



CITY OF LEWISTON HOME OCCUPATION BUSINESS LICENSE

PURPOSE AND DEFINITION

The licensing of all wholesale, retail and other businesses within the City is necessary for the purpose of protecting and providing services to the citizens and businesses of the City.

“Business or occupation” means all activities, occupations, callings, trades, pursuits or professions located or engaged in, within the City with the object of gain, profit, benefit or advantage. Each business location is considered to be a separate business.

WHEN REQUIRED

A business license is required when any person is:

- Selling any goods or performing any services;
- Soliciting or offering or holding out goods or services for sale or hire;
- Acquiring or using any vehicle or premises in Lewiston for business purposes;
- Delivering any goods, either at wholesale or retail.

If your business changes ownership or if you move your business to a new location, the business license is automatically void. A new license is required if either event takes place.

HOW TO APPLY

You may obtain a license application from the Community Development Department. You should discuss the type of business with the Business License Coordinator for any additional information which may be required. You may call the Business License Office at 208-746-7363 to request an application or go to the city website at www.cityoflewiston.org to print one.

TIME FRAME

A license review takes approximately fifteen (15) working days from the time we receive the license application to the time you receive your license. However, in some cases it may take longer, depending upon whether modifications* and/or inspection of the business premises is required before occupancy.

*If modifications to your business space will be necessary, you should contact the Permit Center to determine if any permits will be required. The Permit Center may be reached at 208-746-1318.

LICENSE FEE

The license fee is calculated on number of employees. Refer to the Business & Occupation Fee Schedule for current rates. License fees are updated annually on October 1.

REVIEW PROCESS

When the completed application has been received by the Business License Office, copies are sent to the Fire Department, Building and Zoning Officials, and, in some instances, the Police Department and Health District.

The Zoning Official reviews the application to determine if the business is allowed in the zone. In some instances, a conditional use permit may be required; if so, approval of the conditional use is required by the Planning and Zoning Commission before a business license may be issued.

The Fire Department inspection will be arranged through the Fire Department inspector and will be scheduled at a time during the normal working day convenient to the applicant. The Fire Department reviews the use and structure for fire and life safety requirements not covered in the Building Code, i.e., water supply, Fire Department access and fire extinguishers. The Building Official reviews the condition of the structure in relation to the request. The Building Division inspectors review for compliance with adopted codes including electrical, mechanical and building codes. The Building Division also reviews the structure for compliance with the Americans with Disabilities Act (ADA). The Health District and the Police Department may also review some applications.



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REVIEW PROCESS Cont'd

Following the inspections, you will be given a letter containing the inspector's comments and/or a list of any corrections that may be required. Some corrections may be required immediately, prior to occupancy; others may be completed within a short period of time.

SANITATION SERVICE

All premises in the City are assessed a minimum fee to fund the Solid Waste System. Contact the Utilities Division at 208-746-3671 for information on the service and fee structure. Failure to contact the Utility Division and specify a service level will result in the minimum fee being assessed.

SIGNS

Most new signs and the replacement of existing signs require a construction permit. Signs are regulated by zoning, and the type and size of sign you may erect is determined by your business location. Window signs are not generally regulated. Portable reader board signs are illegal. Please contact the Zoning Official for more information at 208-746-1318.

REFUND POLICY

Withdrawal of Application – If, upon written request by the applicant to the Business Licensing Coordinator to withdraw an application for license, a refund shall be granted, less a processing fee; provided however, that no investigation had been conducted of the business premise or a license issued, in which case a refund shall not be granted.

ALL BUSINESS LICENSES MUST BE RENEWED ANNUALLY

OTHER CONTACTS:

Register your business name:	Idaho Secretary of State - (208) 334-2301 - www.sos.idaho.gov PO Box 83720 Boise ID 83720-0080
Federal taxes:	Internal Revenue Service - (800) 829-1040 – www.irs.gov Federal Bldg, Rm 327 550 W Fort St Boise ID 83724-0041
State income and other taxes:	Idaho Tax Commission - (208)799-3491 - www.tax.idaho.gov * 1118 "F" Street Lewiston ID 83501
Employment taxes, new hire, labor laws:	Idaho Department of Labor – (208) 799-5000 ext. 3937 or 3855 – www.labor.idaho.gov * 1158 Idaho St Lewiston ID 83501
Worker's Compensation Insurance:	Idaho Industrial Commission – (208) 799-5035 – www.iic.idaho.gov * 1118 "F" Street Lewiston ID 83501
Public Health Department	Public Health Idaho North Central District - (208) 799-3100 - http://idahopublichealth.com/ 215 10 th St Lewiston, ID 83501

* For faster service, you may register with all three (Tax, Labor and Industrial Commissions) at: www.business.idaho.gov



CITY OF LEWISTON HOME OCCUPATION STANDARDS

STATEMENT OF PURPOSE

It is the intent to promote and encourage economic activity and entrepreneurship within the city while protecting residential neighborhoods from the negative impacts of commercial use of residential dwellings. The city of Lewiston recognizes that, in general, unrestricted commercial activity, and specifically certain types of businesses, are incompatible with the enjoyment of residentially zoned property and may be detrimental to residential property values. The city of Lewiston further recognizes that homeowners have an expectation that their investment in their home is also an investment in their neighborhood, and that this investment comes with certain rights and responsibilities.

GENERAL PROVISIONS AND STANDARDS

A home occupation is an activity, profession, or craft carried on entirely within a residence or associated accessory buildings by the occupants, which activity is clearly incidental to the use of said residence as a dwelling and does not change the residential character of it; is conducted in such a manner as to not give any outward appearance of a business in the ordinary meaning of the term; so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence; and which does not infringe upon the rights of neighboring residents to enjoy a peaceful occupancy of their homes.

1. A home occupation may have a sign meeting the requirements of such signs, not to exceed 1.5 square feet.
2. The area within the residence or an accessory building is limited to (25) percent of the gross floor area of the residence. Home occupations may occupy more than (25) percent when approved with a conditional use permit.
3. No more than (1) person other than members of the family residing in the residence may be engaged in the business at the premises.
4. Exterior displays, including window displays or lawn displays are not allowed.
5. Outdoor storage is not allowed.
6. Regularly occurring outdoor activity is not allowed.
7. The business must be conducted in which no materials or mechanical equipment is used that would be detrimental to the residential use of the property or cause a nuisance to surrounding residences, because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
8. Multiple businesses licensed at the residence may not exceed the criteria set for a single business.
9. Where a combination of the residence and an accessory building is used for the business, the total area used may not exceed that allowed for a single home occupation.

BUSINESSES ALLOWED IN A RESIDENTIAL ZONE

Businesses allowed from the home within the standards listed above include, but are not limited to, the following:

1. **Artists and craft persons:** visual artists, photographers, authors, sculptors, dressmakers, seamstresses, tailors, gunsmiths, and home crafters.
2. **Family child care facility,** not to exceed (6) children.
3. **Instruction:** tutoring, music, craft, dance, yoga, or athletic instruction. Limited to (12) persons at any one time.
4. **Professions,** generally those that require state licensing or board certification: physicians, chiropractors, dentists, lawyers, architects, engineers, counselors, real estate, business services, and financial consulting.
5. **Personal services:** hairdressers, barbers, and masseurs.
6. **Construction/contracted trades and services:** general contractors, carpenters, plumbers, electricians, Landscape contracting, lawn care services and pest control, with the following limitations:
 - a. No construction material shall be stored outside;
 - b. No pesticides or herbicides may be stored outside;
 - c. No heavy equipment such as backhoes, dump trucks, or scrapers may be stored on the premises;
 - d. Contractors may not operate a contractor's storage yard in a residential zone.
7. **Sales:** phone sales, Internet sales, in-home product presentation, and travel agents, but not including on-site retail sales from the premises, with the following limitations:
 - a. All inventory must be stored within the allowed area of the home occupation;
 - b. No more than (2) delivery trips per day may be generated by the business.



CITY OF LEWISTON HOME OCCUPATION STANDARDS

BUSINESSES ALLOWED IN A RESIDENTIAL ZONE (Cont'd)

8. **Repair and refinishing:** electronics, appliances, and bicycles. The items being repaired or refinished shall not be stored outside.
9. **Farm stand**, limited to the sales of fruit and vegetables grown by the owner and for sale at the property of the Owner, with the following limitations:
 - a. Sales in the required front yard shall not obstruct traffic or cause a sign obstruction for traffic;
 - b. Sales must be seasonal in nature.
10. **Other** uses not specifically enumerated herein may apply for a conditional use permit in accordance with Provisions in Chapter 37, Article IX, Conditional Use Permit.

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TYPES OF BUSINESSES NOT ALLOWED IN A RESIDENTIAL ZONE

The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupation, or have a tendency to produce objectionable noise and other nuisances, and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the uses specified below shall not be permitted as home occupations:

1. Auto repair, minor or major, including customization or painting;
2. Motorcycle repair, minor or major, including customization or painting;
3. Cabinet shop;
4. Furniture refinishing or upholstery;
5. Gift shop or antique shop;
6. Painting of vehicles, trailers or boats;
7. Photo developing, retail
8. Wood lots and on-premise firewood sales;
9. Businesses in which more than (1) person, not an occupant of the residence, reports to the site of the business office to receive work assignments, material or payroll;
10. Repair of any internal combustion engines;
11. Nursery or garden shop;
12. Contractor's storage yard;
13. Manufacturing, except those activities consistent with the statement of purpose for home occupations;
14. Machining.