

SECTION 2110. HOME OCCUPATIONS

1. Purpose. The purpose of this section is to allow for home occupations which are compatible with the neighborhood in which they are located. It is the intent of this section to:
 - A. Insure the compatibility of home occupations with other uses permitted in the residential districts;
 - B. Insure that permitted home occupations are incidental and secondary to the use of a dwelling as a residence;
 - C. Maintain and preserve the character of residential neighborhoods;
 - D. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they are planned and constructed, rather than commercial uses.
2. Approval. Home occupations complying with the criteria established in Section 2110.3 shall be considered minor in character and permitted by right. Major home occupations shall commence only after the receipt of a special exception as outlined in Section 2805.2 of this ordinance.
3. Criteria: minor occupations. Uses classified as minor shall be permitted in all residential districts. The following regulations shall apply to all minor home occupations:
 - A. Such use shall be conducted entirely within a dwelling or within a detached garage located on a single-family detached or single-family semidetached residential lot and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
 - B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character.
 - C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.
 - D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except that orders previously made by telephone, by appointment or at a sales party may be filled on the premises, e.g., direct sales of products off display shelves or racks is not allowed, but a person may pick up an

order placed earlier as described above.

- E. No storage or display of goods shall be visible from outside the structure.
- F. No explosive or highly combustible material shall be used or stored on the premises. No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
- G. A home occupation shall not create significantly greater vehicle or pedestrian traffic than normal for the district in which it is located.
- H. Parties for the purpose of selling merchandise or taking orders shall not be held more than one (1) time each month.
- I. A minor home occupation shall not create a need for off-street parking spaces in excess of those required for a dwelling in 2002.1 of this ordinance. Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses.
- J. No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
- K. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- L. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- M. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- N. Passenger drop-off and pickup areas for minor family day-care centers shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
- O. Permitted minor home occupations are limited to the following:
 - (1) Artists, craftsmen and sculptors;
 - (2) Authors and composers;
 - (3) Office facilities, excluding medical offices and dental offices;
 - (4) Individual tutoring;
 - (5) Preparation of food or food products to be sold or served off site;
 - (6) Individual instrument instruction, provided that no instrument may be amplified;
 - (7) Telephone solicitation work;

- (8) Minor family day-care centers (only in a detached or semidetached single-family dwelling);
- (9) Dressmaking, sewing and tailoring;
- (10) Uses not listed that, in the opinion of the Zoning Officer, are considered to be of the same general character as the minor home occupations permitted.

P. Prohibited minor home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residence purposes. Therefore, the uses specified below shall not be permitted as minor home occupations:

- (1) All uses prohibited as major home occupations;
- (2) Hairstylists/Single chair hairstylist;
- (3) Private schools with organized classes;
- (4) Television and other electrical repairs;
- (5) Upholstering;
- (6) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

4. Criteria: major home occupations. Uses classified as major shall be considered uses by special exception according to this ordinance. In granting any special exception, the Zoning Hearing Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance, it feels are necessary requirements in order to preserve and protect the character of residential areas. The following regulations shall apply to all major home occupations:

- A. Such use shall be conducted entirely within a single-family detached or single-family semidetached dwelling or within a detached garage located on a residential lot as a single-family detached dwelling or single-family semidetached dwelling and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. There may be one full-time equivalent nonresident employee permitted on site. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
- B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character.
- C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be

used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.

- D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except that incidental retail sales may be made in connection with other permitted home occupations, and orders previously made by telephone, by appointment or at a sales party may be filled on the premises.
- E. There shall be no exterior storage on the premises of material used in the home occupation, nor of any explosive or highly combustible material. No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- F. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- G. Parties for the purpose of selling merchandise or taking orders shall not be held more often than one (1) time each month.
- H. A major home occupation that employs a nonresident of the dwelling shall provide one off-street parking space for use by the employee. Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses. If the nature of the major home occupation may result in more than one (1) customer or client to visit the premises at any one time, the Zoning Hearing Board shall specify the number of parking spaces required and the location of such spaces. Additional off-street parking area shall not be located within the required front yard setback or within three (3) feet of any side or rear property line.
- I. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- J. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- K. All major family day-care centers shall furnish a valid certificate of compliance for the proposed facility, issued by the Pennsylvania Department of Public Welfare.
- L. Passenger drop-off and pickup areas for family day-care centers shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
- M. Permitted major home occupations are limited to the following:
 - (1) Any use permitted as a minor home occupation;
 - (2) Medical offices and dental offices;
 - (3) Single-chair hairstylists and personal care facility such as single chair nail

salon;

- (4) Organized classes with up to six (6) students at one time;
- (5) Television and other electrical repairs, excluding major appliances such as refrigerators or stoves;
- (6) Upholstering;
- (7) Minor or major family day-care centers;
- (8) Uses not listed that, in the opinion of the Zoning Officer and upon review and approval by the Zoning Hearing Board, are considered to be of the same general character as the major home occupations permitted.

N. Prohibited major home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and values of a residentially zoned area for residence purposes and are more suited to professional or business districts. Therefore, the uses specified below and other similar uses shall not be permitted as home occupations:

- (1) Minor or major motor vehicle repair, painting of vehicles, trailers, or boats;
- (2) Funeral chapel or home;
- (3) Rental businesses;
- (4) Photo studios;
- (5) Photo development;
- (6) Material fabrication shops or machine shops;
- (7) Small engine repair;
- (8) Production woodworking and cabinetmaking;
- (9) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

5. Home occupation application requirements.

A. The application for a minor home occupation shall be submitted in such a form as the Zoning Officer may prescribe and shall be accompanied by the required filing fee as adopted by the Board of Commissioners. The form shall include, but not be limited to, the following information:

- (1) Name, mailing address and phone number of applicant.
- (2) Street address of the property.
- (3) Description of all activities involved in the business and how the business will operate.

- B. Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application does not conform to the provisions of all pertinent laws, the Zoning Officer shall notify the applicant in writing. Such notification shall include findings in support of the decision and the applicant's right of appeal to the Zoning Hearing Board.
- C. The application for a major home occupation shall be submitted to the Zoning Hearing Board. The Zoning Hearing Board shall conduct hearings and make decisions regarding such applications in accordance with Article XXVIII, Zoning Hearing Board; Administrative Proceedings, of this ordinance.

6. Home occupation permits.

- A. In the event an application is approved, then a home occupation permit shall be issued to the applicant. Said permit shall apply only to the applicant, occupation, and premises stated in the application. The permit is nontransferable and nonassignable. Said permit shall also be deemed to be automatically revoked upon the earliest of the following: the applicant dies; the applicant moves from the premises where the permit was granted; or the applicant otherwise ceases engaging in the home occupation.
- B. Home occupation permits shall expire December 31 of each year and, once granted, may be renewed without additional hearings, subject to the provisions of this section, by completing the renewal form prescribed by the Zoning Officer and paying the annual permit fee as adopted by the Board of Commissioners. Failure to apply for renewal and/or failure to pay for the annual permit shall be grounds for revocation of a permit.
- C. There may be one (1) annual inspection each year by the Zoning Officer, or designee, of home occupations issued a home occupation permit. In addition, the Zoning Officer, or designee, shall have the right, at any time, upon reasonable request, to enter and inspect the premises covered by said permit for compliance purposes.

7. Existing home occupations. Any person engaged in a home occupation at the time of the passage of this ordinance shall have a period of ninety (90) days from said date to apply for a home occupation permit, subject to the following:

- A. The applicant must provide adequate proof that he or she has been engaged in a home occupation prior to the date this ordinance was passed.
- B. The applicant must provide adequate proof that the home occupation met the Township requirements in effect at the time the home occupation was established.