

SUBSTITUTE ORDINANCE NO. BL2026-1318

An ordinance amending Title 17 of the Metropolitan Code of Laws to amend the regulations on home occupations (Proposal No. 2026Z-009TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Subsection 17.16.250.D of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

- D. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:
1. Location
 - a. A home occupation must be conducted entirely within the dwelling unit or accessory building.
 - b. The home occupation shall be incidental and subordinate to the residential use of the property.
 2. Employees and Vehicles
 - a. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.
 - b. No more than five employees may reside within the dwelling at a home occupation location.
 - c. Vehicles associated with the home occupation shall be limited to one passenger vehicle, such as a motorcycle, automobile, pick-up truck, sport utility vehicle, van or similar.
 - d. No truck deliveries or pick-ups, except by public or private parcel services, are permitted.
 3. Customer Appointments.
 - a. Customers may visit home occupations by scheduled appointment.
 - b. Appointments may be for single customers or for groups of customers, but shall be limited to no more than 12 total customers per day.
 4. Outward Appearance, Quiet, and Objectionable Effects
 - a. Signs shall be governed by Chapter 17.32, Sign Regulations, of the Metropolitan Code.
 - b. The residential character of the lot and dwelling must be maintained. A home occupation that requires a structural alteration of the dwelling to comply with a nonresidential construction code is prohibited. This prohibition does not apply to modifications to comply with accessibility requirements.
 - c. A home occupation may not produce noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, glare, humidity, fumes, electrical interference, waste run-off, or other objectionable effects outside the dwelling unit or accessory building that are used as a home occupation.
 5. Activities
 - a. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.
 - i. All materials or goods shall be stored completely within the space designated for home occupation activities.
 - ii. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.

- iii. All materials or goods shall be stored completely within the dwelling unit or accessory building.
 - iv. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with Fire Code NFPA-30.
 - b. The following are permitted as home occupations that are allowed customer visits under subsection D.3:
 - i. Personal instruction, defined for the purposes of this section as services for training individuals or groups in academics, arts, fitness, personal defense, crafts, or other subjects of a similar nature;
 - ii. General office, defined for the purposes of this section as provision of executive, management, administrative, or professional services, but not involving medical services;
 - iii. Personal care services, defined for the purposes of this section as spa services and beauty and barber care. Personal care services do not extend to the care of or services for animals;
 - iv. Multimedia production, defined for the purposes of this section as staging and recording of video or audio productions that occur indoors and do not require sound to leave the premises;
 - v. Artisan manufacturing, defined for the purposes of this section as the shared or individual use of hand tools, mechanical tools, and electronic tools for the manufacture of finished products or parts as well as the incidental storage, sales, and distribution of such products within the limitations of this section;
 - vi. The repair or assembly of nonpowered equipment and vehicles, including but not limited to bicycles, ~~whether indoors or outdoors~~;
 - c. The following are not permitted as home occupations:
 - i. The manufacture or repair of automobiles and vehicles. ~~other transportation equipment.~~
 - iii. The outdoor storage of construction, scrap, or salvage materials.
 - iv. Animal grooming activities.
6. Permits – When Required and Requirements
- a. Home occupations must acquire a permit for activity under this section unless they meet both of the following conditions:
 - i. The home occupation does not serve customers on the property; and
 - ii. The home occupation does not employ anyone who does not live within the dwelling.
 - b. Prior to issuance of a permit, the applicant shall provide the codes department with an affidavit verifying:
 - i. that the applicant has confirmed that operating the proposed home occupation would not violate any home owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation;
 - ii. that the property is the applicant's primary residence. Two documents indicating proof of primary residence shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for a home occupation. Acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) current employer verification of residential address or a letter from the employer on company letterhead with original signature. (If the employer does not have letterhead, the signature of the employer must be notarized.); (e) current automobile, life or health insurance policy. (Wallet

Cards not accepted); (f) paycheck/check stub, (g) work ID or badge, (h) Internal Revenue Service tax reporting W-2 form; or (i) a bank statement; and

- iii. if the applicant is not the property owner, that the property owner is aware of the application and does not object to pursuit of the home occupation permit.

Further, the applicant shall provide proof of written notification to the owner of each adjacent property prior to filing the application. For each such adjacent property, proof of written notification shall be: (a) a signature of an owner; (b) a signed receipt of U.S. registered or certified mail addressed to an owner; or (c) notice from the U.S. Postal Service that registered or certified mail to an owner was refused or not timely accepted.

- c. In single-family and two-family zoning districts, no more than one home occupation permit may be issued per lot.
- d. The permit applicant must be the owner of the property, a relative of the owner of the property, or, if a renter, must have at least a one-year lease for the property. The applicant shall verify by affidavit that they comply with this subsection and, if a renter, must provide a letter showing that the landlord approves of the use of the property for a home occupation.
- e. Only one permit may be issued per property owner, regardless of the number of properties owned by the property owner and regardless of whether the property owner is the applicant.
- f. No person may be issued more than one permit.

7. Transferability and Enforcement

- a. Permit Transferability. A permit issued for activities under this section shall not be transferred or assigned to another person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the business. Upon termination of the occupant's residency, the home occupation permit shall become null and void.
- b. Revocation of Permit. If a final court order or orders find the permittee in violation of Code sections governing home occupation permits twice, and the violations took place within a twelve-month period, the zoning administrator may revoke a permit as provided in Section 17.40.590. Once a permit has been revoked pursuant to this subsection, no home occupation permit shall be issued to the applicant for a period of one year from the date of the revocation. The permit holder may appeal the zoning administrator's decision to the board of zoning appeals for a public hearing as provided in this title. Other violations of this Subsection D are punishable by a fine of fifty dollars per day, per violation.

8. Permit expiration and renewal

- a. A home occupation permit shall expire three years after it is issued unless it is renewed prior to its expiration.
- b. The codes department may promulgate additional regulations by which a renewal application may be submitted.
- c. The renewal application must include a statement verified by affidavit that the home occupation remains in compliance with Section 17.16.250.D.

Section 2. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. This Ordinance shall take effect upon publication of the above said notice, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.