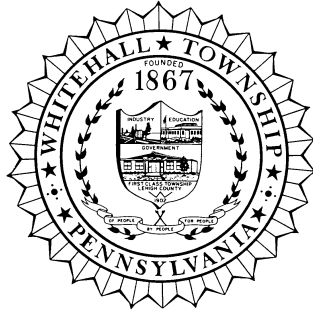


# Whitehall Township



## HOME OCCUPATION GUIDELINES



So you want to have a business out of your home. The following is a guide as to the process in which you must follow prior to establishing your home occupation. Depending on the business in which you would like to conduct out of your home, you may need to go through the Special Exception process or you may simply need to complete a Business License and Zoning Certification form prior to the start up of your home occupation.

Since it is impossible to name all the possible home occupations, this guide will help answer some questions you may have.

While there are many different type of home occupations the following uses require a Special Exception application in the R-1, R-2, R-3, R-3A, R-4, R-5, R-5A, R-6 zoning Districts:

1. Single operator barber shop as in home occupations
2. Single operator beauty shop as in home occupation
3. Day Care Center \*\*

\*\* Note – There are 3 types of Day Care centers. 1) Family Daycare 2) In Home Group Care and 3) Day Care Center  
(A separate guide is available for daycare centers)

If you are planning on one of these businesses, please speak with someone in the Development Department to receive the application for a Special Exception.

If your business has vehicles, please know commercial vehicles (as defined in section 27-194 of the Zoning Ordinance) shall not be parked, stored, housed, repaired, reconstructed or repainted upon any lot, parcel, or tract of land in any R-1, R-2, R-3, R-4, R-5, R-5A or R-6 Zoning District.

As always, should you have any questions, please contact the Zoning Officer at (610) 437-5524, Ext. 155.

## **DEFINITIONS**

**HOME OCCUPATION:** Any use conducted entirely within a dwelling unit by members of the family residing therein, which is clearly incidental and secondary to the residential use of the dwelling, does not change the residential character thereof, does not emit any sound or noise discernible outside of the dwelling unit and does not occupy more than 250 square feet of the total above-ground floor area of the building or structure in which the home occupation is situated. The term "home occupation" shall include, but shall not be limited to, hand crafts, cooking, individual music instruction, tutoring, dressmaking, laundering, millinery, photography studio and office or studio in the residence of an artist, lawyer, architect, engineer, teacher, accountant, musician or other similar professional. The term "home occupation" shall specifically not include a photography processing laboratory, music school, dance school, or school of any kind with organized classes, or the office of a physician, surgeon, dentist or veterinarian.

**NO IMPACT HOME-BASED BUSINESS:** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal function to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the requirements as set forth in section 10 of the Zoning Ordinance.

**COMMERCIAL VEHICLE** — Any and all vehicles, machinery or equipment which has a gross vehicle weight rating in excess of 12,000 pounds and is used for commercial or business purposes including, but not limited to, construction equipment, bulldozers, trailers, back hoes, compressors, front end loaders, trucks, storage trailers or part thereof, etc.

## **PERMITS REQUIRED**

- A Whitehall Township Business privilege license - \$35.00 Annual Fee
- Whitehall Township Zoning Certification Form – No Fee
- Use Application and Permit – \$25.00 - for No impact Home Based businesses, \$50.00 for Residential Impact Home occupation
- Special Exception process (for beauty/barber shops & Day Care Centers) – Fee – please refer to S.E. Application
- You must also contact the Whitehall Township Tax office at (610) 437-5524, Ext. 144 in regards to garbage use for your business

# **REGULATIONS**

Home Occupations considered as accessory uses shall:

- Be limited to 1 per residential dwelling.
- Be conducted only by residents of the dwelling in which the use is situate. Not more than 1 nonresident employee shall be permitted at sites only where at least 2 off street parking spaces are available.
- Not exhibit any external characteristics or evidence of their existence. Signs shall be as allowed by otherwise applicable laws, regulations or permits and shall be limited to 1 non-illuminated wall sign having a maximum sign display area of 2 square feet.
- Only be conducted in a principal residential structure or, if permitted by special exception, in an accessory building or structure, such as a garage, barn or storage structure. If a new structure is to be erected, then the exterior design of the new structure shall reflect the principal residential use of the structure.
- Not occupy more than one building or structure.
- Not occupy more than 250 square feet of the total above ground floor area of the building or structure in which the home occupation is situate.
- Not exhibit any nuisance characteristics such as dust, noise discernible beyond the property line, odor, smoke or fumes or be detrimental to the general public health, safety and welfare.
- Shall not have more than 2 vehicles at any given time patronizing the business.
- Not require or need any additional parking spaces.

NO IMPACT HOME BASED BUSINESSES - Those businesses or activities which meet the definition of "no Impact Home Based Business" shall be a permitted use in all residential, C-1, C-2A as OS-1 districts; shall not be subject to the issuance of a use permit provided that the following criteria are met:

- The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- The business shall employ no employees other than family members residing in the dwelling.
- There shall be no display or sale of retail goods and no stockpiling or inventory of substantial nature.
- There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.
- The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
- The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- The business may not involve any illegal activity.

TOWNSHIP OF WHITEHALL  
**BUSINESS PRIVILEGE LICENSE**  
 3221 MACARTHUR ROAD  
 WHITEHALL, PA 18052  
 (610) 437-5529

License No. \_\_\_\_\_

LICENSE

**MUST COMPLETE  
 IN FULL AND  
 RETURN WITHIN**

**FEE \$35.00**

THE FOLLOWING INFORMATION IS NECESSARY FOR OUR RECORDS AND WILL BE HELD IN THE STRICTEST CONFIDENCE.  
 ALL QUESTIONS MUST BE ANSWERED FULLY.

Trade Name			BUSINESS PRIVILEGE TAX ACCOUNT NO.	FOR OFFICE USE ONLY
Street				
City	State	Zip Code		
Mailing Address (if other than above)				
Name of Owner				
Business Phone No.	Residence Phone No.	FEDERAL ACCOUNT NO.		
Owners Address		Treasurer's Stamp		
LICENSE YEAR "License Year" shall mean the period from January 1 to December 31 Inclusive  Fee \$35.00 per year or any fraction thereof				
Partners or Officers Names and Addresses				

Describe Nature of Business ---

CHECK ONE:

License Renewal

License New

Date Operations Began in our Taxing District if New

Name of Person or Firm Keeping Books

I certify that all information and statements herein are true and correct.

Date

Signature

Title

**ORDINANCE 1638**

**SECTION V: LICENSE.**

After the effective date of this Ordinance, any person desiring to conduct, or continue to conduct any business, as herein defined, within the Township of Whitehall shall file with the Treasurer an application for a Business Privilege License and shall pay of Thirty-Five Dollars for the initial license and Thirty-Five Dollars for each renewal thereof. The License issued shall be conspicuously posted in the place of business for which the such license is issued, and shall remain in effect for the license year or fraction of year for which said license was issued. In cases where more than one place of business is conducted, a separate license shall be issued for each place of business. Any taxpayer who is in default in payment of tax due hereunder shall be refused a license until such tax is paid in full.

# Whitehall Township Zoning Certification



This form **MUST** be completed in its entirety prior to the issuance of a business privilege license

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

CONTACT PERSON & PHONE # \_\_\_\_\_

FAX # \_\_\_\_\_

SITE ADDRESS / JOB SITE LOCATION \_\_\_\_\_

**NATURE OF BUSINESS:**

- RETAIL     CONTRACTOR     RESTAURANT  
 LANDLORD (LIST RENTAL ADDRESS) \_\_\_\_\_  
 \_\_\_\_\_  
 OTHER \_\_\_\_\_

THE WHITEHALL POLICE DEPARTMENT REQUESTS THAT YOU PROVIDE KEY HOLDER INFORMATION IN THE EVENT OF AN EMERGENCY AT YOUR PLACE OF BUSINESS FOR AFTER HOUR EMERGENCIES:

NAME	ADDRESS	PHONE NUMBER
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**IF BUSINESS IS NOT LOCATED IN WHITEHALL TOWNSHIP PLEASE SKIP THE FOLLOWING QUESTIONS**

HOW LONG HAVE YOU BEEN OPERATING AT THIS LOCATION? \_\_\_\_\_

NUMBER OF EMPLOYEES AT THIS LOCATION: \_\_\_\_\_

NUMBER AND TYPE OF BUSINESS VEHICLES STORED AT THIS LOCATION: \_\_\_\_\_

WHITEHALL TOWNSHIP USE PERMIT # \_\_\_\_\_

DATE OF **TOWNSHIP** CERTIFICATE OF OCCUPANCY \_\_\_\_\_

BUSINESS PRIVILEGE LICENSE NUMBER \_\_\_\_\_

IF THIS IS A HOME OCCUPATION LIST ANY OTHER BUSINESSES AT THIS LOCATION

**PLEASE DO NOT WRITE BELOW THIS LINE**

\*\*\*\*\*

ZONING DISTRICT \_\_\_\_\_

HOME OCCUPATION    Y / N

USE PERMIT APPLICABLE    Y / N \_\_\_\_\_

NO IMPACT HOME OCCUPATION    Y / N

APPROVED \_\_\_\_\_

Fees:

**Residential**

No Impact Home Occupation \$25.00

Impact Home Occupation \$50.00

Family Day Care \$50.00

**Commercial**

Temporary Use (per event) \$1000.00

Commercial /Industrial / All Others \$250.00

Transfer fee - 25% of original fee

# TOWNSHIP OF WHITEHALL

LEHIGH COUNTY, PENNSYLVANIA

## USE APPLICATION and PERMIT

(as required by Township Zoning Ordinance and Amendments thereto)

APPLICATION USE PERMIT NO.: \_\_\_\_\_ ISSUED \_\_\_\_\_ BLDG. PERMIT NO. \_\_\_\_\_

**A. LOCATION, OWNERSHIP & PRESENT USE OF PROPERTY:**

1. Street & Number \_\_\_\_\_
2. Deed Owner \_\_\_\_\_
3. Owner's Address \_\_\_\_\_
4. Present Tenant \_\_\_\_\_
5. Present Use of Structure \_\_\_\_\_  
If residential, Number of families \_\_\_\_\_
6. Present Building, Describe \_\_\_\_\_
7. Present Use of Land \_\_\_\_\_

Site is located in \_\_\_\_\_ Zone as shown on Zoning Map

Application is hereby made for a permit to use the premises for the purposes described herewith. The information which follows, together with location diagram, is made part of this application by the undersigned. It is understood and agreed by this applicant that any error, misrepresentation of material fact, either with or without intention on the part of this applicant, such as might or would operate to cause a refusal of this application, or any change in the location, size or use of structure or land made subsequent to the issuance of this permit, without approval of the Zoning Officer, shall constitute sufficient ground for the revocation of this permit. All statements made herein are true and correct and all supporting documents hereto are true and correct and will be adhered to in every respect.

**B. PROPOSED USE OF STRUCTURE AND /OR LAND:**

1. Type of Work : CHANGE OF USE IN EXISTING STRUCTURE \_\_\_\_\_ HOME OCCUPATION \_\_\_\_\_  
Change of ownership of Existing Business \_\_\_\_\_ OTHER \_\_\_\_\_
2. Proposed Use of Structure \_\_\_\_\_  
If residential - No. of families \_\_\_\_\_
3. Proposed Use of Land \_\_\_\_\_
4. Proposed Business Name \_\_\_\_\_
5. Type of Business (Explain) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Employees \_\_\_\_\_  
Number of Company owned vehicles \_\_\_\_\_

**C. OWNER OF BUSINESS: PLEASE PRINT CLEARLY**

1. Name of Applicant \_\_\_\_\_ Phone # \_\_\_\_\_
2. Address of Applicant \_\_\_\_\_
3. Owner, Lessee or Authorized Agent \_\_\_\_\_

Certified that all information contained in sections A, B & C above is correct and will be adhered to:

Applicant's Signature \_\_\_\_\_

Print Name \_\_\_\_\_

**NOTE FOR HOME OCCUPATIONS** - If applicant is not property owner, certification must be provided evidencing property owner's permission for within application to be made in the form of a signed, notarized statement.

DO NOT WRITE BELOW THIS LINE!!

**D. REFERENCE:**

Plan is attached hereto Yes \_\_\_\_\_ No \_\_\_\_\_ Transfer of original Use Permit No. \_\_\_\_\_

**E. APPROVAL & DATES OF ACTION TAKEN:**

1. Application Approved Yes \_\_\_\_\_ No \_\_\_\_\_ (Date) \_\_\_\_\_

Zoning Officer \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. REASON FOR DENIAL OF APPLICATION \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

NOTE: This permit applies to USE only and shall not relieve applicant from obtaining such other permits as may be required by law. NOTICE: Violation of any provision of this ordinance by any owner or lessee or other person shall constitute a violation of Whitehall Township zoning ordinance and appropriate enforcement will ensue.