

DAYCARE HOME OCCUPATIONS

A daycare home occupation is a business or professional activity conducted within a residential dwelling by occupants of the residence for the purpose of generating income. By Taylorsville City Code, home occupations are to be operated in such a manner that any citizen, under normal circumstances, would not be aware of its existence other than a small nameplate sign as allowed by City ordinance. The City's standards regulating home occupations are intended to ensure compatibility with the residential character of the neighborhood in which the home occupation is located.

What is a "Daycare" Home Occupation?

A Daycare Home Occupation (also known as a Class D Home Occupation) means a home occupation that provides care, supervision or preschool instruction for children less than 14 years of age within an occupied dwelling and a secured yard for direct or indirect compensation. Class D Home Occupations are further classified as follows:

Family Child Care Class D1 means a Class D home occupation that provides caregiver services for less than 5 children. This number includes the caregiver's own children under the age of 6 who are not yet in full day school.

Family Child Care Class D2 means a Class D home occupation that provides caregiver services for 5 to 8 children. This number includes the caregiver's own children under the age of 6 who are not yet in full day school.

Family Child Care Class D3 means a Class D home occupation that provides caregiver services for 9 to 12 children with sufficient staffing required by the State of Utah Health Department. This number includes the caregiver's own children under the age of 6 who are not yet in full day school.

Home Preschool Class D4 means a Class D home occupation that provides instruction and care for 12 or less preschool children ages 6 or under or children not in full day school. This number includes the applicant's own children ages 6 or under who are not yet in full day school.

Home occupation regulations are intended to ensure compatibility with the residential character of a neighborhood. To accomplish this objective, a home occupation must be clearly secondary or incidental to the residential use and must be operated in a manner so that any citizen, under normal circumstances, would not be aware of its existence.

Do I Need a Business License?

Yes—if business activities are being conducted within a residence or on a residential premise. Taylorsville City Code 13.57.040 states, "It shall be unlawful for any person to engage in a home occupation unless such person has received a home occupation business license from the City. Each day of non-compliance shall constitute a separate violation." If you are unsure, please contact the Taylorsville Business License Division at (801) 963-5400.

How Much Does a Class D Home Occupation Business License Cost?

New Application: \$100
Annual Renewal: \$100

How do I Apply for a Class D Conditional Use Permit?

- Submit a Conditional Use Permit Application (\$250 fee)
- Provide the following site and floor plans:
 - a. A floor plan for the area of the home drawn to scale showing:
 - i. Total home square footage
 - ii. Daycare area square footage
 - iii. Indoor play area (must be a minimum of 35 square feet per child)
 - b. A site plan drawn to scale showing:
 - i. Backyard play area (must be a minimum of 80 square feet per child, in the rear or side yard, and enclosed by a well-maintained fence no less than 6 feet high)
 - ii. Off-street parking area (a minimum of two (2) off-street parking spaces equaling 360 square feet of paved hard surface shall be provided by clients; parking is only allowed in front or rear yards)
- Provide a letter addressed to the City describing how a person(s) with disabilities will be provided for. The letter should demonstrate that you understand the need to make accommodations for business clients with a disability.
- Property Managers Letter: If you live in an apartment or rental home, a letter from the property management/owner is required.
- Provide photographs of the backyard fencing, onsite parking spaces and the property address on the front of the home.

How do I Apply for a Class D Home Occupation Business License?

Submit the following information to the City of Taylorsville Business Licensing Division:

- Class D Home Occupation Business License Application (multi-part carbonless form).
- Unified Fire Authority (UFA) Home Safety Fire Inspection Report (self-inspection of property).
- Payment of \$100.00 application fee (due upon application).
- Verification of business name registration (if applicable). You must register the business name with the Utah State Department of Commerce (unless you use your own personal name).
 - Apply in person at:**
Utah State Department of Commerce
160 East 300 South
Salt Lake City, Utah 84101
(801) 530-4829
 - Apply online at:**
<https://secure.utah.gov/osbr/user>
- Verification of current Utah State Sales Tax Number (if applicable). You must have a current State Sales Tax Number if your business engages in retail operations or offers a taxable service:
 - Apply in person at:**
Utah State Tax Commission
210 North 1950 West
Salt Lake City, Utah 84143
(801) 297-2200
 - Apply online at:**
<https://tax.utah.gov/>
- Property owner's approval letter. If you do not own your own residence, you must submit a letter from the property owner or manager granting permission to operate the home occupation. The City cannot issue a business license to anyone without written permission from the property owner or manager.
- Provide an original FBI National Criminal history check no older than 60 days from the FBI and identifying information and fingerprints on any persons employed, volunteer and or who resides in the home over 17 years of age and identifying information on all persons aged 12 to 17 years of age. The background check can be done at BCI located at 3888 West 5400 South, Taylorsville Utah. The fee is \$50 per person payable to Taylorsville City.

How Long Does it Take?

Generally, it takes 30 business days to process your conditional use permit application. Upon approval you will apply for a Business License, which will be signed by the Mayor and mailed to you.

Will Anyone from the City Inspect my Home Occupation?

Yes – a City Planner will review the exterior of your residence for compliance with applicable zoning ordinances. Based on the type of home occupation an inspection of the interior of your residence may be requested by a City Planner, Fire Inspector, or City Building Official.

What are the Operational Requirements for a Class D Home Occupation?

- Obtain a business license from the City.
- Remain compliant with all applicable statutes, rules and regulations.
- Business related activities shall be clearly incidental to the dwelling or residential use. The daycare must clearly be secondary to the home's main use as a residence.
- Business related activities shall not produce traffic, light, glare, noise, fumes, odor or vibration that will diminish the residential character of the neighborhood.
- Storage of stock in trade, inventory or commodities shall not occupy more than 500 cubic feet of the area being used for the home occupation and shall not be visible outside of the dwelling unit.
- Signage shall be limited to 1 non-illuminated name plate sign that does not exceed 3 square feet in area.
- Only "bona fide" resident(s) of the dwelling unit may participate in the operation of the home occupation.
- Property owner (or manager) must give written consent of the home occupation.
- Home occupations are subject to review upon complaint. If a complaint is received by the City, the home occupation will be reviewed for compliance with applicable ordinances and conditions of approval.
- Dwelling units and landscape areas shall be well maintained.
- Alterations shall not be made to the dwelling or the yard area that will change its residential character.
- Property address numbers need to be identified and maintained on the home. Address letters should be a minimum of 4 inches or more in height and a contrasting color from the main building.
- Only 1 vehicle may be associated with the home occupation. Said vehicle must be parked on-site in a garage or driveway and may not exceed 10,000 GVW (gross vehicle weight) or have more than 2 axles.

- No clients, customers, or patrons of the home occupation business are allowed to visit the home occupation location for business purposes.
- Applicants for a Class D1, D2 or D3 Home Occupation shall be certified as a residential childcare provider by the Utah State Department of Health.
- The outdoor play area shall consist of a minimum of 80 square feet in area per child, and shall be located in the rear and/or side of the dwelling.
- The outdoor play area shall be secured by an appropriate, well maintained, fence not less than six feet in height. The Planning Commission may require a fence that exceeds six feet in height as it determines necessary.
- The hours of operation for the outdoor play area shall not exceed 8:00 a.m. to 8:00 p.m.
- The dwelling unit should provide an indoor play area at a minimum of 35 square feet in area per child.
- A minimum of two parking spaces comprising at least 360 square feet of paved hard surface area shall be provided for clients, customers or patrons of the Class D Home Occupation business in addition to required residential parking. The Planning Commission may waive the additional parking space requirement in planned unit developments, manufactured home parks, condominium developments, and apartment complexes. Required parking for the home occupation shall be located in the dwellings front and/or side yard.
- Required parking for the home occupation shall not detract from the residential character of the property. An appropriate amount of landscaping shall be preserved and maintained.
- The designated number of children includes the caregiver's own children under the age of 6 years who are not yet in full day school.
- Only 1 Class D home occupation shall be allowed per dwelling.
- Hours of operation for Class D Home Occupations will be determined through the Conditional Use Permit process. Hours exceeding 6:00 a.m. to 8:00 p.m. will be considered with documented need or justification.
- Home preschools shall allow no more than 12 children per preschool session. Home preschool sessions shall be limited to no more than 4 hours and preschool sessions shall be limited to 2 per weekday. Instructor licensing and curriculum requirements shall comply with the requirements of the State of Utah.

Helpful Phone Numbers:

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| ■ Better Business Bureau: | (801) 892-6009 |
| ■ Chamber West (chamber of commerce): | (801) 969-8755 |
| ■ Unified Fire Authority | (801) 743-7230 |
| ■ Utah Department of Professional Licensing (DOPL): | (801) 530-6091 |
| ■ Utah Bureau of Criminal Identification (BCI): | (801) 965-4445 |

Home Preschool / Daycare Fire Prevention Requirements



Unified Fire Authority
Fire Prevention Bureau
801-743-7230

General Fire Prevention

- Clearance of combustibles from ignition sources (12-18 inches).
- No open flame (decorative candles not allowed).
- No combustible storage located in mechanical / electrical rooms.
- Live Christmas trees are not allowed. Artificial trees only.

Emergency Planning, Employee Training

- Develop an Emergency Evacuation Plan. **Have a place to meet outside for shelter for all types of weather.**
- Create an Emergency Escape Route Map. Post on each level of child care.
- Emergency evacuation drill conducted quarterly. Keep a written record of date, time, participants, etc.
- Check smoke detectors monthly. Replace batteries twice a year. Keep a written record of monthly smoke detector checks.

Fire Access, Fire Lanes, Fire Hydrants

- Keep fire hydrants free of obstructions or debris - 36" radius around fire hydrants.
- Address numbers need to be visible from the street. 4" numbers that contrast with the background.

Electrical

- Heating appliances are "listed" and guarded against accidental contact.
- Maintain a 36" clearance around electrical service equipment.
- Extension cords cannot be used in place of permanent wiring.

Fire Protection Systems

- Smoke alarms required in all hallways, living areas and sleeping areas.
- Fire sprinklers are required if the size of the home exceeds 4,500 sq.ft.
- Fire alarms are required if the size of the home exceeds 4,500 sq.ft.
- Portable fire extinguisher with a minimum rating of 2a10bc required.
- Portable fire extinguisher needs to be mounted, serviced and tagged annually.
- Fire extinguishers shall not be obstructed or obscured from view.

Exiting

- Two separate means of escape, arranged so that if one is blocked, the other will be available on each level occupied by clients.
- Daycare and preschools located in the basement or on the second story shall provide two means of escape, one of which shall discharge directly to the outside. With 5-8 children, a rescue window is allowed. 9-16 children will require a door that leads directly to the outside.
- Children under the age of 2 ½ shall not be located in a basement or above the main level of the home unless there is a door that exits directly to the outside or the home has fire sprinklers.

Number of Occupants

- The maximum number of infants or toddlers under the age of 2 ½ is (4).
- The fire department allows a maximum of 16 children. **Taylorsville City maximum is 12 children.**