

HOME BASED BUSINESS MODEL ORDINANCE

An ordinance to amend the code of (Municipality), to provide for home office uses in residential zones.

WHEREAS, as a result of rapidly changing technology, people are capable of conducting certain low intensity and unobtrusive businesses from their homes, and

WHEREAS, the advent and improvement of telephones, answering machines, pagers, cellular communications, broadband cable, copy machines, facsimile machines, computers and the internet have brought changes in the manner in which business may be conducted; and

WHEREAS, the (Municipality) recognizes that with such changes in technology certain business activities may be conducted from a residence without infringement upon the right of all persons residing in a residential zoning district to be free from the adverse impacts of business use; and

WHEREAS, notwithstanding the foregoing, the first priority and paramount concern is to preserve and protect the peace and tranquility of the (Municipality's) residential zoning districts;

NOW, THEREFORE, BE IT ORDAINED by the governing body of (Municipality) as follows:

Section 1. Home office use, meaning an office activity carried on for gain by a resident in a dwelling unit, shall be a permitted accessory use in residential zone districts, provided:

- a. The use is limited solely to office use;
- b. The use is operated by or employs in the residence only a resident or residents who are permanent full-time residents of the dwelling unit, and no other persons;
- c. No non-resident employees, customers, or business invitees or guests shall visit the dwelling unit for business purposes;
- d. The use shall be located in only one room of the dwelling unit, which shall not be served by an entrance separate from the household;
- e. Interior storage of materials shall only consist of office supplies;
- f. There shall be no change to the exterior of buildings or structures because of the use, and no outside appearance of a business use, including, but not limited to, parking, storage, signs, or lights;
- g. The use operates no equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with telephone, radio or television reception, detectable by neighboring residents;

- h. The use does not require any increased or enhanced electrical or water supply;
- i. The quantity and type of solid waste disposal is the same as other residential uses in the zone district;
- j. The capacity and quality of effluent is typical of normal residential use, and creates no potential or actual detriment to the sanitary sewer system or its components;
- k. Delivery trucks shall be limited to U.S. Postal Service, United Parcel Service, Federal Express, and other delivery services providing regular service to residential uses in the zone district; and
- l. All vehicular traffic to and from the home office use shall be limited in volume, type and frequency to what is normally associated with other residential uses in the zone district.

Section 2. This ordinance shall take effect upon final adoption and publication according to law.

Source: New Jersey State League of Municipalities
January, 2000