



# City of Chicago



O2021-332

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 1/27/2021

**Sponsor(s):** Villegas (36)  
Hairston (5)  
Curtis (18)  
Rodriguez (22)  
Tabares (23)  
Sigcho-Lopez (25)  
Burnett (27)  
Austin (34)  
Mitts (37)  
Cappleman (46)  
Hadden (49)  
Reboyraz (30)  
Osterman (48)  
Cardona, Jr. (31)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Section 4-6-270 to modify requirements for application or renewal of regulated business licenses for home occupations

**Committee(s) Assignment:** Committee on Economic, Capital and Technology Development

REFERRED TO ECONOMIC, CAPITAL AND TECHNOLOGY DEVELOPMENT

ORDINANCE

SECTION 1. Chapter 4-6-270 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

**4-6-270 Home occupations.**

(a) *Definitions.* As used in this section:

*[Omitted text is unaffected by this ordinance]*

“Home occupation” means the accessory use, of a business or commercial nature, of a dwelling unit by the person(s) residing in such dwelling unit. The term “home occupation” does not include persons who, as an owner or employee, perform administrative, clerical or research work in their home for an entity whose principal place of business is located elsewhere. Nor does the term “home occupation” include any child care institution, day care center, part-day child care facility, group home, day care home or group day care home that is properly licensed by a state agency or by the City of Chicago. Nor does the term “home occupation” include any cottage food operation or home kitchen operation properly registered by a state or county agency or the City of Chicago.

*[Omitted text is unaffected by this ordinance]*

(c) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in a home occupation shall be accompanied by the following information:

- (1) the location of the dwelling unit where the home occupation will be carried on;
- (2) the name of the person(s) who will be designated as the licensee;
- (3) whether more than one home occupation will be carried on in the dwelling unit;
- (4) the type(s) of occupation(s) that will be carried on in the dwelling unit;
- ~~—(5) whether the dwelling unit in which the home occupation will be carried on is a single family residence or a building containing multiple dwelling units;~~

(65) the total square footage of the floor area of the applicable dwelling unit and any accessory building or accessory structure;

(76) the total square footage of the floor area of the dwelling unit and any accessory building or accessory structure that will be permanently occupied by the home occupation;

(87) the percentage of the total floor area of the dwelling unit and any accessory building or accessory structure that will be permanently occupied by the home occupation;

~~(9) whether any accessory building or accessory structure, such as a garage, will be permanently occupied by the occupation(s) identified pursuant to item (4) of this subsection (c), and, if so, the total square footage and percentage of the floor area of such accessory building or accessory structure that will be used for such purpose.~~

[Omitted text is unaffected by this ordinance]

(e) *Activities not subject to licensure as a home occupation – Standards.* The following activities shall not be licensed as home occupations under this section:

- (1) any repair of motorized vehicles, including the painting or repair of automobiles, trucks, trailers, boats, and lawn equipment;
- ~~(2) the dispatch, for compensation of any type, of any type of motor vehicle;~~
- (2) animal hospitals;
- ~~(4) astrology, card reading, palm reading or fortune telling in any form;~~
- (3) kennels;
- (4) stables;
- (5) bird keeping facilities;
- (6) barber shops or beauty parlors;
- (7) dancing schools;
- (8) restaurants or pop-up food establishments as defined in Section 4-8-010;
- (9) massage establishments, including massage therapy;
- (10) caterers / catering / food preparation businesses / shared kitchens as defined in Section 4-8-010;
- (11) funeral chapels or funeral homes;
- (12) crematoria;
- (13) mausoleums;
- (14) medical or dental services and/or clinics;
- (15) public places of amusement;
- (16) the sale of firearms, antique firearms as defined in Section 8-20-010, or ammunition;
- (17) a weapons dealer;
- (18) firearm training or instruction;
- ~~(19) construction businesses or landscaping businesses that provide for storage of goods and materials to be utilized in the operation of the business or use;~~
- (1920) warehousing;
- (2021) welding or machine shops; and
- (2122) any activity that requires a children's services facility license under Chapter 4-75 of this Code.

(f) *Legal duties – Standards.* Each licensee engaged in a home occupation shall have a duty to:

(1) conduct the home occupation completely within the dwelling unit and any accessory building or accessory structure. Provided, however, that services offered or performed in conjunction with the home occupation may be provided off-site. Provided further, that an attached or unattached accessory building or accessory structure, such as a garage, may also be used for incidental storage of materials, supplies and business records related to the home occupation if all of the following requirements are met: (i) the accessory building or structure is fully enclosed; (ii) no chemicals, hazardous materials, or base metals, ~~or unfinished goods or products related to the home occupation~~ are stored in the accessory building or structure; (iii) if business records or paper supplies are stored in the accessory building or structure, such records or supplies are enclosed in boxes, file cabinets or other containers and such storage complies with all applicable provisions of this Code, including applicable ordinances relating to fire prevention; and (iv) the square footage limitations set forth in subsection (g)(7) of this section are not exceeded.

(g) *Prohibited acts – Standards*. It shall be unlawful for any licensee engaged in a home occupation to:

(1) conduct a home occupation in violation of Section 17-9-0202 or other applicable provisions of the Chicago Zoning Ordinance;

(2) allow the home occupation to become the principal use of the dwelling unit. The home occupation shall be accessory, incidental and secondary to the principal residential use of the dwelling unit;

(3) add to the dwelling unit a separate entrance from outside the building for the sole use of the home occupation;

(4) ~~display signage or any other evidence of operation of advertising~~ the home occupation: (i) on the exterior of the dwelling unit or residential building in which the dwelling unit is located, or (ii) if the dwelling unit is located in a residential building containing 2 or more dwelling units, on any interior wall or other interior location within such residential building other than the interior of the dwelling unit itself, or (iii) in any location within the dwelling unit or residential building that is clearly visible from the public way;

(5) make any internal or external structural alterations or construction to the dwelling unit, whether permanent or accessory, of the type that will change the residential character of the dwelling unit or the residential building in which the dwelling unit is located;

(6) install any equipment of the type that will change the residential character of the dwelling unit or the residential building in which the dwelling unit is located;

(7) allow the total square footage of any home occupation, including any accessory building or accessory structure used for storage or other home occupation business-related activities, to permanently occupy more than ~~ten~~35 percent of the total floor area of any ~~single-family residence, or more than 15 percent of the floor area of any dwelling unit in a building containing multiple dwellings, and any accessory building or accessory structure~~. ~~Provided, however, that in no instance shall one or more home occupations in any single dwelling unit, including any accessory building or accessory structure used for storage or other home occupation business-related activities, permanently occupy, in any combination, more than 300 square feet of such dwelling unit or accessory building or structure;~~

(8) produce or emit any noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare or any other effect that unreasonably interferes with any person's enjoyment of his or her residence;

(9) (i) hire or retain, or otherwise permit or allow, more than one non-resident employee to work within the dwelling unit in connection with the home occupation. All other employees of the licensee who work within the dwelling unit shall reside in the dwelling unit in which the home occupation is located.

(ii) Nothing in this subsection (g)(9) shall be construed to prohibit a licensee under this section from hiring or retaining non-resident employees to work exclusively outside the dwelling unit in connection with the home occupation.

(iii) In the event of an alleged violation of subparagraph (i) of this subsection (g)(9), the following requirements shall apply: (A) A rebuttable presumption shall exist that an employee has been authorized by the licensee to work within the dwelling unit in connection with the home occupation if such employee is present in the dwelling unit for more than three consecutive hours in any given day. (B) The burden of proof shall be on the licensee to prove, by a preponderance of evidence, that the non-resident employee is an external employee;

(10) regardless of whether a dwelling unit is used for one or more home occupations: (i) allow more than two patrons or clients or non-resident external employees of the home occupation to be present, in any combination, in the dwelling unit at any one time; or (ii) allow more than ten patrons or clients or external employees of the home occupation to be present, in any combination, in the dwelling unit during any 24-hour period; or (iii) allow any person, other than the person(s) who reside in the dwelling unit and not more than one non-resident internal employee, to perform any work in the dwelling unit in connection with the home occupation(s) being carried on in such dwelling unit. Provided, however, that the restrictions set forth in this subsection (g)(10) on the number of patrons, clients and non-resident external employees allowed in a dwelling unit shall apply to all home occupations within such dwelling unit and shall not be cumulative. Provided further, that in the event of an alleged violation of this subsection (g)(10), the rebuttable presumption and burden of proof set forth in items (A) and (B), respectively, of subsection (g)(9)(iii) of this section shall apply;

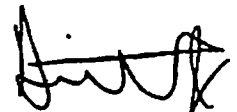
(11) permit any tractor trailer delivery; or

~~—(12) permit the direct sale of any product on display shelves or racks; or~~

~~(13) permit or accept more than one bulk delivery per day (in addition to United States mail service, Federal Express, U.P.S. and messenger services). Any such bulk delivery shall occur between the hours of 8:00 a.m. and 5:00 p.m.~~ permit or accept shipping or receiving of a bulk delivery in connection with the business outside of the hours of 9:00 a.m. and 6:00 p.m.

*[Omitted text is unaffected by this ordinance]*

**SECTION 3.** This ordinance shall take effect 9030 days after passage and publication.



Gilbert Villegas  
Alderman, 36<sup>th</sup> Ward



CITY OF CHICAGO

OFFICE OF THE CITY CLERK  
ANNA M. VALENCIA

### Chicago City Council Co-Sponsor Form

Document No.: 02021-332

Subject: Home Based Business Ordinance

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman James Cappleman James Cappleman (46 Ward)

Alderman LESLIE A. HAIRSTON Leslie A. Hairston (5TH Ward)  
(Signature)

Date Filed: Feb. 23, 2021 Principal Sponsor: [Signature] (36th Ward)  
(Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor’s Consent NOT Required)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Date Filed: \_\_\_\_\_

- Final Copies To Be Filed With:
- Chairman of Committee to which legislation was referred
  - City Clerk



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Alderman James Capplemen James Capplemen (46 Ward)

Alderman Derrick Curtis Derrick H. Curtis (18 Ward)

(Signature)

Date Filed: Feb. 23, 2021

Principal Sponsor: [Signature]  
(Signature)  
(36th Ward)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor's Consent NOT Required)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Date Filed: \_\_\_\_\_

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### Chicago City Council Co-Sponsor Form

Document No.: 02021-332

Subject: Amendment of Municipal Code Section 4-6-270 to modify requirements for application or renewal of regulated business licenses for home occupations

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman Michael D. Rodriguez 22 Ward)  
(Signature)

Alderman \_\_\_\_\_ 36 Ward)  
(Signature)

Date Filed: 2/23/2021

Principal Sponsor: [Signature]  
(Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor’s Consent NOT Required)

Alderman \_\_\_\_\_      Ward)  
(Signature)

Alderman \_\_\_\_\_      Ward)  
(Signature)

Date Filed: \_\_\_\_\_

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Please ADD Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman   Ward)  
(Signature)

Alderman \_\_\_\_\_  Ward)  
(Signature)

Date Filed: \_\_\_\_\_ Principal Sponsor:   
(Signature)

#### Removing Co-Sponsor(s)

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Alderman \_\_\_\_\_  Ward)  
(Signature)

Alderman \_\_\_\_\_  Ward)  
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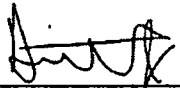
Subject: Amendment of Municipal Code Section 4-6-270 to modify requirements for application or renewal of regulated business licenses for home occupations

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman Alderman Byron Sigcho Lopez BSL (25 Ward)  
(Signature)

Alderman \_\_\_\_\_ (36 Ward)  
(Signature)

Date Filed: 2/23/21 Principal Sponsor:   
(Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor’s Consent NOT Required)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

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(Signature)

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*AD* *AD as*  
~~Co-Sponsor(s)~~ Co-Sponsor(s)  
Please REMOVE Co-Sponsor(s) Below - (Principal Sponsor's Consent NOT Required)

Alderman *Walter Burnett Jr*  <sup>47</sup> Ward  
(Signature)

Alderman \_\_\_\_\_  36 Ward  
(Signature)

Date Filed: 02-22-2021

Final Copies To Be Filed With: • Chairman of Committee to which legislation was referred  
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121 NORTH LA SALLE STREET, ROOM 107, CHICAGO, ILLINOIS 60602

Principal Sponsor: *[Signature]*



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Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman Carrie M. Austin Carrie Austin ( Ward)  
(Signature)

Alderman \_\_\_\_\_ ( Ward)  
(Signature)

Date Filed: \_\_\_\_\_ Principal Sponsor: [Signature]  
(Signature)

#### Removing Co-Sponsor(s)

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Alderman \_\_\_\_\_ ( Ward)  
(Signature)

Alderman \_\_\_\_\_ ( Ward)  
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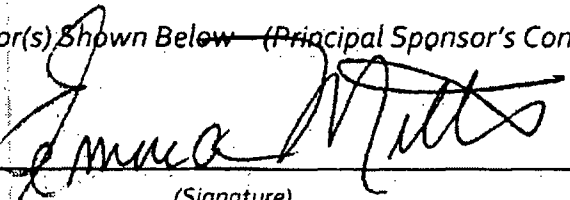
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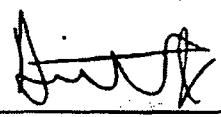
Subject: Home Based Business Ordinance

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below (Principal Sponsor's Consent Required)

Alderman Emma Mitts  37 Ward)  
(Signature)

Alderman \_\_\_\_\_ 36 Ward)  
(Signature)

Date Filed: 2/23/21 Principal Sponsor:  (Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below -- (Principal Sponsor's Consent NOT Required)

Alderman \_\_\_\_\_ (\_\_\_\_\_) Ward)  
(Signature)

Alderman \_\_\_\_\_ (\_\_\_\_\_) Ward)  
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Alderman James Cappleman *James Cappleman* (46 Ward)

Alderman \_\_\_\_\_ (36 Ward)  
(Signature)

Date Filed: Feb. 23, 2021 Principal Sponsor: *[Signature]*  
(Signature)

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### Chicago City Council Co-Sponsor Form

Document No.: O2021-332

Subject: Amendment of Municipal Code Section 4-6-270 to modify requirements for application or renewal of regulated business licenses for home occupations

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman Maria E. Hadden *M. E. Hadden* (49 Ward)  
(Signature)

Alderman \_\_\_\_\_ (36 Ward)  
(Signature)

Date Filed: 1/27/2021 Principal Sponsor: *[Signature]*  
(Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor’s Consent NOT Required)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

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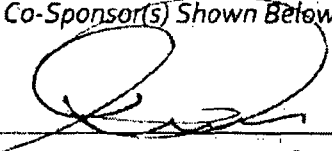
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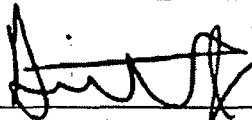
Subject:

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Alderman \_\_\_\_\_  \_\_\_\_\_ (  Ward)  
(Signature)

Alderman \_\_\_\_\_  \_\_\_\_\_ (  Ward)  
(Signature)

Date Filed: \_\_\_\_\_ Principal Sponsor:  \_\_\_\_\_  
(Signature)

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(Signature)

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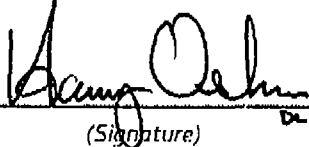
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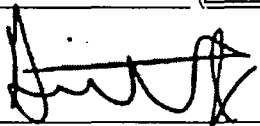
Subject: Home Based Business Ordinance

#### Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)

Alderman Harry Osterman  (48 Ward)  
(Signature)

Alderman \_\_\_\_\_ (36 Ward)  
(Signature)

**Date Filed:** February 23, 2021 **Principal Sponsor:**   
(Signature)

#### Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor's Consent NOT Required)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

Alderman \_\_\_\_\_ (     Ward)  
(Signature)

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### Chicago City Council Co-Sponsor Form

Document No.: 02021-332

Subject: AMENDMENT of Municipal Code Section 4-6-270 to modify REQUIREMENTS for application or Renewal of Regulations business lic. for HOME OCCUPATIONS.

#### Adding Co-Sponsor(s)

) Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor's Consent Required)

Alderman [Signature] 31 Ward  
(Signature)

Alderman \_\_\_\_\_ 36 Ward  
(Signature)

Date Filed: \_\_\_\_\_ Principal Sponsor: [Signature]  
(Signature)

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