

# CITY OF DES MOINES HOME OCCUPATION BUSINESS LICENSE PACKET

We wish to take this opportunity to welcome you and your business to the community. Des Moines Municipal Code 5.04.020 requires all persons wishing to conduct any business within the City of Des Moines to first secure a license to do so. Attached is the form for obtaining a City of Des Moines Home Occupation Business License:

- Please complete this form, sign and return with the application fee.

A memorandum with Administrative Guidelines is also attached. The memo lists four guidelines to be used to promote consistency and ensure that home occupations do not adversely affect the residential qualities of the location in which they operate.

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## ***Information About Your City of Des Moines Home Occupation Business License***

- UBI numbers are issued by the Department of Revenue. Their general information phone number is 1-800-647-7706.
- Your Parcel ID number is located on your property tax statement.
- City of Des Moines business licenses are **not** transferable and are issued for a specific location. If your business changes locations, a new business license application must be submitted.
- Business licenses expire December 31st of the year issued. Failure to renew your license by February 15th of the following year results in a 100% late penalty. We will send a renewal notice to your mailing address by December 15th. If you have not received it by January 1st, please contact the City Clerk' office to confirm your mailing address.
- Remember, an incomplete application may delay the processing of your license. Be sure to review your application prior to submittal.
- City staff will make every attempt to issue your license in a timely manner. Please allow two to three weeks for issuance of your license.
- **B & O TAX:** For businesses with gross receipts greater than \$50,000, the tax rate is equal to two-tenths of one percent (.2%) of their gross receipts. Businesses with gross receipts equal to or less than \$50,000 per year are not required to pay the tax, although it is still necessary for the business to file a return.

## HOME OCCUPATION LICENSE

DMMC 18.04.322 defines “home occupation” as follows: “Home occupation” means an occupation customarily incident to the use of the premises as a dwelling place and not one in which the use of the premises as a dwelling place is largely incidental to the occupation carried on; provided, such occupation is carried on by a member of the family residing within the dwelling place.”

DMMC 18.08.020(18) lists “home Occupation” as a permitted use in the RS Single Family Dwelling Classification subject to the following conditions:

- “(a) Occupation shall be conducted entirely within the dwelling and not in an accessory building, except for a bona fide garage;
- (b) Such use does not involve construction features not customary or incidental in a dwelling;
- (c) The entrance to the area used for the home occupation shall be only from an entrance customary to a residential use and not exceeding four feet in width at its opening;
- (d) There shall be no signs related to the home occupation or other exterior evidence of the occupation being conducted within the dwelling, including functional evidence;
- (e) Such home occupation is approved by the City Manager, the criteria for such approval to be whether such home occupation will adversely affect the residential qualities of the location in which it will operate. Without limitation, factors for such decision may be size of building, parking, potential noise, potential nuisance, potential traffic, and the like;
- (f) The decision of the City Manager may be appealed to the hearing examiner by filing a written notice of appeal with the City Clerk within 10 days of the mailing of the notification of denial. The appeal is heard as provided in the hearing examiner code, except the decision of the hearing examiner is final and is not appealable to the City Council. The decision of the hearing examiner is appealable by writ of certiorari to the King County Superior Court in accordance with DMMC 18.94.300;
- (g) Should a business license be granted and should the nature of the business thereafter acquire features that may have resulted in a denial of a business license in the first instance, the City Manager shall have the authority to revoke the business license and the provisions codified in DMMC 5.04.020, 5.04.030, 5.04.060, 5.04.070, and 5.04.090 shall become effective;
- (h) Motor vehicle operations are prohibited;”

### **Administrative Guidelines Applied to License Review**

Condition (e) above lists several factors to be used by the City Manager in approving home occupations, but does not provide clear guidelines as to how the factors are to be consistently applied. In order to promote such consistency and insure that home occupations do not adversely affect the residential qualities of the location in which they operate, the following guidelines are to be used by the City in reviewing business license applications for home occupations:

1. In order to minimize the impacts of parked vehicles, home occupations which involve clients, customers or employees coming to the home shall have sufficient parking on site and/or on the street immediately in front of the site. In determining the availability of parking space, the City will consider the number of vehicles existing on the site during the hours of business operation in addition to those coming to the site. Also considered will be the suitability of the site and/or street to safely accommodate parked vehicles.
2. In order to minimize traffic impacts, home occupations shall generally have no more than eight (8) clients, customers, employee, noncommercial deliveries, or combination thereof, coming to the site each day.
3. In order to minimize the intrusion of commercial vehicles into residential neighborhoods, home occupations shall have no more than one delivery per week by commercial vehicles.
4. Home occupations which will create nuisances such as noise, odors, light or glare shall not be allowed. In instances where the City Manager determines that such nuisances are unlikely but are potential, a business license may be granted on the condition that the licensee agree to allow the City to conduct an unannounced inspection of the premises during the time of any normal or suspected hours of business operation.