

ORDINANCE NO. 2009-4

**AN ORDINANCE DEFINING ACCEPTABLE RESIDENTIAL
OCCUPATIONS WITHIN THE INCORPORATED LIMITS OF THE
CITY OF MAYWOOD PARK****PURPOSE.**

The purpose of this Ordinance is to limit residential occupations to ensure that they are utilized only as accessory uses incidental to the primary residential use of the premises upon which they are located, will not cause external effects which are detrimental to neighboring properties, and are compatible with the characteristics of the City of Maywood Park.

Section 1. Home Occupations – General Requirements.

- A. There shall be no exterior indication of the home occupation, no exterior signs shall be used, and no on-site advertising visible from the exterior shall be used which informs the public of the address of the home occupation.
- B. No home occupation shall be permitted which is objectionable due to noise, smoke, dust, odor, glare, traffic attraction, vibration, or other disturbing influences greater than that of other residential properties in the vicinity.
- C. There shall be no direct contact with clients or customers on the premises, and no residence shall be used for direct sales.
- D. Home businesses are to be limited to one room and not involve other areas of the home.
- E. This Ordinance is not intended to restrict reasonable occurrences of garage sales, estate sales, or fundraising events conducted on a homeowner's property.

Section 2. Businesses.

Business home occupations shall be limited to those activities which are customarily carried on within a dwelling or accessory structure, and which are operated entirely within a building by a member of the family residing in the dwelling unit as a clearly secondary and incidental use of such property. The home occupation must not change the residential character of the dwelling and shall meet all of the following conditions:

- A. No nonresidential employees or any persons other than members of the family residing within the dwelling shall engage in a home occupation therein except as provided for under Section 3 of this Ordinance.

- B. Customer and client contact shall be primarily by telephone, Internet, mail, or in the customers' homes and places of business, and not on the premises of the home occupation.
- C. No physical sale of merchandise shall be made on the premises.
- D. No more than 25% of the gross floor area of the residence shall be used for the home occupation. If a home occupation is conducted within an accessory structure, the home occupation shall not exceed 50% of the gross floor area of the residence.
- E. Home occupation must comply with all other State, County, and City requirements, including Ordinance No. 16, Section 5, which prohibits auto, truck, cycle, or vehicular repair or services within the City of Maywood Park. Ordinance No. 16 declares it a violation for any owner, tenant, possessor, licensee, or occupier of any land or improvement located within the City of Maywood Park to use such land or improvement for the purpose of conducting any business or activity therein or thereon offensive to the residential character of the area within the incorporated limits of Maywood Park.

Section 3. Licensed Adult Foster Home.

An adult foster home (as defined under applicable State law) may be established in any residential district. The home occupation must not change the residential character of the dwelling and shall meet all of the following conditions:

- A. Provide care for five or fewer adults who are not related to the provider by blood or marriage, with exclusions as noted in applicable State law.
- B. Comply with all other applicable City, County, and State standards.

Section 4. Violation – Penalty.

Per the process and definitions set forth in Ordinance No. 2006-4, any owner or person who is convicted of a violation of this Ordinance and/or City of Maywood Park Nuisance Ordinances shall be fined not more than \$1,000.00 (One Thousand and no/100ths Dollars). The penalties set forth in this Section are in addition to and not in lieu of civil remedies.

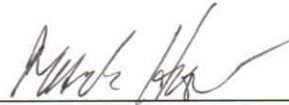
Any person convicted two times for the same violation of this Ordinance shall be considered on the third violation a "habitual offender" and shall be fined no less than \$1,000.00 (One Thousand and no/100ths Dollars) on the third and every subsequent conviction.

Section 5. Appeal.

Violation of this Ordinance will be processed and afforded the opportunity to appeal in accordance to the process outlined in Ordinance No. 2006-4.

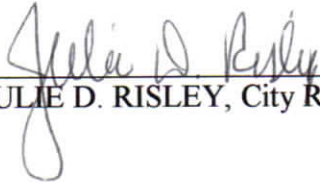
The City Council hereby declares an emergency, declaring that this Ordinance is immediately necessary to secure the continued general public health and general welfare of the citizens of the City of Maywood Park, and that this Ordinance is immediately necessary to conserve, stabilize, and protect property within the incorporated area of the City of Maywood Park. The Ordinance shall take effect and be in force immediately.

PASSED AND APPROVED by the City Council of the City of Maywood Park on the 7th day of April, 2009.



MARK HARDIE, Mayor

ATTEST:



JULIE D. RISLEY, City Recorder/Treasurer