS” of the Moore Municipal Code is hereby *added* as follows:

ADOPTION

CHAPTER 9-15 HOME OCCUPATIONS(*Added*)

SECTION 2: **ADOPTION** “Sec 9-1501 Purpose And Intent” of the Moore Municipal Code is hereby *added* as follows:

ADOPTION

Sec 9-1501 Purpose And Intent(*Added*)

The City Council hereby finds that there is a need to permit residents of the community a broad choice in the use of their homes as a place of livelihood and for the production or supplementing of personal and family income. It is the intent of the city council to:

(a) Protect residential areas from potential adverse impact of activities defined as home occupations.

(b) Establish measurable and comprehensive criteria and standards for the use of residential structures for home occupations.

(c) Protect the public interest by enabling certain business activities to be conducted from within residential properties subject to limitations that will protect residential neighborhoods from the potential impacts of such business activities.

SECTION 3: ADOPTION “Sec 9-1502 Home Occupations” of the Moore Municipal Code is hereby *added* as follows:

ADOPTION

Sec 9-1502 Home Occupations(*Added*)

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) All on-site activities of the home occupation(s) shall be conducted indoors; 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) Pet grooming (limited to two pets at a time).

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 good or products 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 4: ADOPTION “Sec 9-1503 Applicability And Exemptions” of

the Moore Municipal Code is hereby *added* as follows:

ADOPTION

Sec 9-1503 Applicability And Exemptions(*Added*)

(a) No person shall carry on a home occupation, or permit such use to occur on property which that person owns or is in lawful control of, contrary to the provisions of this chapter.

(b) Home occupation regulations shall not apply to:

(1) Conducting of occasional "host" parties where goods, such as cosmetic supplies, are sampled or displayed;

(2) Paperwork and similar activities performed by residents, who may have a primary office elsewhere and when no additional traffic is generated;

(3) Services or activities that are not performed at the residence, such as newspaper delivery, and babysitting;

(4) Garage sales, subject to the requirements of the City of Moore;

(5) Hobbies that do not result in payment to those engaged in such activity; and

(c) A maximum of one home occupation may be conducted on a property.

SECTION 5: **ADOPTION** “Sec 9-1504 Action Regarding Complaints And Violation Of Standards” of the Moore Municipal Code is hereby *added* as follows:

ADOPTION

Sec 9-1504 Action Regarding Complaints And Violation Of Standards(*Added*)

(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. Within 10 days of the filing of the written response of the operator, 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) City Council Review. The City Council shall either approve the use as it exists, compel suitable restrictions and conditions to ensure compatibility with the neighborhood, or order the cessation of the Home Occupation.

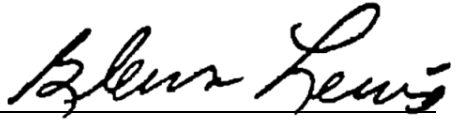
(e) Penalty. If a personal violates subsection (C) or (D) of this section after the community development director or City Council has ordered the occupation to cease, it shall be considered an offence punishable as provided in section 1-108 and 1-109.

PASSED AND ADOPTED BY THE CITY OF MOORE COUNCIL JUNE 07, 2021.

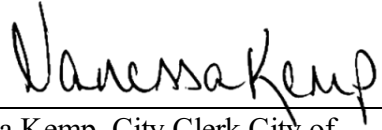
	AYE	NAY	ABSENT	ABSTAIN
Glen Lewis, Mayor	_____	_____	<u> X </u>	_____
Danielle McKenzie, Ward 1	_____	_____	<u> X </u>	_____
Adam Webb, Ward 1	<u> X </u>	_____	_____	_____
Melissa Hunt, Ward 2	<u> X </u>	_____	_____	_____
Mark Hamm, Ward 2	_____	<u> X </u>	_____	_____
Louie Williams, Ward 3	<u> X </u>	_____	_____	_____
Jason Blair, Ward 3	<u> X </u>	_____	_____	_____

Presiding Officer

Attest



Glen Lewis, Mayor, City of Moore



Vanessa Kemp, City Clerk City of
Moore



Randy C. Brink, City Attorney,
Approved as to Form, City of Moore

