

Village of Los Ranchos
HOME OCCUPATION PERMIT

NAME: _____ ADDRESS _____

TELEPHONE _____ CELL _____ ZIP CODE _____

EMAIL ADDRESS _____ WEBSITE _____

BUSINESS NAME: _____

CRS # _____ *please attach copy of CRS # Certificate*

Applicant is:

Individual

Partnership

Corporation NMSCC # _____

LLC

DOES THE STATE OF NEW MEXICO REQUIRE A LICENSE FOR THIS OCCUPATION YES NO

If yes, please attach copy of license.

NATURE OF BUSINESS: _____

NUMBER OF VEHICULAR TRAFFIC (*clients, buyers, deliveries, etc...*) INCREASE PER DAY:

LIST ANY EQUIPMENT: (*trucks, heavy equipment, trailers, etc.*) _____

DESCRIBE ARRANGEMENTS FOR MERCHANDISE STORAGE: (*i.e. landscaping, boxes, pallets, etc...*) _____

NATURE OF ANY EXPLOSIVE, FLAMMABLE, TOXIC, OR HAZARDOUS MATERIALS-(*Paint, lacquer, cleaning supplies, etc.*) _____

LIST OUTSIDE ACTIVITIES: _____

NUMBER & TYPE OF EMPLOYEES: _____

SIGNS REQUESTED: (*Sign permit required*) _____

A diagram must accompany application showing area and percentage of home used in Home Occupation Business.

Please Initial:

_____ Every home occupation permittee shall comply with all federal, state, county, and municipal laws, and regulations applicable to permitted occupations and the failure to do so shall constitute grounds for revocation.

_____ Each home occupation requires an annual permit fee of \$15.00 for license and \$35.00 for business registration, for a total of \$50.00. Public Notice is required with fees.

_____ All home occupations must abide by the regulations of the zone in which the home is located.

_____ Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by a Village designated personnel.

I swear that the above information is true and correct to the best of my knowledge. I have read the Home Occupation Ordinance and agree to the conditions and terms contained therein.

PRINT NAME

SIGNATURE

JURAT

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

Subscribed and sworn to (or affirmed) before me on this the _____ day of _____, 2010.

BY: _____

My Commission Expires: _____

NOTARY PUBLIC

OFFICE USE ONLY

DATE: _____

TYPE: _____

HO # _____

CHECK # _____ CASH

RECEIPT # _____

AMOUNT _____

STAFF INITIALS _____

ORDINANCE 183 SECTION 24 (D)
D. PLANNING DIRECTOR ISSUED PERMITS.

(5) Home Occupation Permit. A home occupation is any use or activity clearly incidental and secondary to the use of a premise as a dwelling. (Ordinance 218)

(a) Permit Required. It shall be unlawful for any person, either directly or indirectly to conduct any home occupation without a permit approved by the Planning Official or Commission.

(b) Procedure for issuance of permit.

1) Every person required to procure a permit under the provisions of this paragraph shall submit an original permit application to the Village. The application shall be in such form and require such information as the Planning Official shall determine.

2) Public Notice shall follow (F) (1) (b).

3) The permit application shall be accompanied by the first permit and business license fee

4) The Zoning official shall review all applications for permits and, if there is no adverse public comment during the fifteen day posting period, approve the permit.

5) If adverse public comment is received, the home occupation permit application shall be heard at a regularly scheduled public meeting of the Planning and Zoning Commission.

6) Whenever the Zoning Official determines, in his or her discretion, that an application for permit is contrary to Village law, detrimental to the health, safety, or welfare of the Village or its inhabitants, or that the applicant is not acting in good faith, then the Zoning official shall recommend denial of the home occupation permit application to the Planning and Zoning Commission.

(c) Conditions of approval. If approved a permit for home occupation shall be subject to the following conditions:

1) It shall be conducted entirely within the residence or accessory buildings, by persons living at the residence as the primary business operator. Up to two additional employees may be employed by the business.

2) No more than twenty-five percent (25%) of the floor area of the dwelling and one thousand (1,000) square feet of an accessory building shall be used to conduct a home occupation.

3) It shall not generate significant vehicular traffic or parking around the residence in addition to that normally associated with the use of the residence as a dwelling. Up to ten business related trips per day shall be considered negligible.

4) Any heavy equipment, trucks or vehicles not normally associated with residential use which may be used directly or indirectly in the home occupation shall not be stored or parked on public streets or property.

a) With specific approval of the Planning and Zoning Commission, there shall be permitted no more than two service vehicles, used in the conduct of the business, upon the premises at any one time.

b) There shall be no idling vehicles, nor diesel trucks greater than one (1) ton permitted on the premises. For the purpose of this regulation, a service vehicle is a car, SUV, pick-up truck or panel van.

5) There shall be no change in the outside appearance of the residence or accessory building or other visible evidence of the conduct of the home occupation except that a small non-illuminated sign of not more than four square feet that blends with the aesthetic quality of the neighborhood may be approved by permit.

6) Any sales shall be limited to products or services generated or provided by the residents and must not disrupt the residential nature of the neighborhood.

7) There shall be no storage of materials or displays of merchandise visible from outside the lot lines of the residence.

8) There shall be no storage of materials or products which are explosive, flammable, toxic or otherwise hazardous to persons living within the residence or to the public.

9) No activity shall be performed outside of the dwelling or accessory building which is not normally associated with the use of the residence as a dwelling.

10) The conduct of the business must not produce offensive noise, vibration, fumes, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare electrical interference or other objectionable effects beyond the exterior walls of the dwelling or accessory building.

11) The Planning and Zoning Commission may impose such other conditions as it deems reasonable under the circumstances and those conditions shall be recorded on the approved home occupation permit.

12) Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by Village designated personnel.

(d) Duration and Renewal. A home occupation permit shall remain in effect and an Annual Renewal License form must be submitted by December 31 of each year.

1) The Home Occupations permit fee may not be prorated for home occupations conducted for a portion of the year.

2) An Annual Renewal License form shall be filed on or before December 31 of each year. The Form shall be in such format as the Planning Official shall determine and shall be accompanied by the annual fees.

3) Renewal of each existing license is subject to approval of the Planning Director when no complaints or violations have been documented. Annual license renewals do not require public notice.

4) Permits which have received complaints or violations at any time during the year shall follow (7) Home Occupation Revocation procedures.

(e) License Renewal Fee. The annual license renewal fee shall be \$15.00. The fee shall be in addition to the Business Registration required by State Law.

1) Any person who fails to make a timely renewal shall be subject to a late fee of \$10.00 per year. The late fee is in addition to any penalties which may be imposed for violation of this ordinance.

(f) Duties of Permittee. Every home occupation permittee shall comply with all federal, state, county and municipal laws and regulations applicable to such permitted occupation and the failure to do so shall constitute grounds for revocation. Each permittee shall post a current license on the premises where it is visible at all times.