

ORDINANCE 3085

AN ORDINANCE AMENDING  
TITLE 5 OF THE  
OFFICIAL CODE OF THE CITY OF GREAT FALLS  
GENERALLY ENCOMPASSING AMENDMENTS TO  
CHAPTER 2 RELATED TO HOME OCCUPATION CERTIFICATE

\* \* \* \* \*

WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide for and protect the health, safety and welfare of the citizens of Great Falls; and,

WHEREAS, staff has identified conflicting code language between Title 5 and Title 17 of the Official Code of the City of Great Falls (OCCGF); and,

WHEREAS, staff has identified amendments to Title 5, Chapter 2 that remove said conflicts for more consistent code application, interpretation and enforcement; and,

WHEREAS, notice of amending the OCCGF was published in the Great Falls Tribune, advising that a public hearing on these proposed amendments would be held on the 5th day of June, 2012, before final passage of said Ordinance herein.

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

- Section 1. That Title 5 of the Official Code of the City of Great Falls (OCCGF) be amended as depicted in Attachment "A" attached hereto, which removes language indicated by a strike-out and adds language which is bolded; and,
- Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading May 15, 2012.

\_\_\_\_\_  
Michael J. Winters, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
James W. Santoro, City Attorney

State of Montana     )  
County of Cascade   : ss  
City of Great Falls   )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3087 in three places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Court House;  
On the Bulletin Board, Great Falls Public Library

(Seal of the City)

\_\_\_\_\_  
Lisa Kunz, City Clerk

ATTACHMENT A  
TO ORDINANCE 3085

PROPOSED AMENDMENTS TO TITLE 5,  
OFFICIAL CODE OF THE CITY OF GREAT FALLS,

Generally encompassing amendments to Chapter 2 related to home occupation certificate.

FIRST READING – MAY 15, 2012

**5.2.220 - Home occupation requirements.**

Home Occupations may be permitted wherein the use meets **Title 17.20.7.070**, the following requirements and the applicant provides proof of such:

A. Appearance. The activity must be conducted in a manner so as not to give an outward appearance nor manifest any characteristics of a business in the ordinary meaning of the terms, nor shall it create undue amounts of traffic which would infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their home.

B. Employees. That portion of the Home Occupation conducted at the dwelling unit must be carried on by at least one (1) resident of the dwelling unit. In addition, non-resident employees where the aggregate hours worked do not exceed forty (40) hours per week and when no more than ~~two (2)~~ **one (1) non-resident employees** are present at one (1) time are permitted

C. Location. For Home Occupations whose services are rendered at the customer's location, the use of the dwelling unit shall be limited to the office portion of the business.

D. Secondary use. The Home Occupation must be incidental and secondary to the use of the dwelling unit as a residence.

E. Area. ~~A maximum of thirty (30) percent of the dwelling may be dedicated to the Home Occupation.~~ **The home occupation shall occur entirely within the dwelling unit and space specifically designated for use of the home occupation shall occupy no more than thirty (30) percent of the total floor area. The home occupation shall not occur in part or wholly in any portion of a private garage.**

F. Exterior Use. No exterior storage of material or equipment or any variation from the residential character of the principle building shall be permitted.

G. Noise, etc. No offensive noise, vibration, smoke, dust, odor, heat or glare shall be produced.

H. Delivery. No material or commodities shall be delivered to or from the residence which are of such bulk or quantity as to create undesirable traffic or congestion.

I. Weight. No materials or commodities shall be placed within the building which exceeds the allowable floor loading of forty (40) pounds per square foot.

J. Parking. No parking of **employees' and or** customers' vehicles shall be permitted in a manner of frequency so as to cause a disturbance or inconvenience to neighboring residents or so as to necessitate off-street parking. Business vehicles shall not exceed one (1) ton rated capacity.

K. Sign. No exterior display shall be permitted except that one (1) non-illuminated

Title 5 – Chapter 2  
SAFETY INSPECTION CERTIFICATE

nameplate or Home Occupation sign shall be permitted; however, the sign shall not exceed one hundred forty-four (144) square inches (one (1) square foot) in area and further; shall not exceed twenty-four (24) inches in length. Such sign or nameplate shall be placed flat against the dwelling unit.

~~L. Garage. The Home Occupation cannot be conducted upon the area, including garage space, provided to fulfill the off-street parking requirements for the dwelling unit on the lot.~~

**L. Retail sales. The indoor display or retail sales of those products manufactured or otherwise made on the premises are permitted. All other on-site sales are prohibited.**

**M. Prohibited uses. The following uses do not qualify as a home occupation: veterinary services, medical offices, animal boarding or grooming, barber, hair care, restaurant, vehicle repair, or any other similar high traffic generation activity.**

(Ord. 2674, 1995)