
Sec. 18-1. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Accessory uses* shall mean uses that are clearly incidental to a main use. The development services director or designee shall determine whether or not a use is clearly incidental to a main use. Accessory uses shall not include business uses specifically designated in section 18-37. Accessory uses shall include uses that occupy more than ten (10) square feet.
- (2) *Manufacturers and manufacturing* shall mean a business that manufactures articles for sale. Under this license, such a business is entitled to sell its articles so manufactured at wholesale only.
- (3) *Merchandise* shall mean any goods, wares or commodities bought or sold in the usual course of trade or business.
- (4) *Professional* shall mean persons engaged in the practice of certain professions. A separate professional license for each person engaged in the practice of such profession is required. It is a personal license and is not transferable.
- (5) *Retail merchant* shall mean any merchant who sells to the consumer or for any purpose other than resale.
- (6) *Sale* shall mean the transfer of ownership, title or possession whether conditional or otherwise for a consideration.
- (7) *Wholesale merchant* shall mean any merchant who sells to another person for the purpose of resale.

(Ord. No. 2000-38, § 1, 9-14-00; Ord. No. 2001-028, § 1, 9-13-01)

Editor's note(s)—Ord. No. 2000-38, § 1, adopted Sept. 14, 2000, set out provisions intended for use as § 18-2. For purposes of classification, and at the editor's discretion, these provisions have been included as § 18-1.

Sec. 18-36. Home based businesses.

- (a) Home based businesses conducted within the city shall be clearly incidental and secondary to the use of the residence for residential purposes and shall not change the residential character thereof. A proposed home based business must meet all of the following criteria:
 - (1) Only the people who live at the dwelling may be involved in the business.
 - (2) The business is clearly incidental and secondary to the use of the dwelling for dwelling purposes.
 - (3) The use does not change the character of the dwelling and the appearance of the dwelling cannot be altered to accommodate the business.
 - (4) The garage or other accessory structure may not be used for the business for either the repair, storage, manufacturing, retailing, or warehousing of merchandise or goods that would interfere with the ability to park the number of vehicles it was designed to accommodate.
 - (5) Storing of hazardous or flammable materials is prohibited. Outdoor storage or display of goods is likewise prohibited.
 - (6) The business must not emit noise, sounds, smoke, fumes, odors, vibrations or interference that would create a nuisance to abutting properties or the surrounding neighborhood. No public health or safety risks may be created by the home based business.

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- (7) Commercial vehicles as defined in subsection 19-37(1)(a), used in the conduct of a home based business, may only be parked within an enclosed garage.
 - (8) No deliveries of merchandise are allowed to the residence by heavy commercial vehicles as defined in subsection 19-37(1)(b) with the exception of cube, box & step vans as described in subsection 19-37(1)(b)8.
 - (9) No employees, clients, or customers are allowed on the premises, to conduct business.
 - (10) No signage may be displayed on the premises.
 - (11) The home based business known as family day care home, as defined in F.S. § 402.302(5), shall be licensed in the following manner. An operator of such a business shall be issued a business tax receipt upon satisfaction of the application procedure provided by this article. The business tax receipt shall not be in effect for thirty (30) days following the date of issuance. During this thirty-day period the operator of the family day care home shall provide evidence of compliance with all provisions set forth in F.S. § 402.301 et seq., and compliance with any ordinance or resolution adopted by the county pursuant to the provisions set forth in the above referenced statute. If the operator does not provide evidence of compliance, the business tax receipt shall be considered null and void. Upon providing evidence of compliance the business tax receipt shall immediately become effective.
- (b) A person desiring to conduct a home based business shall first apply to the director of development services, and shall include the following information:
- (1) Name of applicant;
 - (2) Location of residence wherein the home based business, if approved, will be conducted;
 - (3) Area of rooms to be utilized in the conduct of the home based business;
 - (4) The nature of the home based business sought to be approved;
 - (5) The days and hours of operation;
- (c) Upon compliance with the foregoing procedure and after payment of the business tax, the director of development services shall issue a business tax receipt for the home based business. Any home based business tax receipt may be revoked by the code enforcement board or uniform citation process or special master pursuant to the procedures set forth in section 18-35 relating to suspension or revocation of business tax receipts.

(Ord. No. 111-86, § 1(8-34), 5-8-86; Ord. No. 142-87, § 1, 4-23-87; Ord. No. 131-94, § 1, 7-28-94; Ord. No. 140-99, § 1, 10-28-99; Ord. No. 2001-028, § 2, 9-13-01; Ord. No. 2007-008, § 1, 8-9-07)