

***NEZ PERCE TRIBAL
HOUSING AUTHORITY
FINAL***

HOME BUSINESS POLICY

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PURPOSE: To establish parameters for approving a home business so as to prevent the operation of home businesses which would infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

SCOPE: 1. Applies to all residential property on the Reservation.

POLICY: A resident may request NPTHA permission to operate a small business in the unit if it meets the criteria established by the NPTHA Home Business Policy.

No home business which requires use of the premises outside the interior of the home will be permitted.

No home business that will increase the insurance rate or risk of the Property will be permitted.

1.01 Definitions

- A. A home occupation is an activity, profession, or craft carried on entirely within a residence by the occupants; which activity is clearly incidental to the use of said residence as a dwelling and does not change the residential character of it; is conducted in such a manner as to not give any outward appearance of a business in the ordinary meaning of the term; so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence other than for a nameplate, as permitted; and which does not infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

The home occupation is carried on with no more than one employee other than members of the family. The occupation must be incidental to the residential use and no more than 25 percent of the gross floor area of the home used. No exterior display by the business is allowed or any use which will disturb the neighborhood. Off-street parking must be provided and delivery of materials by commercial vehicles is prohibited.

1.02 Application

A business permit is required whenever you wish to operate an occupation out of your home. Consideration of a permit to operate an occupation out of your home will be scheduled by the Housing Authority upon receipt of a completed formal Housing Authority application. Staff will be available to assist in completing the application. Application forms are available at the Housing Authority.

1.03 Review Process

A home business permit application usually takes 30 days to process. Housing Authority staff will review the application for and make a recommendation to the Executive Director who will render the final decision.

1.04 Denials

An appeal of a denial may be made to the Board of Commissioners in accordance with the NPTHA Grievance Policy.

1.05 Applicability of Approval

Home business permits are approved only for the applicant and shall not be transferable to a subsequent owner or occupant of the home.

1.06 Permitted Home Occupations

Authorized home occupations include, but are not limited to the following and are permitted in any dwelling unit, subject to the following provisions:

- Artists, authors, sculptors;
- Barber and beauty shops;
- Dressmakers, seamstresses, and tailors;
- Family and day care home, limited to not more than six (6) children, not including the children or step-children of the child care provider;
- Home crafts, and instruction in arts and crafts, limited to not more than six (6) participants;
- Lawyers, architects, engineers, Realtors, insurance agents, brokers, accountants, consultants, and members of similar professions
- Music or dancing teachers, provided that the instruction shall be limited to six (6) pupils at a time, except for occasional groups;
- Photographers;
- Physicians, dentists, or other licensed medical practitioners;
- Repair of household appliances, radios, television sets, and similar electronic devices;
- Sales of items grown on the premises; this is not meant to limit the processing of certain food products such as wine, jellies, canned fruits or vegetables. Sale of such items shall be limited to seasonal availability. No sales shall be made for a greenhouse or hothouse accessory to a building;

- Telemarketing/Internet marketing

1.07 Home Occupations Not Permitted

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 occupation and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses specified below shall not be permitted as home occupations:

- Auto repair, minor or major;
- Cabinet shop;
- Gift shop or antique shop;
- Painting of vehicles, trailers or boats;
- Photo developing, retail;
- Wood lots and on premises firewood sales;
- Businesses in which more than one person not an occupant of the residence reports to the site of the business office to receive work assignments, material or payroll;
- Repair of any internal combustion engines;
- Nursery or garden shop
- Construction business in which equipment is stored or repaired on site.

1.08 Use Limitations

An occupation which does not comply with the following criteria shall not be deemed a “home occupation”.

- Not more than one person other than members of a family residing on the premises, shall be engaged in such occupation on the premises;
- The portion of the dwelling unit used for a home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than one fourth (1/4) of the gross area of one floor of said dwelling shall be used for the home occupation;
- No exterior display, including window displays, shall be permitted;
- No outdoor storage shall be permitted;
- Exterior signs shall be restricted to those permitted in the zone in which the home occupation is located;
- There shall be no other exterior indication of the home occupation;
- No home occupation shall be conducted in such a manner, and/or no materials or mechanical equipment shall be used, which will be detrimental to the residential use of said residence or cause a nuisance to surrounding residences, because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other

factor;

- Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front or side yard;
- The home occupation shall not involve the use of commercial vehicles exceeding one and one half (1-1/2) ton capacity for delivery of materials to or from the premises;
- The occupation shall be conducted only in the dwelling unit and not in a building which is detached from the dwelling unit, unless a conditional use permit is obtained;
- No article shall be sold on the premises, except such as is produced by the occupants on the premises, unless a conditional use permit is obtained.
- The cumulative impact of multiple home occupations licensed at a single address shall not exceed the criteria set for a single home occupation.