

City of Spirit Lake  
Public Works Department – Code Enforcement Division

REQUIREMENTS FOR CONDUCTING HOME OCCUPATIONS

***Applicability*** – The Home Occupation Code establishes criteria and development standards for the peaceful co-existence of home occupations in residential zones. Home occupations (sale of goods and/or services) are licensed within the City of Spirit Lake and are carried on within the enclosed living area by members of the family residing on the premises. Exclusions include temporary rummage, garage, yard and home sales. Any questions about permitted uses should be reviewed with the Code Officer prior to establishing the home occupation. An application for a home occupation is available from the Public Works Department. The following general requirements are guidelines for the home occupation with the listed application procedures.

General Requirements:

1. The home occupation shall not infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their dwelling or infringe upon or change the intent of the residential zone.
2. The home occupation should not generate significantly greater traffic volume.
3. At any one time only, one commercial vehicle associated with the activities may be parked on the street near the premises.
4. The home occupation is to be conducted only by members of the residing family.
5. Only one non-illuminating wall sign, not over two square feet in area is allowed.
6. If the home occupation is the type in which classes are held, there shall be no more than four students or pupils in the dwelling area.
7. If the home occupation is the type in which customers or clients visit the premises, there shall be no more than six customers or clients in the dwelling unit during any consecutive 60 minutes.
8. Home occupations shall comply, with all local, state, or federal regulations pertinent with the activity. A license shall not be construed as an exemption.
9. A home occupation existing since December 1997 can remain as a non-conforming use.
10. Home occupations shall be limited to 25% of the enclosed living area of the dwelling and not to exceed 300 square feet.

***License Application*** – An application for a Home Occupancy Permit shall be made to the City of Spirit Lake, Code Enforcement Division. The Code Officer will make a decision and notify the applicant in writing within (15) days of the date the application is received. In cases where the Code Officer considers the application not within the scope of the home occupation criteria, the application for the permitted usage will be denied.

***Noncompliance, Enforcement & Appeals*** – The Code Enforcement Division may void any home occupation permit for noncompliance with the criteria set forth in the Zoning Ordinance. Revocation may take place at any time prior to the expiration date of the permit. If the permit is revoked or is not renewed, it becomes null and void, and said use shall be terminated. Applicants shall permit a reasonable inspection of the premises by the Code Enforcement Officer and can conduct compliance field checks annually.

Any aggrieved person believing that a violation or violations of the ordinance is occurring shall notify the code Enforcement Division in writing of such allegations. An investigation shall be conducted with rendered decisions to both parties.

Any person feeling aggrieved by a decision of the code Enforcement Officer may appeal that decision to the Board of Adjustment by filing a written notice of appeal within 30 days and submitting the appropriate fee.

***Application Forms/questions*** – For further information or to request an application, you may stop in at City Hall or call the Public Works Department-Code Enforcement Division at 336-1871.