

**CITY OF JONESBORO  
STATE OF GEORGIA**

ORDINANCE NO. **2015-002B**

CITY OF JONESBORO, GEORGIA

**PREAMBLE AND FINDINGS**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF JONESBORO, GEORGIA; TO AMEND SECTION 274 HOME OCCUPATIONS OF CHAPTER 86 ZONING; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

**WHEREAS**, the City of Jonesboro (the “City”) has determined that to serve the needs of the community, certain amendments are needed in the City’s Code of Ordinances; and

**WHEREAS**, the City desires to amend its zoning code to provide regulations for the licensing and operation of “home occupations;” and

**WHEREAS**, these amendments are necessary to further the general health and welfare of the community; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, GEORGIA:**

**SECTION ONE**

The City’s Code of Ordinances is hereby amended by deleting the existing Section 274, “Home occupations,” of Chapter 86, Zoning, and inserting a new Section 274 of Chapter 86 in its place to read as follows:

“Sec. 86-274. - Home occupations.

(a) A home occupation is considered any occupation or activity carried on within a residence by at least one person residing in said residence. Any person desiring to carry on a home occupation must comply with the requirements set forth in Chapter 18 of the Code, “Businesses” (such as occupation tax registration). Home occupations are permitted in all residential districts, provided conformance to the following standards is maintained:

- (1) *Number of persons.* The use shall be conducted entirely within the dwelling unit or an accessory building and only persons living in the dwelling, plus a maximum of two individuals who are not resident on the property, shall be engaged in the home occupation. At least one person engaged in the home occupation must be a resident of said dwelling.
- (2) *Incidental use.* Use of the dwelling for the home occupation shall be clearly incidental and subordinate to the primary residential use. Such occupations shall be located and

conducted in such a manner that the average neighbor under normal circumstances would not be aware of their existence. No exterior alteration of the residence or accessory buildings shall be made, and no sign other than those signs permitted in residential districts shall be erected. No more than 25 percent of the heated floor area, or a maximum area of 500 square feet, shall be used in the conduct of the home occupation.

- (3) *Number of visitors.* Group instruction in connection with the home occupation shall be permitted and shall be limited to a maximum of two students on the premises at any given time. Personal service occupations such as a barber shop, beauty shop, hairdresser or similar activities shall be restricted to a maximum of two chair stations, provided a maximum of two clients shall be permitted on the premises at any given time.
  - (4) *Retail sales.* No product or merchandise of any kind shall be sold on the premises, nor shall marketing based on samples or product display be accomplished. Sales of merchandise by telephone or the internet to be distributed from another location are permitted.
  - (5) *Manufacturing.* No manufacturing, assembly or fabrication of products shall be conducted on the premises as an occupation or commercial venture.
  - (6) *Storage.* No materials, goods, equipment or the like shall be stored outside an enclosed building.
  - (7) *Limited traffic.* No traffic shall be generated in greater volumes than would normally be expected in the neighborhood. No more than one additional vehicle may be permitted in conjunction with the home occupation with a gross vehicle weight of less than 9,000 pounds used exclusively by the resident. Such vehicle shall be parked on a paved driveway or other paved parking area, carport, garage, or rear yard and shall not include a wrecker, dump truck, flat bed truck, tow truck or any truck with more than four wheels or more than two axles, or any van with a capacity of more than 15 people. Any need for parking generated by the home occupation shall be met off-street.
  - (8) *Spillover impacts.* Any equipment or processes which create noise, dust, vibration, glare, smoke, fumes or odors detectable to the normal senses off the premises shall be prohibited. Any equipment or process which creates visual or audible interference in any radio or television receiver, or causes fluctuation in electrical line voltage off the premises, shall be prohibited.
  - (9) *Deliveries.* No delivery or pickup services, including courier services, that would occur at a frequency of more than once daily shall be permitted.
  - (10) *Residency.* Any person who obtains authorization permitting the conduct of a home occupation shall be a resident of the premises, who shall take substantially all of his lodging at the premises, store substantially all his personal belongings in the dwelling and shall use the address of the premises as his address for legal purposes such as voter registration and obtaining a motor vehicle license.
  - (11) *Hours of operation.* No home occupation shall be conducted between the hours of 9:00 p.m. and 8:00 a.m.
- (b) The following activities and uses shall not be carried out as home occupations:
- (1) Night clubs

- (2) Commercial establishments that dispense alcoholic beverages for on-premises consumption such as bars, taverns, and pubs
- (3) Gasoline service stations
- (4) Ambulance services and/or rescue squad services
- (5) Medical offices and blood and/or organ banks
- (6) Funeral homes and/or crematories
- (7) Taxi services
- (8) Amusement parks, arcades, game rooms, or other such commercial recreational activities
- (9) Adult entertainment establishments, adult hotels or motels, adult mini-motion picture theaters, adult motion picture arcade, adult video store, or any other such sexually oriented businesses regulated by Chapter 10, Article II of the Code
- (10) Animal breeding facilities and/or kennels
- (11) Veterinary services clinics and/or animal hospitals
- (12) Hospitals, clinics, hospices, or other medical treatment centers
- (13) Recycling and/or waste-processing facilities
- (14) Automobile, motorcycle, and other motor vehicle sales, repair, and/or detailing facilities
- (15) Home appliance sales and/or repair facilities
- (16) Restaurants
- (17) Pawn shops and/or pawnbrokers' places of business
- (18) Facilities that manufacture and/or store hazardous materials
- (19) Fortunetelling, palm reading, or other such commercial establishments
- (20) Any and all uses determined and classified by the Zoning Administrator to be a nuisance in residential areas."

## **SECTION TWO**

This Ordinance shall become immediately effective upon its adoption by the City Council.

## **SECTION THREE**

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.

## **SECTION FOUR**



The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.


## SECTION FIVE

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.


[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO**, at a regular meeting of the Mayor and Council on the 9 day of February, 2015, by the following voting for adoption:


CITY OF JONESBORO, GEORGIA

  
Joy Day, Mayor

ATTEST:

  
Ricky L. Clark, Jr., City Clerk

APPROVED AS TO FORM:

  
Steven M. Fincher, City Attorney  
*Assistant*  
Serena L. Nowell