

STATE OF GEORGIA

CITY OF WALNUT GROVE

ORDINANCE NO. 2025-06

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF WALNUT GROVE, GEORGIA, TO PROVIDE GUIDANCE AND STANDARDS FOR HOME OCCUPATIONS; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Walnut Grove, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Walnut Grove, Georgia desires to amend its code of ordinances to provide transparent standards and guidelines for home occupations; and

WHEREAS, the City desires to promote entrepreneurship while maintaining quality residential standards for the residents of Walnut Grove; and

WHEREAS, the Mayor and City Council expressly find that this Ordinance and the regulations outlined below strike a proper balance between the rights and interest of private property owners and the public;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walnut Grove, Georgia, and it is hereby ordained by authority of the same, as follows:

Section 1. That Article VI, Section 614, of Code of Ordinances of Walnut Grove, Georgia be hereby deleted in its entirety and replaced with the following under Article VI of Code of Ordinances of Walnut Grove, Georgia:

“Sec. 614- Requirements for Customary Home Occupations”

A. Overview

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1. The standards of this article dealing with home occupations are designed to protect and maintain the residential character of a neighborhood while permitting certain limited commercial activities that may be carried out in a home.
2. It shall be unlawful for any person to conduct a home occupation at a residence unless the person has applied for and received a license to do so in compliance with this article. Application for a home occupation permit shall be made in writing on forms provided by the City. Applications shall be reviewed and approved in accordance with Chapter 26, Article II, Sec. 26-34, of the Code of Ordinance of Walnut Grove, Georgia.
3. It shall be unlawful for the property owner or their agent to knowingly allow a person to use real estate for a home occupation in violation of this article.
4. All local and state licenses/permits as well as any necessary licenses/permits from any other agency required for the home occupation must be obtained prior to the business being opened.
5. A home occupation permit shall remain in effect until either it is revoked, the holder ceases the business, or the holder fails to pay any required occupational tax/fee due the City.

B. Evaluation Standards

1. The structure or appearance of the exterior of the dwelling shall not be altered or remodeled for home occupational purposes either by color, materials, construction, lighting, or in any other way.
2. The entrance to the home occupation portion of the dwelling shall be from either within the dwelling or through an existing entrance; not through a new outside

entrance.

3. No activities shall be allowed and no equipment or material shall be used that would change the fire safety or occupancy classification of the premises.
4. Not more than 25% of the floor area in the residential unit may be used for a home occupation. This is a maximum amount regardless of the number of occupations at any one residence. Additionally, a home occupation may occupy a maximum of 200 square feet of floor area of any accessory building.
5. Hours of operation. Customer visits shall be limited to the hours of 8:30 a.m. to 6:30 p.m.
6. There shall be no exterior evidence of the home occupation. Signs of any kind are prohibited.
7. The interior of the residence shall maintain an operational kitchen, bathroom, and sleeping area and shall have active utility accounts, including water and electricity.
8. The home occupation shall not generate pedestrian or vehicular traffic beyond what is normal to the neighborhood where it is located.
9. There shall be no outdoor storage of equipment or material used in the home occupation.
10. Occupations that are mobile or dispatch-only may be allowed, provided that any business vehicle used for the home occupation complies with this section, and is limited to one business vehicle per dwelling. Mobile or dispatch occupations may have employees. However, no employees shall remain at the home during the working period unless they are a member of the homeowners family or domiciled in the home.



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11. A home occupation permit/occupational tax certificate for a home occupation is valid for only the original applicant and is not transferable to any resident, address, or any other occupation. Upon termination of the applicant's residency, the home occupation permit shall become null and void.

12. If there are any changes proposed in the dwelling or in the plumbing or the electrical system, appropriate permits will be required.

C. Restriction on Sales. The home occupation shall involve the sale of only those goods or services produced on the premises, except in the case of mail order or home marketing service.

D. Mail Order or Home Marketing Service. If the home occupation consists of either a mail order business or a home marketing business, the residence will be the mailing address and office only. The business will only take orders at the home and the orders will be filled by direct shipment from factory/warehouse to customer. No inventory beyond samples may be stored on the premises.

E. Catering and Food Sales. A home occupation providing food catering or food sales must meet all of the requirements of O.C.G.A. 40-7-19 Cottage Food Regulations.

F. Beauty Shops and Barber Shops. Beauty shops and barber shops are allowed provided customer visits are by appointment only. The business shall consist of no more than one beauty/barber chair and no more than two customers shall be permitted at one time. Beauty shops and barber shops allowed under these provisions shall be registered with the appropriate licensing and inspection authorities.

G. In-Home Childcare.

1. In-home childcare is limited to six children at a time, including the caregiver's own

preschool-aged children.

2. No other home occupation permit/occupational tax certificate can be combined with an in-home childcare home occupation permit.
3. Home childcare providers and all persons domiciled in the household must also pass a fingerprint check and a preliminary records check to make sure that there is no history of criminal behavior. A background check conducted by the state within 60 days will satisfy this requirement.
4. All local and state licenses as well as any necessary permits from the Walton County Environmental Health Department must be obtained prior to the business being opened.

H. Impact-Related Standards

1. *Noise.* The maximum noise level for a home occupation is 50 dBA. Noise level measurements are taken at the property line. Home occupations that propose to use power tools or music must document in advance that the home occupation will meet the 50 dBA standard. The maximum noise level must be adhered to before, during, and after official business hours.
2. *Deliveries.* Deliveries or pick-ups of supplies or products, associated with the home occupation, are allowed at the home only between 7:00 a.m. and 6:30 p.m. Deliveries must not be made by vehicles over two axles.
3. *Vehicles.* No more than one marked vehicle may be used in association with the home occupation unless the employee is domiciled in the home. The type and size of the vehicle must comply with Sec. 40-7 and parking must comply with Sec. 40-6 of the Code of Ordinances for the City of Walnut Grove.

4. *Parking.* No on-street parking of business-related vehicles or customers shall be permitted at any time. The home occupation shall have necessary parking needed for both residents and customers without using public roads.
5. *Nuisance.* There shall be no emission of smoke, dust, odor, fumes, glare, vibration, electrical or electronic disturbance detectable at the property line or beyond.
6. *Employee.* The occupation shall be conducted by members of the family who are actively living in the primary residence. Employees not domiciled in the residence are prohibited unless exempt under Section B. 10.

I. Uses which are not allowed as home occupations.

1. Motor vehicle and accessory/parts sales, rental, repair, and/or painting.
2. Vehicle detailing, cleaning, or vehicle glass repairs (on-site).
3. Combustion engine repairs or cleaning (on-site).
4. Equipment rentals.
5. The assembly, repair, or reconstruction of major household appliances, including refrigerators, freezers, clothes washers, clothes dryers, dishwashers, stoves, heating equipment, and air conditioning equipment.
6. Consignment sales where items are stored on the property.
7. Medical doctors or any practice of physical and/or medical application, including chiropractors and massage therapists or any other uses which involve medical procedures.
8. Dentists.
9. Funeral Home.
10. Uses that require the handling of any hazardous or toxic materials.

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11. No home occupation shall include the manufacture, repair, sale or storage of firearms, ammunition, or other items which are regulated by the Bureau of Alcohol, Tobacco, and Firearms, at the site of the home occupation.

12. Dismantling, junk, scrap, or recycling materials.

13. Commercial cabinet or furniture making.

14. Restaurant.

15. Occupation involving explosive materials.

16. Breeding or selling of animals other than domestic animals typically weighing less than 150 pounds at maturity. Breeding and selling of animals of any weight is not permitted as a home occupation except in AG district.

17. Animal hospitals, veterinary clinics; animal day cares or kennels of any size.

J. **Consent to Inspection.** The signature of the applicant upon the application shall grant the consent by the applicant to an inspection of the home occupation premises by the City of Walnut Grove. The dwelling in which the home occupation is being conducted shall be open for inspection to City personnel during reasonable hours. Failure by the applicant to allow for the inspection of the premises by the code enforcement officer or positions(s) designated by the City Administrator shall be grounds for refusal to grant the permit or to revoke any current permit.

K. **Revocation of a home occupation permit/occupational tax certificate.** The City Administrator or their designee has the authority to revoke a home occupation permit/occupational tax certificate, upon determining that the use as operated or maintained creates one or more of the following conditions:

1. A nuisance or other undesirable condition interfering with the public health, safety,

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or general welfare.

2. A violation of the provisions of this article or any other applicable law or ordinance, or a violation of the conditions imposed upon the home occupation permit.
3. Failure to allow the City to inspect the property during hours of operation.
4. Before revoking a home occupation permit, the City shall give a 10 day written notice to the permit holder addressed or delivered to the premises. The permit holder may appeal the revocation to the City Council by filing a written notice of appeal with the City Clerk within said ten-day period. The revocation shall be stayed pending the council's decision on the appeal.

Section 2. Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Pursuant to the Section 3.14 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Walnut Grove, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the City Code of Walnut Grove, Georgia. The goal of this authorization is to codify and number this Ordinance in the Code in such a way as to be clear and orderly.

Section 4. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Walnut Grove, Georgia.

Section 5. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or

MEMORANDUM

1. The purpose of this memorandum is to provide information regarding the proposed changes to the existing policy on [illegible].

2. The proposed changes are based on the findings of the [illegible] study conducted in [illegible].

3. It is recommended that the proposed changes be implemented as soon as possible to ensure [illegible].

4. The [illegible] department will be responsible for the implementation of these changes.

5. A copy of this memorandum is being provided to the [illegible] for their review and comment.

6. The [illegible] department will be responsible for the implementation of these changes.

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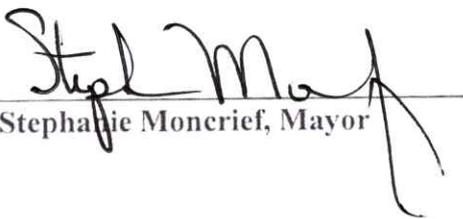
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16. The [illegible] department will be responsible for the implementation of these changes.

declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.

SO ORDAINED this 30th day of December 2025.

City of Walnut Grove, Georgia


Stephanie Moncrief, Mayor

ATTEST:


Lynn Heard, City Clerk

APPROVED AS TO FORM:


Tony Powell, City Attorney
Powell & Crowley, LLP



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