CITY OF BARTLESVILLE
NEW HOME BASED BUSINESS LICENSE APPLICATION

401 S. Johnstone, Bartlesville, OK 74003 Phone (918) 338-4218 or (918) 338-4244

INSTRUCTIONS: Please complete application (print or type only). Do not write in shaded areas. Licensing period runs from July 1 to June 30 of each year. Business license must be renewed annually. Return application with a check for the required fee made payable to the **City of Bartlesville.**

OFFICE USE ONLY

1 Business Type:

2 Business Start Date (at this location):

3 Primary Function of Business:

4 Is this a new business? _____ Yes _____ No
Is this a new location for an existing business? _____ Yes _____ No

SIC #

County Parcel No.

5 D.B.A. (Name of Business): _____

Date of CO Inspection:

Business Location: _____

City _____ State _____ Zip _____

Inspector:
Reeves
Williams
Other _____

Mailing Address (if Different from Business Location):
Address _____
City _____ State _____ Zip _____

6 Owner/Principal/Corp. Officer:
Name _____ E-mail address: _____
Title _____
Address _____
City _____ State _____ Zip _____
Telephone No. _____ Fax No. _____

CO #

(Copy Attached)
ZONING DISTRICT:

7 Business Ownership Status:
_____ Sole Proprietor _____ Partnership _____ Corporation
_____ LLC _____ Non-Profit _____ Other:

8 Emergency Contact Information: (Required for fire and police protection)
Name _____
Telephone No. _____

CHECKLIST:
___ Minor Home Occ
___ Major Home Occ
___ ODEQ Approval
___ Beer Sales
___ Liquor Sales
___ State Sales Tax
___ Vending Machine
___ Contractor Reg
___ Temp Bus Lic

9 Applicant Contact Information:
Business Phone No.

10 Federal Employer's ID #:
OR Social Security #:

11 Is this an out-of-town contractor? Yes No
If yes, in what city is the business located?

12 Is your business:
Door-to-door solicitation? Yes No
Temporary location (in a tent, stand, or structure): Yes No
If yes, Temporary Business License must be issued.
State License Required? Yes No Type
Local Registration of State Licenses Required for Contractor and Journeymen, with annual renewal due on same day as state renewal.
Sign Contractor? Yes No (Insurance Filing Required)

13 Is this a home occupation? Yes No
Approved Minor Home Occ License No. (copy attached)
Approved Major Home Occ License No. (copy attached)

14 Does your business involve the sale, transport, or manufacture of food or beverage? Yes No
If yes, has State Health Dept approval been granted? (918-335-3005)

15 Does your business involve the sale of beer, on or off premises? Yes No
Approved Beer Licenses No. (copy attached)

16 Does your business involve the sale of liquor, on or off premises? Yes No
Approved Liquor License No. (copy attached)

17 Does your business include vending machines, video games, pool tables, and other coin-operated amusement devices on premises?
Yes _____ No _____

If yes, Vending Machine Permit required.

18 Does your business involve the sale or rental of tangible personal property (merchandise, goods or products) or the furnishing of specified services (transportation, meals, lodging, parking, etc.)? Yes _____ No _____

If yes, Oklahoma State Sales Tax Permit is Required. **(405-521-3160)**
State Sales Tax Permit Number: _____

FEE: $40.00/year
($20.00 bi-annually)
Duplicate: $ 10
Temporary Business:
Annual: $100
Daily: $5 Monthly: $30
Weekly: $15
TOTAL DUE:

I declare under penalty of perjury that the above application is true and correct to the best of my knowledge. I certify that I will operate my business in accordance with all applicable Federal, State and City laws and regulations. I further understand that any false statements made above are grounds for denial, cancellation, suspension, or revocation of the business license and/or certificate of occupancy.

Application Approved By:
(Land Use/Planning)

_____ _____ _____
Signature of Owner or Authorized Agent **Title** **Date**

Application Approved By:

Chief Building OFficial

6/19/2017

APPLICATION FOR HOME OCCUPATION LICENSE

Name of Applicant:_____ Phone No.:_____

Address of Applicant:_____

Name of Business: _____ Type of business: _____

PLEASE CIRCLE YOUR ANSWERS

1. Is your home-based business located on the same parcel of land as your residence?	Yes	No Please explain:	
2. Is your home-based business clearly incidental and secondary to the residential use of the property?	Yes	No, my business is the primary use of this property.	
3. Are all home-based business activities to take place in an enclosed structure?	Yes	No Please explain:	
4. How many employees will you have who do NOT reside in the home?	None or 1	2 or More	
5. What will be the hours of operation? (NOTE: This includes pick up and delivery of materials associated with your home-based business.)	8 a.m. to 8 p.m.	Before 8 a.m. and/or After 8 p.m.	
6. Do you expect traffic associated with your home-based business to exceed an average of one vehicle trip per allowed hour of operation in a given day? (NOTE: This includes traffic associated with pick up and delivery.)	No	Yes	
7. How many commercial vehicles will you use for your home-based business?	None or 1	2 or more	
8. What is the maximum truck size you expect to use for your home-based business? (NOTE: This includes vehicles used for pick up and delivery.)	2 tons	More than 2 tons	N/A
9. If you plan to have employees who do NOT reside in the home, will one off-street parking space be provided for each employee?	Yes	No Please explain:	N/A
10. How many on-street parking spaces will be needed for your home-based business?	2 or less	3 or more	
11. Do you plan to have storage of materials, equipment, or trailers outside an enclosed structure? (NOTE: Indoor storage of materials shall not exceed the limitations imposed by the provisions of the Building, Fire, Health, and Housing Codes.)	No	Yes	
12. How many signs do you plan to have for your home-based business?	None or 1	2 or more	
13. What is the planned size of your sign in total square feet?	3 sq.ft. or less	More than 3 sq.ft.	N/A
14. Will your sign be free standing and/or illuminated?	No	Yes	N/A

Minor Home Occupation

I, the applicant, have read and understand the Zoning Regulations pertaining to the operation of a Minor Home Occupation and agree to adhere to the performance standards and limitations provided therein.

Signature: _____ Date: _____

For Office Use Only

☐ Approved

☐ Denied Signature: _____ Date: _____

Major Home Occupation

I, the applicant, would like to apply for a Major Home Occupation Permit and request the following limitations be approved by the Board of Adjustment:

1. Number of employees who do not reside on the premises: _____.
2. Hours of operation: _____a.m. to _____p.m.
3. Average number of vehicle trips per hour of operation in a given day: _____.
4. Number of commercial vehicles used for business: _____ Size of vehicle(s): _____tons.
5. Maximum truck size expected for pick up and delivery: _____tons.
6. Number of on-street parking spaces needed: _____.
7. Will materials be stored outside an enclosed structure? ☐ Yes ☐ No
8. Number of signs: _____.
9. Size of signs: _____sq.ft.
10. Type of signs: ☐ Wall mounted ☐ Freestanding
11. Other: _____

Signature: _____ Date: _____

NOTE TO APPLICANT: YOU ARE ADVISED TO CHECK ANY PRIVATE DEED RESTRICTIONS ON YOUR PROPERTY WHICH MAY PROHIBIT THE ESTABLISHMENT OF A COMMERCIAL OPERATION IN YOUR HOME. WHILE THE CITY OF BARTLESVILLE DOES NOT ENFORCE SUCH PRIVATE RESTRICTIONS, IT IS WISE TO SEE IF ANY SUCH RESTRICTIONS EXIST ON YOUR PROPERTY PRIOR TO INVESTING IN THE ESTABLISHMENT OF A HOME OCCUPATION IN ACCORDANCE WITH CITY REGULATIONS.

SECTION 7 - SPECIAL CONDITIONS

7.1 General. Subsections 7.2 through 7.11 describe the special conditions under which certain uses are permitted in a zoning district when reference is made to one or more of said subsections in the "Special Conditions" column in the tables of permitted uses. Where special conditions are widely applicable reference should be made to subsequent subsections.

7.2 Home Occupations

7.2.1 General Provisions

A. Statement of Intent. The purpose and intent of the Home Occupation provisions contained herein is to permit and regulate the conduct of business in residentially zoned areas within the jurisdictional boundary of the Bartlesville Metropolitan Planning Area, but to do so with the overriding need to:
   1. Ensure the compatibility of Home Occupations with other uses permitted in residential districts;
   2. Maintain and preserve the character of residential neighborhoods; and
   3. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed.

B. Definitions.
   1. Home Occupation: Any business or commercial activity conducted within a residential dwelling unit or an approved accessory building located within any residential zoning district which is approved and permitted pursuant to the provisions of this Section. Said Home Occupation shall be located on the same parcel as the primary residential dwelling unit and shall be clearly incidental and secondary to the primary residential use of the parcel.
   2. Accessory Building: A subordinate building, located on the same parcel as the main building, the use of which is clearly incidental to the residential use of the parcel.
   3. Parcel: A contiguous quantity of land in the possession of or owned by, or recorded as the property of, the same person or persons. For the purposes of the regulations contained in this Section, a parcel of land may include more than one legal lot of record which adjoins continuously along the side or rear property line for a minimum length which is at least 50 percent of the length of said side or rear property line. Any adjoining parcel which does not meet this minimum length requirement shall be considered a separate parcel for the purposes of these regulations.

C. Classification and Permitting.
   1. A Home Occupation shall be classified as either a Minor Home Occupation or a Major Home Occupation as defined below. The distinction between these two classes of Home Occupations is based primarily upon the degree of impact the Home Occupation will have upon the residential neighborhood. The Performance Standards for the operation of the Home Occupation shall determine whether the proposed Home Occupation is a minor or major Home Occupation. Separate permitting procedures shall apply for each of these two types of Home Occupations.
      a. Minor Home Occupation: A Home Occupation which is permitted by right in any residential zoning district.
      b. Major Home Occupation: A Home Occupation which is permitted conditionally with approval by the Board of Adjustment, after a public hearing, whereupon the Board may elect to impose reasonable conditions which are necessary to ensure the purpose and intent of this Section.
   2. No Home Occupation shall be permitted without the prior issuance of either a Minor Home Occupation Permit or a Major Home Occupation Permit. Said permit shall be granted through an application and approval procedure as defined in this Section.

7.2.2 Performance Standards. Home Occupations shall be permitted as accessory uses within any residential zoning district provided they meet the Performance Standards contained in this Section in addition to all of the requirements of the district in which located.

A. Criteria for a Minor Home Occupation. A Home Occupation shall be classified as a Minor Home Occupation if it complies with all of the following performance criteria:

1. A Minor Home Occupation shall not change the exterior character of the dwelling. No external alterations inconsistent with the residential use of the property shall be permitted, with the exception of external signage as discussed herein.
2. A Minor Home Occupation is permitted one (1) non-illuminated wall mounted sign not to exceed three (3) square feet in area. Signage permitted for the operation of a Minor Home Occupation shall be used solely for the purpose of identification (limited to the name and/or occupation and address) and shall not be used for advertising of the home occupation.
3. A Minor Home Occupation may employ any number of family members who reside on the parcel and may employ up to one (1) additional person who does not reside on the parcel.
4. Approved hours of operation for a Minor Home Occupation shall be between the hours of 8 o'clock a.m. to 8 o'clock p.m. Traffic associated with pickup and deliveries shall also be limited to these hours of operation.
5. A Minor Home Occupation shall not generate traffic exceeding an average of one (1) vehicle per hour during approved hours of operation. This includes traffic associated with pickup and deliveries to the parcel. Traffic associated with a Minor Home Occupation, including pickups and deliveries, is allowed only during approved hours of operation (8 a.m. to 8 p.m.) and shall not impede traffic circulation within the neighborhood.
6. A Minor Home Occupation shall not utilize, park and/or store at the parcel more than one (1) private commercial vehicle not to exceed a capacity of two (2) tons. This weight limit of vehicles shall also apply to the pickup and delivery of materials to and from the parcel.
7. One (1) off-street parking space is required for a Minor Home Occupation if a non-resident employee is utilized in the operation of the Minor Home Occupation. This required parking space shall be in addition to the number of off-street parking spaces required for the residential dwelling use. In addition, a maximum of two (2) on-street parking spaces shall be allowed for a Minor Home Occupation.
8. There shall be no outdoor storage of materials or products associated with a Minor Home Occupation on the parcel. The indoor storage of materials or products shall not exceed the limitations imposed by any applicable regulations of any authority having jurisdiction, including, but not limited to the fire code, building code, and electrical code.
9. All business activities associated with a Minor Home Occupation shall take place within an enclosed structure, either within the primary dwelling unit or an accessory building located on the same parcel. If an accessory building is used, said structure shall conform to all applicable Home Occupation regulations contained in this Section.
10. A Minor Home Occupation shall not generate sewerage or water usage in excess of what is normal in the residential neighborhood.
11. No equipment or process shall be used in a Minor Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable residential zoning district.
12. The primary use of the parcel upon which the Minor Home Occupation is situated shall clearly be the applicant's private residence.
13. A Minor Home Occupation shall have an approved occupational license and any other license(s) as mandated by applicable local, state, and/or federal laws.

B. Criteria for a Major Home Occupation. A Home Occupation shall be classified as a Major Home Occupation if its operational characteristics exceed the Performance Standards for a Minor Home Occupation. A Major Home Occupation shall be permitted only with approval from the Board of Adjustment, after a public hearing, and in accordance with any special conditions imposed upon the issuance of the Major Home Occupation Permit by the Board.

It should be noted that the Board, in reviewing and approving each individual Major Home Occupation Permit, shall establish upper limits on the operational characteristics of the Home Occupation. These upper limits shall be considered the maximum operating limits for that particular Home Occupation. When the Major Home Occupation matures and exceeds these operating limitations, the business shall be considered a non-residential use and shall be required to relocate to a properly zoned commercial/industrial site. To this

extent, the following Performance Standards shall apply to the review and issuance of a Major Home Occupation Permit:

1. A Major Home Occupation shall not change the exterior character of the dwelling. No external alternations inconsistent with the residential use of the property shall be permitted, with the exception of external signage as discussed herein.
2. The location, size, number, and illumination of allowed signs for a Major Home Occupation shall be as declared in the approved permit. Signage permitted for the operation of a Major Home Occupation shall be used solely for the purpose of identification (limited to the name and/or occupation and address) and shall not be used for advertising of the home occupation.
3. A Major Home Occupation may employ any number of family members who reside on the parcel and may employ one (1) or more additional employees not residing on the parcel. The maximum number of employees allowed for a Major Home Occupation shall be as declared in the approved permit.
4. A Major Home Occupation may operate outside the typical operating hours of 8 o'clock a.m. to 8 o'clock p.m. This shall include traffic associated with pickup and deliveries. Approved hours of operation for a Major Home Occupation shall be as declared in the approved permit.
5. A Major Home Occupation may generate traffic in excess of an average of one (1) vehicle per hour during approved hours of operation. This includes traffic associated with pickup and deliveries to the parcel. Limitations on traffic for a Major Home Occupation shall be as declared in the approved permit. However, traffic associated with a Major Home Occupation, including pickups and deliveries, shall not impede traffic circulation within the neighborhood.
6. A Major Home Occupation may utilize, park and/or store at the parcel one (1) or more private commercial vehicles in excess of a two (2) tons capacity. Commercial vehicles used for the pickup and delivery of materials to and from the parcel may also exceed two (2) tons capacity. The number and size of vehicles permitted in the operation of a Major Home Occupation shall be as declared in the approved permit.
7. One (1) off-street parking space is required for a Major Home Occupation if a non-resident employee is utilized in the operation of the Major Home Occupation. This required parking space shall be in addition to the number of off-street parking spaces required for the residential dwelling use. In addition, the number of on-street parking spaces allowed shall be as declared in the approved permit.
8. Outdoor storage of materials or products on the parcel may be permitted in accordance with the approved permit. It should be noted that in reviewing the request for outdoor storage in conjunction with an application for a Major Home Occupation, the Board may require screening of stored materials. The indoor storage of materials or products shall not exceed the limitations imposed by any applicable regulations of any authority having jurisdiction, including, but not limited to the fire code, building code, and electrical code.
9. All business activities associated with a Major Home Occupation shall take place within an enclosed structure, either within the primary dwelling unit or an accessory building located on the same parcel. If an accessory building is used, said structure shall conform to all applicable Home Occupation regulations contained in this Section.
10. A Major Home Occupation shall not generate sewerage or water usage in excess of what is normal in the residential neighborhood.
11. No equipment or process shall be used in a Major Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable residential zoning district.
12. The primary use of the parcel upon which the Major Home Occupation is situated shall clearly be the applicant's private residence.
13. A Major Home Occupation shall have an approved occupational license and any other license(s) as mandated by applicable local, state, and/or federal laws.

7.2.3 Approval Procedure

A. Application. An application for either a Minor or a Major Home Occupation shall be made to the Community Development Director on a form provided by the Planning Department. Separate approval procedures are required for the two (2) types of Home Occupations:

1. Minor Home Occupation. A permit for a Minor Home Occupation shall be issued by the Community Development Director provided that said Minor Home Occupation is conducted in accordance with all applicable regulations as contained within this Section. An annual permit fee of five dollars ($5.00) for a Minor Home Occupation shall be assessed at the time of issuance and annual renewal. The applicant or any resident located within 300 feet of the Minor Home Occupation may appeal the decision of the Community Development Director to the Board of Adjustment. Appeals to the Board shall be made, in writing, to the Community Development Director for transmittal to the Board. Decisions of the Board of Adjustment may be appealed as provided for in Section 10.4.8.
2. Major Home Occupation. A permit for a Major Home Occupation shall be issued only by the Board of Adjustment. A public hearing will be conducted by the Board given proper notification as prescribed under Section 10.5 of this Ordinance. The Board will consider the application in light of all applicable City regulations and, in keeping with the Statement of Intent of these regulations, shall approve or deny the application. An annual permit fee of ten dollars ($10.00) for a Major Home Occupation shall be assessed at the time of issuance and annual renewal. Decisions of the Board of Adjustment may be appealed as provided for in Section 10.4.8.

B. Conditions on Major Home Occupation. In order to ensure that a Major Home Occupation will not become a nuisance to the neighbors or otherwise violate these guidelines, the Board of Adjustment may impose on the issuance of a Major Home Occupation permit reasonable conditions necessary to ensure the purpose and intent of these regulations.

C. Existing Home Occupations. Home Occupations which have been approved prior to the adoption of these regulations which would be nonconforming under the provisions of this Section shall be grandfathered (to that person at that address) as of the date of this Ordinance.

D. Time Limit and Renewal. Permits for either a Minor or Major Home Occupation shall be valid for a period of one (1) year from initial date of approval. Notice and renewal of the Home Occupation permit shall be concurrent with the notice and renewal of the required occupational license for the City of Bartlesville. Home Occupation permits for both Minor and Major Home Occupations may be renewed annually by the Community Development Director provided there has not been any violation of the provisions of this Section. Permit fees as stated above shall be assessed at the time of annual renewal. If a Home Occupation permit has not been renewed within thirty (30) days of expiration, the Home Occupation permit shall be determined to be null and void.

7.2.4 Permit Limitations

A. Transfer of Permit. Once a permit for either a Minor or Major Home Occupation has been approved, it shall not be transferred to another person or to a location other than that stated on the permit.

B. Inspections. To ensure safety and compliance with these regulations, the Community Development Director may conduct an annual inspection of the parcel covered by said permit. In addition, the Community Development Director shall have the right at additional times, upon reasonable request, to enter and inspect the premises. Any complaint received by the Community Development Director regarding the operation of a Home Occupation will automatically result in a review of the Home Occupation permit by the Community Development Director to ensure compliance with all requirements of this Section.

C. Violations. If the Community Development Director determines that a violation is occurring or has occurred for any Home Occupation, the Community Development Director shall notify the owner that a violation has occurred and establish an action and time for compliance. If the violation is not abated within a time frame established by the Community Development Director, the Community Development Director may revoke the Home Occupation permit for noncompliance with the criteria set forth within this Section.

D. Revocation. Revocation of a Home Occupation permit, due to noncompliance with the criteria set forth within this Section or any additional criteria or Performance Standards imposed on the permit by the Board, may take place at any time prior to the expiration date of the permit. If the permit is revoked or is not renewed, it becomes null and void, and said use shall be terminated.

E. Exceeding Performance Standards.
   1. Minor Home Occupation. If, after a Minor Home Occupation has been established, it is discovered that the operation of the Home Occupation exceeds the Performance Standards permitted for a Minor Home Occupation, then the operator of said Home Occupation shall:
      a. cease any activities which exceed the Performance Standards permitted for a Minor Home Occupation; or
      b. make application for a Major Home Occupation in accordance with the aforementioned procedure for same within ten (10) days of notice by the Community Development Director.
   2. Major Home Occupation. If, after a Major Home Occupation has been established, it is discovered that the operation of the Home Occupation exceeds the Performance Standards as declared in the approved permit, then the operator of said Home Occupation shall:
      a. cease any activities which exceed the identified Performance Standards; or
      b. reapply through the application procedures for a Major Home Occupation requesting a change in the maximum operating limits for the particular Major Home Occupation. This will be treated as a new application for a Major Home Occupation and a permit fee will be assessed; or
      c. relocate the operation to a properly zoned commercial/industrial site.