

**CITY OF ROELAND PARK, KANSAS  
ORDINANCE NO. 807**

**AN ORDINANCE RELATING TO HOME OCCUPATIONS WITHIN THE CITY OF ROELAND PARK, KANSAS; AMENDING SECTION 5-602 OF CHAPTER V, ARTICLE 6 ENTITLED “HOME OCCUPATIONS” AND REPEALING EXISTING SECTION 5-602 OF CHAPTER V, ARTICLE 6 ENTITLED “HOME OCCUPATIONS”; PROHIBITING THE PLACEMENT OF COMMERCIAL MARKERS ADVERTISING OR CALLING ATTENTION TO HOME OCCUPATIONS ON PROPERTIES ZONED FOR RESIDENTIAL USES.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:**

**SECTION 1.** That Section 5-602 of the Code of the City of Roeland Park, Kansas (“Code”), is hereby amended to read as follows:

**5-602. CRITERIA.** A home occupation is permitted as an accessory use of a dwelling only when all of the following criteria are met:

(a) No person or persons shall be engaged in such home occupation other than that person or those persons occupying such dwelling as his or her residence; provided, however, the person or persons engaged in such home occupation may have non-resident employees so long as no parking on the public right-of-way shall occur as a result of such employment and such employment does not otherwise disturb the residential character of the neighborhood;

(b) No alteration to the dwelling, building, premises, or property, shall be made, which changes the external appearance of the dwelling, premise or property, in a manner that causes the structure to lose its residential character or detract from the residential character of the neighborhood;

(c) The home occupation shall be conducted entirely within the main dwelling building and no such home occupation shall be conducted in an accessory building, garage, or structure, whether attached or detached;

(d) The home occupation shall not occupy more than 25 percent of the floor area of the dwelling;

(e) There shall be no outside storage of any equipment, machinery or materials used in the home occupation;

(f) There shall be no storage in the dwelling or anywhere upon the premises or property of any toxic materials or toxic chemicals for resale or use in the home occupation;

(g) No commercial exchange of tangible goods or other items constituting a sale between the person or persons conducting the home occupation and members of the general public shall be permitted on the premises of the home occupation. Members of the general public shall not include persons in the home by prior individualized invitation;

(h) No sign, symbol, device, design, decal, engraved surface, trademark, or logo that directly or indirectly names, advertises or calls attention to the home occupation or other commercial activity (a “Commercial Identification Marker”), and that is visible to persons not located on the property, shall be permitted anywhere on the property where the home occupation is authorized;

(i) No home occupation shall be permitted which generates, results in, or contributes to traffic (vehicular or pedestrian), parking, sewage, or water use in excess of what is usual and normal in the residential neighborhood;

(j) No home occupation shall be permitted which creates, or has the potential to create, a hazard or danger to the health, care, safety or welfare of any person or property, including any person at, in or occupying the dwelling or any property, real or personal, at the dwelling;

(k) No home occupation shall be permitted which results in or contributes to electrical disturbance or interference of any sort;

(l) No home occupation shall be permitted which is, may be, or has the potential to become a nuisance, public or private;

(m) No home occupation shall be permitted unless the person or persons conducting such home occupation shall have first paid in full their annual city occupation tax;

(n) No home occupation shall be permitted, if such occupation is subject to any other laws of the City, the laws of Johnson County, the State of Kansas, or the United States, which require persons conducting such an occupation first to obtain approval from such governmental authorities before commencing such occupation and maintaining approval while the occupation is conducted, and the approval has not been obtained or maintained; or

(o) No home occupation shall be permitted which may be unlawful under the laws of the City, the laws of Johnson County, the State of Kansas, or the United States, or any rules or regulations of the city, county, state or United States.

**SECTION 2.** That existing Section 5-602 of the Code is hereby repealed.

**SECTION 3.** This ordinance shall take effect sixty (60) days following its passage by the Governing Body.

**PASSED** by the City Council this 4th day of September, 2007. **APPROVED** by the Mayor.

/s/ Steve Petrehn  
Steve Petrehn, Mayor

ATTEST:  
/s/ Anthony J. Pluta  
Anthony J. Pluta, City Clerk