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# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

## TOWN OF JEROME, ARIZONA LEGAL NOTICE

**NOTICE IS HEREBY GIVEN** that the following ordinance was finally adopted by the Jerome Town Council on **NOVEMBER 13, 2018**.

Candace B. Gallagher, CMC  
Town Manager/Clerk

### ORDINANCE NO. 442

#### **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING ARTICLE II, "DEFINITIONS," AND SECTION 502, "GENERAL PROVISIONS," OF ARTICLE V, "USE REGULATIONS," OF THE JEROME ZONING ORDINANCE, REGARDING HOME OCCUPATIONS**

WHEREAS, the Jerome Planning & Zoning Commission held a public hearing on September 5, 2018, regarding certain changes to the Jerome Zoning Ordinance regarding home occupations; and

WHEREAS, the Commission has recommended that the Zoning Ordinance be so amended;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. The definition of "Home Occupation" included in Section 201, "General," of Article II, "Definitions," of the Jerome Zoning Ordinance is hereby amended as follows (deletions in ~~strikeout text~~, additions in UNDERLINED CAPS):

**Home Occupation** - ~~any occupation or profession which is incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit.~~ AN OCCUPATION, PROFESSION, ACTIVITY OR USE THAT IS CLEARLY A CUSTOMARY, INCIDENTAL AND SECONDARY USE OF A RESIDENTIAL DWELLING UNIT AND WHICH DOES NOT ALTER THE EXTERIOR OF THE PROPERTY OR AFFECT THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD.

Section 2. Paragraph M, "Home Occupations," of Section 502, "General Provisions," of Article V, "Use Regulations," of the Jerome Zoning Ordinance is hereby amended as follows (deletions in ~~strikeout text~~, additions in UNDERLINED CAPS):

#### **M. HOME OCCUPATIONS**

~~Home occupations shall be permitted in any residential zone, subject to the following requirements:~~

1. Home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes and shall not change the character thereof.
2. There shall be no employees other than members of the immediate family residing on the premises.
3. No business shall be conducted which requires delivery vehicles or other services not customary to a residence.
4. Signs shall be subject to applicable provisions of Section 509.
5. ALL MATERIALS AND EQUIPMENT USED AND MAINTAINED IN CONNECTION WITH A HOME OCCUPATION MUST BE USED AND STORED INSIDE THE DWELLING AND ACCESSORY BUILDINGS.
6. NO PUBLIC DISPLAY OF ITEMS FOR SALE SHALL BE PERMITTED.
7. A HOME OCCUPATION SHALL NOT CREATE ANY NUISANCE OR HAZARD, OR OTHER OFFENSIVE CONDITION SUCH AS THAT RESULTING FROM NOISE, SMOKE, FUMES, DUST, ODORS OR OTHER NOXIOUS EMISSIONS. ELECTRICAL OR MECHANICAL EQUIPMENT THAT CAUSES FLUCTUATION IN LINE VOLTAGE, CREATES ANY INTERFERENCE IN EITHER AUDIO OR VIDEO RECEPTION OR CAUSES ANY PERCEIVABLE VIBRATION ON ADJACENT PROPERTIES IS NOT PERMITTED.
8. THE USE SHALL NOT GENERATE MORE PEDESTRIAN OR VEHICULAR TRAFFIC THAN IS TYPICAL TO THE ZONE IN WHICH IT IS LOCATED.

Section 3. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 *et seq.*

Section 4. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 5. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS 13<sup>th</sup> DAY OF NOVEMBER, 2018.