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FOR OFFICE USE ONLY

**HOME BASED BUSINESS QUESTIONNAIRE**  
**(for Milpitas businesses only – excluding Large Family Child Care Homes)**

The Municipal Code of the City of Milpitas (Section XI-10-13.05 Home Occupation Ordinance) defines a home based business as a business enterprise conducted within a dwelling by the residents of the dwelling and which is incidental and secondary to the use of the dwelling for residential purposes.

**Performance Standards for Home Based Businesses:** The City Code requires that all home based businesses comply with the following regulations:

- 1) All persons operating a home based business must obtain a business license from the City prior to commencing any business. It shall be unlawful to operate a home based business without a business license.
- 2) Only the residents of the dwelling may operate the home based business. No employees associated with the home based business shall report to work on the premises.
- 3) The home based business shall not involve the presence of more than one client on the premises at any time.
- 4) The home based business shall not be operated in a manner which creates noise, vibrations, dust, odor, smoke, or television and radio interference affecting adjoining properties.
- 5) No signs are permitted either on or off the premises in connection with the home based business. Products or equipment produced or used by a home based business shall not be displayed in a manner which is visible from the exterior of the dwelling.
- 6) There shall be no storage of materials or supplies outdoors in a manner which is visible from adjacent properties or public ways.
- 7) The home based business shall not require modification or exterior alterations of the dwelling in which a home based business is conducted.
- 8) The home based business shall be conducted entirely within the dwelling except for those types of home based businesses which are conducted entirely off-site and away from the dwelling.

**Excluded Businesses:** The following are **not permitted** home based businesses as defined by the Home Occupation Ordinance:

- Barber/beauty shops (or similar cosmetology establishments)
- Kennels and catteries
- Auto or mechanical repair shops
- Medical/dental offices
- Retail sales (Excluding retail sales in which all products are sold over the phone or Internet and shipped to the customer).

**Revocation of the Permit:** A home based business license may be revoked for violation of any provision of this chapter after notice and an opportunity for a hearing has been given to the permit holder.

*I certify that I have read and will comply with the Home Occupation Ordinance as listed above and hereby state that my Home Based business will conform to all the provisions set forth therein. I also understand and agree that non-compliance with the above is grounds for revocation of the business license as outlined above. Further, I certify that the information supplied on this form is true and correct to the best of my knowledge.*

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**NOTE TO APPLICANT**

**A Business License merely represents receipt of payment of the applicable business license tax. Neither this application for a Business License nor the issuance of a Business License authorizes the opening or operation of any business in the City of Milpitas unless the business is operated and maintained in compliance with all laws of the State of California, ordinances of the City of Milpitas, and all rules and regulations promulgated thereunder. Issuance of a business license results from the assurances of the applicant that the business is in compliance with zoning and building laws and that the business is not prohibited by law.**

Business Licenses are issued pending the approval of any or all (or additional) of the following regulatory departments of the City: Planning, Building, Fire, Police, and the City Manager’s Office. This application will be routed to those regulatory departments for review and determination that the business does conform to the requirements of the City and the law. Non-conforming businesses are subject to the imposition of legal sanctions by the City.

**Business Licenses must be renewed each year and license taxes are due and payable on or about July 1st of each year that the business remains in operation.** Late payments are subject to a penalty assessment in accordance with Milpitas Municipal Code III-1-2). This does not apply to State Licensed Contractors located outside of Milpitas.

**DECLARATION**

I declare under penalty of perjury as follows:

1. That this application and any attachments thereto have been examined by me;
2. That to the best of my knowledge and belief the statements made herein are true and correct; and
3. That the applicant business is to the best of my knowledge and belief neither prohibited by any ordinance of the City of Milpitas or in violation of any ordinance of the City of Milpitas.

Date: \_\_\_\_\_

Partner Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Partner’s Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

(Must Be Owner or Officer)

Partner Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

(All partners’ signatures are required. Use separate sheet if necessary)

Partner’s Signature: \_\_\_\_\_

**FOR ACCOUNTING USE ONLY:**

Received by: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ BL Entered by: \_\_\_\_\_

Received Date: \_\_\_\_\_ Receipt #: \_\_\_\_\_ BL Entered date: \_\_\_\_\_