

**ORDINANCE NO. 1782-2024**

**AN ORDINANCE TO AMEND SECTION 13.02.68.K OF TITLE 13  
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO HOME OCCUPATIONS**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS  
FOLLOWS:

**SECTION I.** Section 13.02.68.K of Title 13 Unified Development Code related to Home Occupations is hereby deleted in its entirety and replaced as follows:

**13.02.68 Specific accessory uses.**

**K. Home Occupation.** A business, business activity, profession, occupation, or trade activity that is conducted by one (1) or more occupants of a dwelling, as an accessory use to the residential use of the dwelling, for economic gain. Permitted principal uses according to Table 13.02.22-1 in the Mixed-Use Neighborhood (MU-N) District in the Retail Sales or Services Category are allowed as home occupations unless prohibited below.

1. The following activities shall be prohibited from being a Home Occupation:
  - a. Contractor shop;
  - b. Medical/dental office/clinics or similar;
  - c. On-site sale, resale, repair of automobiles, trucks, boats, trailers, or other motorized vehicles. Repair or paint shops for motor vehicles, including motorcycles, all-terrain vehicles, recreational vehicles, farm or lawn implements or other small motors.
  - d. Animal kennels/boarding/daycares in excess of what is allowed per Sec. 7.04.11.D.;
  - e. Dog breeding as defined by ATCP 16, Wis. Admin Code;
  - f. Funeral, chapel or internment services;
  - g. Dispatch where persons come to a site and are dispatched to other locations;
  - h. Welding or machine shop;
  - i. Firearm-related training, instruction or similar establishment;
  - j. Anyone meeting the definition of Firearms Dealer under Sec. 175.35(ar), Wis. Stats. or an occupation involving the repetitive purchase and resale, exchange, production, refinement, packaging or handling of a dangerous weapon as defined under Sec. 11.02.13 or hazardous materials as defined under Sec. 5.03.13.B by any person. This prohibition shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of a personal collection.
  - k. Business that rents vehicles or equipment, such as trailers;
  - l. Tow truck;
  - m. Manufacture, storage, sale of alcohol, controlled substances, nicotine or tobacco products and drug paraphernalia.
  - n. Excavating; and
  - o. Large volume sales, wholesaling, manufacturing, storage and warehousing;
  - p. Any occupation which creates loud or obnoxious noise or odors or unreasonable glare of illumination.
2. **Minor Home Occupation.** A home occupation that includes, but is not limited to, all activities commonly described as "knowledge work" as well as all other paid endeavors that leverage consumer-grade information and communication technology to sell products or deliver services. Such home occupation is permitted as long as the following standards are met:
  - a. The home occupation is conducted entirely within the enclosed portion of the residence and does not exceed twenty-five percent (25%) of the area of any one (1) floor or a detached accessory structure. The home occupation may occupy as much of a detached accessory structure as is not needed to meet off-street parking requirements.


- b. The entrance to the space devoted to the home occupation is within the residence. There shall be no exterior evidence of the home occupation and no alterations, whether interior or exterior, shall change the character of the structure as a dwelling unit. This includes that no mechanical equipment or machinery shall be used for the home occupation other than is usually, customary, and incidental to the residence for domestic or hobby purposes.
  - c. The home occupation shall not have onsite outside employees. The home occupation shall not have more than one (1) customer at a time and no customers shall be allowed between the hours of 8:00 p.m. and 8:00 a.m.
  - d. No mechanical equipment/machinery shall be used other than is usual, customary, and incidental to the residence for domestic purposes. There shall be no activity or equipment used to create vibrations, glares, fumes, odors, electric or television interferences or noise in violation of the City's noise ordinances which is measureable at the property line.
  - e. There shall be no outside display or storage of goods, equipment or materials used in connection with the home occupation.
  - f. Except for articles produced on the premises, no stock in trade shall be stored or displayed on the premises.
  - g. Garage, basement, yard or other similar sales related to the home occupation are not allowed.
  - h. Signage shall be in compliance with regulations found in Title 14 Sign Ordinance.
  - i. The property containing the home occupation shall maintain the required number of legal off-street parking spaces required for the residential use(s) and the home occupation use(s).
  - j. There shall be no commodities sold or services rendered that require receipt or delivery by means other than a delivery service customary to residential uses.
3. **Major Home Occupation.** A home occupation that includes, but is not limited to, one-on-one in-person professional and personal services and craft production or low-volume sales of small goods, such as artwork, clothing, personal accessories, décor, or baked goods. Such major home occupation is permitted as long as a Home Occupation license is obtained and the following standards are met:
- a. The home occupation is conducted entirely within the enclosed portion of the residence or a detached accessory structure. The home occupation does not exceed twenty-five percent (25%) of the area of any floor within the principal structure. The home occupation may occupy as much of a detached accessory structure as is not needed to meet off-street parking requirements.
  - b. There shall be no exterior evidence of the home occupation and no alterations, whether interior or exterior, shall change the character of the structure as a dwelling unit. This includes that no mechanical equipment or machinery shall be used for the home occupation other than is usually, customary, and incidental to the residence for domestic or hobby purposes.
  - c. The home occupation may have one (1) on-site employee or contractor that is not an inhabitant of the dwelling. The home occupation shall not have more than two (2) customers at a time by appointment and no customers shall be allowed between the hours of 8:00 p.m. and 8:00 a.m.
  - d. No mechanical equipment/machinery shall be used other than is usual, customary, and incidental to the residence for domestic purposes. There shall be no activity or equipment used to create vibrations, glares, fumes, odors, electric or television interferences or noise in violation of the City's noise ordinances which is measureable at the property line.
  - e. There shall be no outside display or storage of goods, equipment or materials used in connection with the home occupation.
  - f. Except for articles produced on the premises, no stock in trade shall be stored or displayed on the premises.
  - g. Hobby, craft or art sales are permitted three (3) times per year for not more than three (3) calendar days per calendar year.
  - h. Signage shall be in compliance with regulations found in Title 14 Sign Ordinance.
  - i. In addition to the minimum off-street parking required for the dwelling, two (2) off-street parking spaces must be provided for customers and one (1) off-street parking space must be provided for each on-site employee or contractor that is not an inhabitant of the dwelling.
  - j. There shall be no commodities sold or services rendered that require receipt or delivery by means other than a delivery service customary to residential uses.

SECTION III. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this 9<sup>th</sup> day of April, 2024.



CITY OF ONALASKA

By:   
Kim Smith, Mayor

By:   
JoAnn Marcon, Clerk

PASSED: 04/09/2024  
APPROVED: 04/09/2024  
PUBLISHED: 04/16/2024