

ORDINANCE NO. 975

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLASGOW, MONTANA,
AMENDING GLASGOW'S ZONING REGULATIONS FOR HOME BASED OCCUPATION
THEREBY AMENDING THE CODE OF ORDINANCES OF THE CITY OF GLASGOW,
MONTANA**

WHEREAS, The City of Glasgow (the "City") is authorized by Montana law to promote the public health, safety, aesthetic appearance, and welfare of the City. Mont. Code Ann. § 7-1-4123

WHEREAS, The City is authorized by Montana law to adopt zoning, subdivision, and other land use regulations and to provide for the enforcement and administration of such regulations and otherwise provide for the orderly development of the community; and

WHEREAS, The City desires to amend the zoning regulations for home based occupations within the city of Glasgow, Montana.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GLASGOW, MONTANA:**

Section 1. Action. That the Code of Ordinances of The City of Glasgow, Chapter 21, Section 21-1 be expanded to include a definition for "home based occupation" and Section 21-4, Subsection (9) be amended to account for home based occupation in the Code of Ordinances of The City of Glasgow, Chapter 21 as follows:

Sec. 21-1. Definitions.

Home based occupation. A business operated or based out of a residential dwelling, located in residential zoned district, in which the proprietor of the business and the property must be one in the same.

Sec. 21-4 (9)

(9) Home based occupation. The individual primarily responsible for the home based occupation must reside in the dwelling unit (home) which must be located on the same parcel or lot. The home based business shall occur entirely within the dwelling unit or an accessory building on the same lot, and shall occupy, or equal, no more than thirty-five (35) percent of the total floor space of the primary dwelling unit. Spatial requirement also applies to home based businesses operated or conducted from an accessory building which must be located on the same lot or parcel as the residential dwelling. No more than one full time non-resident employee may work in the business, on the property, at a time. The exterior residential character of the dwelling unit or accessory building shall not be substantially altered to accommodate the home occupation. Routine and regular storage of materials, (more than 48 hours within any 72 hour period) in the driveway or in front of the residence is not permitted. No bulk materials, supplies, livestock, animals, or controlled substances are permitted to be delivered, transferred or sold through a home based business. Exterior storage of materials or equipment is prohibited. Retail sales and indoor displays of other retail items, other than displays of products manufactured in the premises are prohibited. Network marketing, direct selling, referral marketing, and pyramid selling business are permitted as long as the volume of merchandise stored in the dwelling or accessory building and does not exceed the total aggregate spatial

requirement of 35 percent of the area occupied for the business (this would include any office space and storage areas). Examples of network marketing include, but are not limited to: Mary Kay, Pampered Chef, Amway, etc. Signage, business vehicle limitations and customer parking requirements must conform to the requirements in section 12-80 of city code.

a. Prohibited uses of a home based occupation. The following uses do not qualify as a home occupation: veterinary services, medical offices, animal boarding, restaurant, vehicle repair, heavy truck or equipment repair, auto body services, child care facilities that care for more than 5 children at a time, distribution services, brewery, distillery, medical dispensary, marijuana grow facilities, explosives, ammunitions, firearms sales, fireworks production or sales, animal slaughter or processing, retail of sex paraphernalia or sale of pornographic materials, gambling related services, mortuary, dog or cat breeding, or any other businesses that would generate high volumes of traffic or bring patrons into a neighborhood after 9:00 PM.

Section 2: Codification. This Ordinance shall be codified as follows: Chapter 21, add Sec. 21-1 Definitions “home based occupation”, and Chapter 21, replace Sec. 21-4 (9).

Section 3: Severability. Invalidity of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

Section 4: Conflicts with existing code sections. In the occasion a conflict exists between the regulations of this chapter and other code or ordinance sections of the Glasgow City Code, the terms and provisions of this chapter shall take precedence.

Section 5: Effective Date. This ordinance shall be in full force and effect thirty (30) days after final passage and approval.

Section 6: Editor to re-arrange Chapter. The Editor, Municipal Code Corporation, is hereby authorized to add this Ordinance to Chapter 21 as “Section 12-01 add to definitions “home based occupation”. And Chapter 21 amend Section 21-4 Subsection 9 in its entirety.

FIRST PASSED AND APPROVED by the City Council of the City of Glasgow, Montana, at a regular session thereof held on the ___ day of _____, 2021.

APPROVED:

BECKY ERICKSON, Mayor

ATTEST:

STACEY AMUNDSON
City Clerk-Treasurer

FINALLY PASSED AND APPROVED by the City Council of the City of Glasgow, Mon-tana, at a regular session thereof held on the ___ day of _____, 2021.

APPROVED:

BECKY ERICKSON, Mayor

ATTEST:

STACEY AMUNDSON
City Clerk-Treasurer