



PLANNING & ZONING

City of Huntington
Planning & Zoning
P.O. Box 1659 | Huntington, WV 25717
(304) 696-5540, option 3
planningdept@huntingtonwv.gov

Home Occupation Instructions

A home occupation permit is required for any business operating in a residence. The business must be permitted according to the Section 1341.22 of the City of Huntington Zoning Ordinance. All home occupations are required to obtain a State and Municipal Business License.

- 1) Contact the Business Services Advocate, Sarah Bostic, who will assist you throughout the process and provide you with the Huntington Business License and Home Occupation applications.
 - a. Business Services Advocate: Sarah Bostic
 - b. Department: Finance
 - c. Phone: (304) 696-5540, ext. 2339
 - d. Email: bostics@huntingtonwv.gov
- 2) Register your business with the state and complete the Huntington Business License and Home Occupation applications.
- 3) Submit the application Home Occupation application to the Planning and Zoning office to verify the proposed use will be compatible with the neighborhood and receive proof of approval.
 - a. Department: Planning and Zoning
 - b. Phone: (304) 696-5540, opt 3
 - c. Email: planningdept@huntingtonwv.gov
 - d. Location: City Hall, Main Floor, Room 100
 - e. Please refer to the City of Huntington code Section 1341.22 for the types of occupations that are permitted/prohibited as a home business (included for your convenience).
 - f. The cost of the permit is a yearly fee of \$15
- 4) Submit the Huntington Business License application and proof of Home Occupation approval to the B&O Specialist in the Finance office and pay the licensing fees.
 - a. Department: Finance
 - b. Phone: (304) 696-5540, opt 4
 - c. Email: finance@huntingtonwv.gov
 - d. Location: City Hall, Main Floor, Room 103
 - e. You must bring a copy of your WV Business Registration Certificate (other documents may be required).
 - f. You will be able to open for business once you have obtained a Huntington Business License

****Both your Home Occupation and Huntington Business License are renewed yearly on July 1.**

City of Huntington Zoning Ordinance Section
1341.22 Home Occupation

- A. A home occupation shall be conducted completely indoors, and may be within a principal or accessory building. The total amount of floor area of all buildings used for a home occupation shall not be greater than 25 percent of the total floor area of the principal dwelling unit.
- B. There shall be no outdoor operations or outdoor storage of materials, products or equipment.
- C. Signs and Displays - There shall be no use of show windows, business display or advertising visible from outside the premises, except for one non-illuminated sign with a maximum sign area of two square feet on each of two sides and a maximum height of six feet.
- D. Truck Traffic - The use shall not require the parking of, storage of or regular servicing by a vehicle with an aggregate gross vehicle weight of more than 12,000 pounds, except for one vehicle used by a resident whose primary occupation is as an over-the-road driver of such vehicle. Such vehicle shall be parked off-street beyond the front of the house. While parked on the residential lot, such vehicle shall not generate noise beyond normal neighborhood levels.
- E. Uses permitted as a home occupation include, but are not limited to: art studio, home craft businesses (including home craft brewery production (nanobrewery) in accordance with 1341.50), dressmaking, furniture making, office, custom sewing, clerical work, sales or survey over the telephone, tax preparation, musical instruction, tutoring of students, personal service businesses, trade businesses provided there is no on-site assembling, manufacturing, processing, or retail sales, repair service, day care in accordance with Section 1341.13, or one chair beauty or barber shop with no products sold from the premise.
- F. The following uses shall not be permitted as a home occupation: veterinarian office, stable, kennel, funeral home, industrial uses (other than custom crafts and sewing), wholesale or retail sales on the premises (except as accessory to custom crafts and except for sales over the phone, through the mail, or online), restaurant, repairs of motor vehicles or trucking company terminal, manufacturing, or repair of machinery, automobiles, trucks, and motorcycles.
- G. Nuisances - No machinery or equipment shall be permitted that produces noise, noxious odor, vibration, glare, electrical interference or radio or electromagnetic interference beyond the boundary of the property. Only general types and sizes of machinery that are typically found in dwellings for hobby, domestic or sewing purposes shall be permitted. No use shall generate noise or glare in excess of what is typical in a residential neighborhood.
- H. Parking and Loading - The lot shall include sufficient parking for the maximum number of vehicles on-site at one time, plus parking for the dwelling unit. A defined driveway shall be provided, and shall be shown on the site plan. The applicant shall prove that such driveway provides for safe sight distance.
- I. Building Appearance - The exterior of the residential building and the lot shall not be changed in such a way as to decrease its residential appearance, except for permitted parking spaces and the permitted sign.
- J. Hours - A home occupation shall not be conducted in a way that is perceptible from beyond the lot line between the hours of 9 p.m. and 7 a.m. This time limit shall also apply to any loading or unloading of vehicles on the property or on a street that causes noise to adjoining residents.
- K. Hazardous Substances - The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts commonly found in a dwelling.
- L. Advertising - The address of the home occupation shall not be advertised in such a way that would encourage customers or salespersons to come to the property without an appointment.
- M. Number of Employees - No employees who are not permanent residents of the dwelling may work on the premise, except for businesses that involve field or on-site service, including salesmen, plumbers, cleaners, home repair, online services and other similar service activities. Such home occupations may employ up to four persons, provided that the home occupation may have 1 Full Time Equivalent employee work at the home office. For the purposes of the Home Occupation Full-Time Equivalent may include up to four employees provided that no more than one employee works on-site at any given time. A Home Occupation may apply for a Special Permit to have more than one (1) employee at the home office provided it is found that based on physical characteristics of the lot the additional employees would not detract from the residential character.
- N. Instruction - Any instruction or tutoring shall be limited to a maximum of four students on the property at any one time.
- O. A permit from the Planner or designee shall be required for any home occupation.



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Home Occupation Application

Business Name: _____ **Phone:** _____

Address (city, state, zip): _____

Applicant Name: _____ **Email:** _____

Property Owner: _____ **Phone:** _____

Describe in detail the daily operations of the proposed business (production of products and/or services), list the equipment used, where the equipment is stored, and the room or accessory building where the business is to take place:

Describe the traffic that is to be expected for the proposed business (deliveries, pick-ups, customers/ clients, employees, etc.):

Describe any on-site advertising or other marketing strategies:

Describe any alterations to the property needed for the operation of the proposed business:

What is the anticipated number of employees working for the proposed business that will live outside of the residence? _____

If there is more than one employee who does not live at the residence, please elaborate on the anticipated work schedule and any overlap for those employees:

Home Occupation Agreement

Please read and initial each line.

- _____ I certify the lot shall include sufficient parking for the maximum number of vehicles on-site at one time, plus parking for the dwelling unit.
- _____ I certify that the home occupation will not cause an increase of pedestrian or vehicular traffic.
- _____ I certify that the residential character of the lot and dwelling will be maintained.
- _____ I certify the home occupation will not produce external noise, noxious odor, vibration, glare, electrical interference or radio or electromagnetic interference beyond the boundary of the property.
- _____ I certify the home occupation will not conduct operations in a way that is perceptible from beyond the lot line between the hours of 9:00 p.m. and 7:00 a.m.
- _____ I certify the home occupation will not involve the storage or use of hazardous, flammable, or explosive substances, other than the types and amounts commonly found in the dwelling.
- _____ I certify the address of the home occupations will not be advertised in such a way that would encourage customers or salespersons to come to the property without an appointment.

I, the undersigned, acknowledge that I have read and understand the requirements for having a home occupation. I also understand that if my home occupation violates any of the above requirements, the Home Occupation Permit may be revoked without notice.

FOR OFFICE USE

Received: _____

Staff Initials: _____

Permit Number: _____

Signature of Applicant

Date

Signature of Property Owner

Date

****All applications to be submitted must be typed or legibly written in blue or black ink.***

FOR OFFICE USE ONLY

Planning

_____ **Approved** *Conditions:* _____
_____ **Denied** _____

Reviewed by: _____ Title: _____ Date: _____



FINANCE DIVISION

City of Huntington
Finance Division
P.O. Box 1659 | Huntington, WV 25717
(304) 696-5540, option 4
finance@huntingtonwv.gov

Business License Information

Any person who is engaging in any business activity in West Virginia must first have a West Virginia Registration Certificate from the West Virginia State Tax Division. You can obtain the certificate online by registering at www.business4wv.com.

Locations in Huntington: After finding a potential site, zoning regulations require that your business activity be permitted at your chosen location. Review zoning map by visiting cityofhuntington.com or contact Planning & Zoning office at planningdept@huntingtonwv.gov. In addition to a Business License, you may also need a Certificate of Occupancy, a Home Occupation Permit, a Mobile Food Vendor Permit, or an Outdoor Dining Permit, depending on the type of business you are operating.

Once you have received your West Virginia Business Registration Certificate, you can apply for a Huntington Business License at www.cityofhuntington.com, in-person RM 103, or by mail. The Business License is \$20. License fees are not prorated. Other license categories have additional license fees, such as real estate and businesses selling alcohol.

Steps to Obtain a Huntington Business License

1. Obtain a West Virginia Business Registration Certificate.
2. Complete the Business License application.
3. Pay the business license fee.
4. Submit your application and any required documentation.
 - I. Once you have submitted your completed application and paid the fee, your business license will be reviewed and once approved, the certificate will be mailed to you. Business Licenses expire on June 30 of each year, and you will be mailed a renewal notice in June each year.

Information for Specific Types of Businesses:

- Contractors and subcontractors must provide WV State Contractor's License, Certificate of General Liability Insurance with the City of Huntington listed as the certificate holder.
- Any person(s) who furnishes non-owner occupied a property for lease or rent for any purpose, which includes Tax Class 4 properties, is required to complete a Rental Registry Packet.
- Mobile Food Vendors (Food Trucks/Trailers) need to obtain a Mobile Food Vendor Permit from Planning Department prior to obtaining a business license
- Outdoor Dining on the public right-of-way must seek approval by the Planning Department.

Business and Occupation (B&O) Tax

- I. All businesses in Huntington must file Business and Occupation (B&O) Taxes.
- II. B&O Taxes are based on gross income (sales).
- III. B&O Tax Returns must be filed quarterly, due 30 days after the end of the filing period. Filing periods end on March 31, June 30, September 30, and December 31.

City Service Fee

- I. Five-dollar (\$5.00) per week per employee working within the city limits of Huntington.
- II. This fee applies to all individuals who report to work at a physical location or work from home within the City.
- III. The CSF is due for each week an employee worked, regardless of the number of hours worked.
- IV. Filing periods end on March 31, June 30, September 30, and December 31.



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Business License Application

ATTENTION: All applicants must submit a copy of their **West Virginia Business Registration Certificate** with the business license application. See Business License Information for more information.

Office Use Only

Account Number: _____

Business Data

Business Name: _____

EIN: _____

SS No. (If no, EIN): _____

Business Owner's Name: _____

Beginning Date of Business in Huntington: _____

Business Phone No.: _____

WV State Tax Department Business Registration Acct. No: _____

Business Location: _____

Mailing Address (if different than business location): _____

Inside City Limits: ☐ Yes ☐ No

Contact Person for Tax & License Purposes: _____

Payroll Service Provider: Yes ☐ No ☐

Contact Phone No./Ext.: _____

Name of Payroll Service Provider: _____

Contact Email: _____

No. of Employees working inside city limits (include business owner): _____

Give a description of your business activity within city limits: _____

Business License Category

Check applicable license category:

<input type="checkbox"/>	<input type="checkbox"/>	1	General Business License	\$ 20.00
<input type="checkbox"/>	<input type="checkbox"/>	75	Rental General Business*	\$ 20.00

* If you own any rental property please complete the Real Estate Rental section on second page.

<input type="checkbox"/>	<input type="checkbox"/>	11	Hawker/Peddler	\$ 20.00
<input type="checkbox"/>	<input type="checkbox"/>	79	General Business (Contractor)	\$ 20.00
<input type="checkbox"/>	<input type="checkbox"/>	27	Itinerant Vendor	\$ 500.00
<input type="checkbox"/>	<input type="checkbox"/>	28	Real Estate Broker	\$ 25.00
<input type="checkbox"/>	<input type="checkbox"/>	29	Real Estate Sales Agent	\$ 10.00
<input type="checkbox"/>	<input type="checkbox"/>		Street Artist License	\$ 20.00
<input type="checkbox"/>	<input type="checkbox"/>		Special Event License**	\$ 20.00

**Visit to cityofhuntington.com for the Special Events, Fairs, and Festival Application.

Liquor Retail Outlet (Includes General Business License)

<input type="checkbox"/>	<input type="checkbox"/>	62	Class A Store—Liquor License	\$1,120.00
<input type="checkbox"/>	<input type="checkbox"/>	63	Class B Store—Liquor License	\$1,120.00

Private Club (Includes General Business License)

<input type="checkbox"/>	<input type="checkbox"/>	3	Less than 1,000 Members	\$ 620.00
<input type="checkbox"/>	<input type="checkbox"/>	4	More than 1,000 Members	\$1,370.00
<input type="checkbox"/>	<input type="checkbox"/>	5	Fraternal, Veterans, or Non-Profit Social Club	\$ 495.00

Beer (Includes General Business License)

<input type="checkbox"/>	<input type="checkbox"/>	65	Brewery	\$ 520.00
<input type="checkbox"/>	<input type="checkbox"/>	6	Distributor	\$ 270.00
<input type="checkbox"/>	<input type="checkbox"/>	7	Dispenser or Club	\$ 120.00
<input type="checkbox"/>	<input type="checkbox"/>	8	Cold Package Carry-Out	\$ 120.00
<input type="checkbox"/>	<input type="checkbox"/>	9	Warm Pack Carry-Out	\$ 35.00

ATTACH A COPY OF WV ABC LICENSE


Type of Business Structure							
<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	<input type="checkbox"/> LLC/PLLC	<input type="checkbox"/> LP	<input type="checkbox"/> LLP	<input type="checkbox"/> Trust	<input type="checkbox"/> Nonprofit

Business Activity Classification (Check all that apply)				
<i>Proper classification of your business functions determines the correct Business and Occupation tax rate(s).</i>				
<input type="checkbox"/> Amusement	<input type="checkbox"/> Contracting	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Small Loans	<input type="checkbox"/> Utilities
<input type="checkbox"/> Banking	<input type="checkbox"/> Rental	<input type="checkbox"/> Service	<input type="checkbox"/> Retail, Restaurant	<input type="checkbox"/> Wholesale

Real Estate Rental Business (Attach additional sheet, if necessary)					
Property Address	No. of Units	Tenant		Check One That Applies	
		Business	Residential	City Refuse	Dumpster*
Example: 800 Fifth Avenue	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

***Article 951** – Refuse collection services for all dwelling units within the limits of the City, exclusive of multifamily dwellings containing **5 or more units**, shall be provided by the City.

Owner/Agent Contact Information		
Home Address: _____		
Phone: (Mobile) _____	(Home) _____	
Print Name: _____	Applicant Signature: _____	Date: _____

Payment for Business License
<p>In-person at City Hall in Room 103, 800 5th Avenue, Huntington, WV 25701 and pay via cash, check or Visa, Discover or MasterCard. Please note that an additional 3.75% (minimum of \$2.50) service fee will be applied to all credit card transactions.</p> <p>By mail to City of Huntington Business License Tax PO Box 1659, Huntington, WV 25717 and pay via check. Please make checks payable to "City of Huntington." Credit card payments will not be accepted through mail.</p> <p>Online email your application to finance@huntingtonwv.gov. Once your return has been processed, you will receive an email stating you can submit payment online at cityofhuntington.com via e-check (additional \$1.95 service fee) or Visa, Discover or MasterCard (additional 3.75% service fee, minimum of \$2.50 per transaction).</p>


Note: Business and Occupation Tax Return and City Service Fee Return will be mailed quarterly once the business license has been obtained. For more information, visit cityofhuntington.com.

OFFICE USE ONLY (Business Setup Checklist)
<input type="checkbox"/> Certificate of Occupancy
<input type="checkbox"/> Home Occupation
<input type="checkbox"/> B&O
<input type="checkbox"/> CSF
<input type="checkbox"/> Hotel/Motel
<input type="checkbox"/> Amusement
<input type="checkbox"/> WVBRC
Completed By: _____
Date Entered: _____