



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** SO2021-332

**Type:** Ordinance      **Status:** Passed

**File created:** 1/27/2021      **In control:** City Council

**Final action:** 4/21/2021

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

**Sponsors:** Villegas, Gilbert, Hairston, Leslie A., Curtis, Derrick G., Rodriguez, Michael D., Tabares, Silvana, Sigcho-Lopez, Byron, Burnett, Jr., Walter, Austin, Carrie M., Mitts, Emma, Cappleman, James, Hadden, Maria E., Reboyras, Ariel, Osterman, Harry, Cardona, Jr., Felix, Martin, Matthew J.

**Indexes:** Ch. 6 Regulated Business License

**Attachments:** 1. SO2021-332.pdf, 2. O2021-332.pdf

Date	Ver.	Action By	Action	Result
4/21/2021	1	City Council	Passed as Substitute	Pass
4/13/2021	1	Committee on Economic, Capital and Technology Development	Recommended to Pass	
4/13/2021	1	Committee on Economic, Capital and Technology Development	Substituted in Committee	
3/16/2021	1	Committee on Economic, Capital and Technology Development	Held in Committee	
3/9/2021	1	Committee on Economic, Capital and Technology Development	Add Co-Sponsor(s)	
2/25/2021	1	Committee on Economic, Capital and Technology Development	Add Co-Sponsor(s)	
2/24/2021	1	Committee on Economic, Capital and Technology Development	Add Co-Sponsor(s)	
1/27/2021	1	City Council	Referred	

### SUBSTITUTE 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:

*[Omitted text is unaffected by this ordinance]*

~~(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;

(?6) the total square footage of the floor area of the dwelling unit that will be permanently occupied by the home occupation;

(§7) the percentage of the total floor area of the dwelling unit that will be permanently occupied by the home occupation;

(98) 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.

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*[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:

*[Omitted text is unaffected by this ordinance]*

(12) caterers / catering / food preparation businesses / shared kitchens as defined in Section 4-8-010:

*[Omitted text is unaffected by this ordinance]*

~~(21) construction businesses or landscaping businesses that provide for storage of goods and materials to be utilized in the operation of the business or use;~~

(21) storage of machines or bulk materials to be utilized in the operation of construction businesses or landscaping businesses;

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. 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, 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 all storage of materials, supplies, and records 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; and (v) use of a garage for incidental storage shall not displace any off-street parking required under Chapter 17-10 of the Zoning Ordinance.

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

*[Omitted text is unaffected by this ordinance]*

(4) display signage or any other evidence of operation of the home occupation: (i) on the exterior of the dwelling unit or residential building or accessory building or accessory structure 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 or accessory building or accessory structure that is clearly visible from the public way;

*[Omitted text is unaffected by this ordinance]*

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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 300 square feet or ~~fewer than~~ 25 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,~~ whichever number is larger. ~~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, obstruction to the public way, or any other effect that unreasonably interferes with any person's enjoyment of his or her residence;

*[Omitted text is unaffected by this ordinance]*

11) permit any tractor trailer delivery:, or

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

(+312) 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. and such bulk delivery complies with all applicable provisions of this Code, including applicable ordinances relating to fire prevention and the governing of special types of vehicles on City of Chicago streets set forth under Section 9-64-170.

[Omitted text is unaffected by this ordinance] SECTION 2. This ordinance

shall take effect 30 days after passage and publication.

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

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