

Home Occupation Business License Application

Draper City Business Licensing



Overview

A Home Occupation Business License is the means whereby Draper City grants a home-based business permission to engage in the activities the license is issued for. Home occupations are licensed to ensure for proper regulation and to safeguard against over-commercialization of neighborhoods. If a home occupation is licensed it means it is properly zoned for the activity being conducted and meets all state and local code requirements. If you engage in any home occupation business – either permanently or temporarily – within Draper City, you are required to maintain a valid, unexpired business license.

Note, certain home occupations are required to obtain a Home Occupation Conditional Use Permit (HOCUP) in addition to business license. HOCUPs are issued by the Planning Division and, unlike the business license, do not need to be renewed annually. HOCUPs grant permission to conduct business that has an outsized impact on a residential neighborhood.

HOCUPs are required if:

- More than one non-resident works at the home occupation;
- Inventory exceeds 250 square feet or the business occupies more than 25% of the structure;
- There is visible evidence the home is being used as business;
- You are creating a nuisance (e.g. emission of odors, smoke, gas, vibration, magnetic interference and noise);
- A vehicle other than the owners personal transportation is parked at the home;
- An accessory building or the yard is being used for the home occupation;
- There are customers coming to the home.

HOCUPs are also required if the home occupation involves:

- Assembly or repair (e.g. computer assembly or repair, small appliance repair, packaging, or fabrication of items);
- Childcare services;
- Cottage industries (e.g. handicraft, art, floral arrangements, jewelry, or limited food production);
- Grooming services;
- Personal care services (e.g. beauty and barber shops, massage therapy, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning, and nail salons, and weight loss centers);
- Personal instruction (e.g. art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, martial arts training, and swimming clubs).

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Application Process

1. Register your business with the Division of Corporation and Commercial Code (this is not required for sole proprietorships).
2. Register your business with the Internal Revenue Service and obtain an Employer Identification Number (EIN). EINs are issued for the purpose of tax administration (note that EINs are not required for sole proprietorships).
3. Submit the Home Occupation Business License by mail or email to the Business License Official. Once processed, the applicant will receive an email requesting missing documentation (if any).
4. The Draper City Planning Division reviews the business license application to determine if a Home Occupation Conditional Use Permit (HOCUP) is required.
 - a. If no HOCUP is required, the business license will be issued to the applicant via email.
 - b. If a HOCUP is required, the Planning Division will contact the applicant. Once the HOCUP is applied for and granted, the license will be issued to the applicant via email.

Required Documents

Various documents are required in order to obtain a Home Occupation Business License. What documents are needed depends on what types of services the business renders.

- **Proof of Business Registration:** Must provide proof that the business is registered with the Utah Division of Corporations and Commercial Code. This includes copies of the articles of organization, certificates of registration, or other official paperwork. Sole proprietors may show DBA registration, if available.
- **Home Occupation Agreement and Checklist:** Attached below.
- **Utah Sales Tax License:** Required if selling or leasing tangible goods or transferring products electronically. The sales tax license must list Draper as the city in which the business is registered to make taxable sales.
- **Professional License:** Required if the business being conducted is licensed by the Utah Department of Professional Licensing or another state agency.
- **Health and Human Services Permit:** Required if regulated by the Utah Department of Health and Human Services.
- **Health Permit:** Required if regulated by the Salt Lake County Health Department or the Utah Department of Agriculture and Food.
- **Criminal Background Check:** Required for certain business operations identified in Draper City Resolution No. 05-17. Background checks are performed by the Utah Bureau of Criminal Identification or the Draper City Police Department and must be made within the last year of application. A background check from another state or federal agency may also be accepted.
- **Home Fire Self-Inspection Form:** Required for businesses receiving customers in the home.

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Section 1: Business Information		
Business Name:		
Doing Business As "DBA" Name:		
Opening Date:		
Closing Date (Temporary Businesses Only):		
Business Address:		Suite/Unit #:
City:	State:	ZIP:
Mailing Address:		Suite/Unit #:
City:	State:	ZIP:
Type of Organization: <input type="checkbox"/> Cooperative <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Non-Profit Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Other: _____		
Detailed business description:		
Section 2: Contact Information		
Business Owner (name will appear on the business license)		
First Name:	Last Name:	
Phone:	Email:	
Point of Contact for Business License		
First Name:	Last Name:	
Company Title:		
Phone:	Email:	

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Section 3: Additional Business Information	
Employer Identification Number (EIN):	NAICS Code:
Does this business sell or lease tangible goods or transfer products electronically? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Background Check	
Is the business involved in any of the following activities?	
<input type="checkbox"/> Alarm Systems	<input type="checkbox"/> Elderly Services
<input type="checkbox"/> Antique Dealing	<input type="checkbox"/> Ground Transportation
<input type="checkbox"/> Child Services	<input type="checkbox"/> Locksmiths
<input type="checkbox"/> Dating Services	<input type="checkbox"/> Massage Therapy
<input type="checkbox"/> Pawn Shops	<input type="checkbox"/> Scrap Metal Dealing
<input type="checkbox"/> Sexually Oriented Business	<input type="checkbox"/> Vending Cart/Sidewalk Sales
Health Permit	
Is the business involved in any of the following activities?	
<input type="checkbox"/> Body Art (Tattoo/Piercing)	<input type="checkbox"/> Meth Decontamination
<input type="checkbox"/> Cosmetology	<input type="checkbox"/> Scrap Metal/Auto Recycling
<input type="checkbox"/> Food Service	<input type="checkbox"/> Septic/Onsite Wastewater
<input type="checkbox"/> Lodging (Hotel/Motel)	<input type="checkbox"/> Swimming Pool/Spa
<input type="checkbox"/> Massage	<input type="checkbox"/> Tanning
<input type="checkbox"/> Tire Hauler	<input type="checkbox"/> Vehicle Emissions Station
<input type="checkbox"/> Waste Hauler	<input type="checkbox"/> Waste Processing

All information must be accurately completed or the issuance of a license will be delayed. It is a Class "B" Misdemeanor to own or operate a business in Draper City without a current Business License. I/we hereby agree to conduct said business strictly in accordance with the laws and ordinances covering such business, and swear under penalty of law that the information contained herein is true. Draper City shall not be responsible for delays in processing an incomplete application. The application you are submitting is subject to the provisions of the Utah Government Records Access and Management Act (GRAMA). If you are an "at-risk government employee" as defined in Utah Code Ann. § 63G-2-303, please inform the city employee accepting this application.

 Signature (Applicant)

 Date

HOME OCCUPATION
APPLICATION CHECKLIST



Business Licensing
1020 E. Pioneer Road
Draper, UT 84020
(801)576-6530
business.licensing@draperutah.gov

The home occupation use set forth in the Draper City Municipal Code Section 9-34-040 shall be allowed as a permitted use in any agricultural or residential zone, within the main dwelling unit, subject to the development standards of DCMC Section 9-34-040. The definition of this use is set forth in Chapter 3 of this title. These regulations are intended to ensure that limited business activities allowed in a residential zone do not disturb the residential character of a neighborhood (Ord. 909, 7-21-2009).

All facilities shall comply with fire, building, plumbing, electrical and all other city, county, state and federal codes. Inspections during reasonable hours by city officials may occur as necessary to assure compliance with regulations.

Business Information

Business Name:

Business Address:

Business Email:

Business Phone:

Describe the business to be conducted. Be as descriptive as possible:

Total # of Employees (including applicant):

Main Point of Contact

Main Point of Contact Name:

Mailing Address:

City:

State:

Zip:

Phone:

Email:

**HOME OCCUPATION
CHECKLIST**



Home Occupation Conditional Use Permit

Notice: Home occupations listed in this section will require a Home Occupation Conditional Use Permit.

Please contact the Draper City Planning and Zoning Department for questions on permit applications by emailing planning@draperutah.gov or calling (801)576-6551.

YES	NO	ITEM	QUESTION
<input type="checkbox"/>	<input type="checkbox"/>	Assembly & Repair	Will this home occupation provide assembly & repair, limited? (I.e. Assembly, fabrication, and repair is intended to be small-scale in nature where items are produced one at a time in small quantities or on a made-to-order basis, and does not include mass production of goods. Typical uses may include computer assembly or repair, small appliance repair, packaging, wholesale, or fabrication of items.)
<input type="checkbox"/>	<input type="checkbox"/>	Childcare, Daycare, or Preschool	Is this home occupation considered a childcare, daycare, or preschool facility?
<input type="checkbox"/>	<input type="checkbox"/>	Cottage Business	Will products be created at the home? (E.g. The products are unique in nature, such as handicraft, art, floral arrangements, jewelry, or limited food production.)
<input type="checkbox"/>	<input type="checkbox"/>	Grooming Services	Does this home occupation provide grooming services?
<input type="checkbox"/>	<input type="checkbox"/>	Personal Care Service	Will this home occupation provide personal care services? (E.g. Beauty and barber shops, massage therapy, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning, and nail salons, and weight loss centers.)
<input type="checkbox"/>	<input type="checkbox"/>	Personal Instruction Services	Will this home occupation provide personal instruction services? (E.g. Art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, martial arts training, and swimming clubs.)

HOME OCCUPATION CHECKLIST



***Incomplete applications will not be accepted or held.
All required items shall be submitted.***

Notice: Failure to comply with the conditions below can result in a suspension or revocation of your business license and is listed as a Class B misdemeanor. Application submission in no way guarantees approval. More information may be requested after application and checklist are submitted.

YES	NO	ITEM	QUESTION
<input type="checkbox"/>	<input type="checkbox"/>	Office, General	Will this business be operated as Office, General according to the Draper City Municipal Code Section 9-34?
<input type="checkbox"/>	<input type="checkbox"/>	Online Business	Will this business be based online? (E.g. Online store, consulting services.)
<input type="checkbox"/>	<input type="checkbox"/>	Owner Occupied	Is this home occupation owned and operated by a person who resides in the dwelling where the home occupation is located?
<input type="checkbox"/>	<input type="checkbox"/>	Multiple Family Dwelling	Is this business located in an apartment or condominium? HOA or management approval may be required.
<input type="checkbox"/>	<input type="checkbox"/>	Employees	Is there more than 1 (one) non-resident (i.e. person who does not live at the home) employed at the home occupation location? If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov .
<input type="checkbox"/>	<input type="checkbox"/>	Inventory	Is there more than 250 square feet of stock in trade, inventory, or other merchandise on the premises? If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov .
<input type="checkbox"/>	<input type="checkbox"/>	Modification of Structures or Yards	Is there any visible evidence from the exterior of the dwelling that it is being used for any other purpose than of a dwelling, with no activities being conducted outside the dwelling (including in the yard) for the benefit of or incidental to the home occupation? If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov .
<input type="checkbox"/>	<input type="checkbox"/>	Nuisance	Are there tools, items, equipment, or activities conducted within the dwelling which are offensive noxious by reason of the emission of odor, smoke, gas, vibration, magnetic interference, or noise? If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov .

HOME OCCUPATION CHECKLIST



YES	NO	ITEM	QUESTION
<input type="checkbox"/>	<input type="checkbox"/>	Secondary Use	<p>Is the home occupation clearly incidental and secondary to the primary use of the dwelling for residential purposes, not disruptive to the normal residential character of the neighborhood, and not occupying more than 25% (twenty five percent) of the dwelling unit?</p> <p>If marked "No" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Signs	<p>Are there signs located on the premises for the home occupation?</p> <p>If marked "yes" please contact Planning at planning@draperutah.gov.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Traffic, Parking, and Access	<p>Are there vehicles associated with the home occupation other than the owner's personal transportation?</p> <p>If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Yards	<p>Are any accessory building(s) or yard spaces used for the home occupation? (E.g. Sheds, detached garages.)</p> <p>If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Customers	<p>Will the home occupation have clients or customers coming to the home?</p> <p>If marked "yes" a Home Occupation Conditional Use is required. Please contact Planning at planning@draperutah.gov.</p>

Applicant's signature indicates agreement to conduct the business in compliance with the above listed uses and development standards. Any operations exceeding or not in compliance with these requirements may require a Home Occupation Conditional Use Permit with Draper City Planning & Zoning Commission approval.

Signature (Applicant) Signature (Co-Applicant) Date