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ORDINANCE NO. 2017-\_\_\_\_

AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF FOREST ACRES, BE AMENDED BY REVISING SECTION 21.146 HOME OCCUPATIONS OF SAID CODE; PROVIDING FOR ADDITIONAL REQUIREMENTS.

WHEREAS, the Mayor and Council of the City of Forest Acres deem it necessary to add additional limitations and requirements for property upon which home occupations are conducted;

NOW, THEREFORE, pursuant to the power vested in the Council of the City of Forest Acres by virtue of Sections 5-7-30 and 5-7-260 (1), Code of Laws of South Carolina, 1976, as amended; and to promote and preserve public health, safety and the general welfare of the City.

BE IT ORDAINED BY THE CITY COUNCIL, City of Forest Acres:

Section 1. That the Code of Ordinances of the City of Forest Acres be amended by revising section 21.146 to read as follows:

Home Occupations

Home occupations shall meet the following requirements:

- (1) The occupation, profession or trade is carried on wholly within the principal ~~building residence or in an approved fully enclosed accessory structure or~~ other building not to exceed --- square feet located in the back yard of the property blocked from view from any adjacent street or residential property, hereinafter referred to in this section as "permitted structure";
- (2) Not more than twenty (20%) per cent of the floor area of the residence is used for conducting the home occupation;
- (3) No sighs, merchandise or any type of other article is displayed for advertising purposes or in such a manner visible from outside of the residence or permitted structure;
- (4) ~~No merchandise or articles~~ All merchandise, product, equipment, implements, machinery, tools, supplies, or construction materials must be are stored or contained inside of the ~~principal building residence or permitted structure~~ and under no circumstances on the yard or grounds of the residential property. No construction debris of any type, except during periods of construction on the property, shall be allowed unless contained in the residence or a permitted structure;
- (5) No alteration of the residential character of the ~~building or premises property or structure on the property;~~
- (6) Only persons residing in the residence may be employed and/or work on the property of the home occupation;
- (7) No traffic shall be generated by such home occupation in greater volume than would be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be ~~met off the street and other than in a required front yard provided on the premises and not on the street;~~

(8) The home occupation shall not produce any detectable fumes, odors, dust, heat, noise, vibration, glare, electromagnetic field, electrical interference, or other effects outside of the permitted structure;

(9) No parking of any type of vehicle other than passenger vehicles, to include pickup trucks and vans, shall be parked in the front yard of any property or side yard adjacent to a road or street open to the general public, except as provided in Section 21.7.2b3;

(10) Compliance with Section 21.7.2b, Residential District, Prohibitions; and

(11) The owner or tenant shall register as a business with the city and pay all applicable business and occupational fees and/or taxes.

Any occupant violating this section and/or any property owner failing to comply with any provision of this section shall be guilty of a misdemeanor, with penalty as provided by law, each day of violation constituting a separate offence. The provisions of this section are fully enforceable against both the owner and occupant of the property.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Effective date. The effective date of this ordinance shall be immediately upon its passage.

ORDAINED AND ADOPTED under the Corporate Seal of the City of Forest Acres, State of South Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

Attest:

\_\_\_\_\_ City Clerk

Approval of City Attorney as to form: \_\_\_\_\_

Person Requesting Ordinance: Council

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Planning Commission Recommendation: \_\_\_\_\_

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- (2) Not more than twenty (20%) per cent of the floor area of the residence is used for conducting the home occupation;
- (3) No signs, merchandise or any type of other article is displayed for advertising purposes or in such a manner visible from outside of the residence or permitted structure;
- (4) All merchandise, product, equipment, implements, machinery, tools, supplies, or construction materials must be stored or contained inside of the residence or permitted structure and under no circumstances on the yard or grounds of the residential property. No construction debris of any type, except during periods of construction on the property, shall be allowed unless contained in the residence or a permitted structure;
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- (11) The owner or tenant shall register as a business with the city and pay all applicable business and occupational fees and/or taxes.

Any occupant violating this section and/or any property owner failing to comply with any provision of this section shall be guilty of a misdemeanor, with penalty as provided by law, each day of violation constituting a separate offence. The provisions of this section are fully enforceable against both the owner and occupant of the property.

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MAYOR

\_\_\_\_\_  
COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

Attest:

\_\_\_\_\_ City Clerk

Approval of City Attorney as to form: \_\_\_\_\_

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