

## Home Occupation Permit Guidelines

### Please Read

Should a resident desire to operate a business out of a home or an apartment in a residential district, it is a home occupation permit. This permit allows for the conduct of business within a residential zone and is governed by Section 121 of the Rio Rancho zoning ordinance.

During the interview, you will be asked a number of questions that reflect the rules and regulations in Section 121 of the zoning ordinance. This section covers the rules and regulations you must adhere to during the operation of your home business. Please take the time to study this section as your interview questions are based on it.

The City Clerk must see information providing the State Tax ID number. If the applicant does not have a State Tax ID number, the City Clerk can issue one. The applicant is required to register his/her business in Rio Rancho. The business registration fee of \$35.00 is renewable annually. Failure to register the home occupation with the City Clerk within thirty (30) days of issuance will result in the home occupation permit being revoked.

The City Fire Inspector may inspect the applicant's home. This inspection appointment will be scheduled by the City Fire Inspector at a mutually agreed upon date and time. Details of the requirements are attached. When the City Development Department representative is in receipt of a satisfactory Fire Inspection report, the home occupation permit will be prepared and mailed to the applicant. This permit will be valid as long as no infractions of the ordinance are committed. The City Development Department and City Clerk offices must be notified of any address changes that occur.

### City of Rio Rancho Fire Rescue Department Policy Requirements

**Fire Marshal: Fire Marshall Jonathon Garcia**

**Telephone: (505) 891-5871**

- Fire Extinguisher: 2.5lb (minimum size) ABC rechargeable
- Smoke Detector: One (1) on each level of the home
  - Ground floor – bedroom hallway ceiling
  - Upper floor – ceiling at top of stairs
- Heater and water heater closets
  - No storage of combustibles
  - Safety relief valve on water heater
  - Cover or seal gaps in these areas between door jams and drywall with one-hour fire resistant material
  - Patch all holes around pipes and outlets

## Home Occupation Permit Rules

### Section 121

1. Resident occupants of the residence may conduct such occupation. A maximum of one (1) full-time equivalent employee not to exceed two (2) persons, may report to the residence to engage in the home occupation.
2. The home occupation use of a dwelling shall be clearly incidental and subordinate to its residential use. Not more than 25% of the dwellings gross floor area or, up to a maximum of 500 square feet shall be used for conducting the home occupation. The use of accessory structures is permitted under the same criteria.
3. Storage in connection with any home occupation shall be totally enclosed and shall be limited to items which are necessary to conduct the home occupation or, limited to items that have been ordered by a customer but have not been delivered to the customer.
4. There shall be no direct sale of products off display shelves or racks. Retail sales shall only be conducted if product orders are placed earlier by telephone. Sales to customers shall be arranged by appointment so that not more than one (1) customer vehicle is at the dwelling at any one (1) time.
5. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation and there shall be no open storage of business related equipment or supplies. One (1) company-owned vehicle that is one-ton or smaller, that may be used for personal transportation purposes also, shall be exempt from this condition.
6. Customer hours shall be limited to 7:00AM through 7:00PM. The number of clients/patrons shall be no more than ten (10) per day.
7. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy under normal circumstances wherein no home occupation exists.
8. There shall be no explosive, highly flammable, combustible, corrosive, etiologic, radioactive, or other materials restricted by City adopted ordinances, used or stored on the premises of a home occupation beyond the amount kept at a normal residential dwelling or on hand to operate or maintain equipment and permitted by the Fire Code as adopted by the City of Rio Rancho.
9. Parking. A home occupation shall not cause the elimination of any required off-street parking for the main dwelling.
10. Signs. No signs advertising the business or its products are allowed on the premises with the exception of permitted signage on vehicles as noted in Rule #5.
11. Number of home occupations. In no case shall more than two (2) home occupations be conducted on a single site, and where there are two (2) permitted, the limitations of this ordinance shall apply to the combined uses.
12. All home occupations shall require a business registration from the City Clerk offices.



**City of Rio Rancho**  
**Development Services**  
3200 Civic Center Circle NE, Ste 130  
Rio Rancho, NM 87144  
(505) 891-5005 Fax: (505) 896-8994

## Home Occupation Permit Application

### Applicant

**Fee \$67.00**

Name (Print): \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Alt phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### Legal Description

Unit/Subdivision: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
Tract/Parcel: \_\_\_\_\_ Zoning: \_\_\_\_\_

### Details

Do you have a current Home Occupation Permit for a separate business at this location? .....  Yes  No

Were you issued a copy of the Home Occupation Rules when you received this application? .....  Yes  No

Have you read the Home Occupation Rules? .....  Yes  No

**Please describe, in detail, the type of Home Occupation, specifically regarding any sales or work to be done on the premises.** \_\_\_\_\_  
\_\_\_\_\_

Will the proposed business require any other permits or licenses? .....  Yes  No

Will the proposed business produce any type of noise, glares, fumes, or odors? .....  Yes  No

How will business related tools and materials be stored? \_\_\_\_\_  
\_\_\_\_\_

What is the number of business related vehicles? \_\_\_\_\_

Where will business related vehicles be parked? \_\_\_\_\_

**Other than family members residing at this location, will anyone else be employed for this Home Occupation?** .....  Yes  No

If so, please specify, \_\_\_\_\_  
\_\_\_\_\_

Will the use of your home as a business base be clearly secondary to its use as a residence? .....  Yes  No

Please read the following and attest to it with your signature: To the best of my knowledge, the above information is accurate. I have read and understand the Home Occupation Rules and Regulations. Any violation of these rules and regulations shall cause my permit to be revoked.

\_\_\_\_\_  
Applicant's Signature Date

**Additional Comments**

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Lined area for additional comments.

**For Office Use Only**

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Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Receipt No: \_\_\_\_\_

Application No: \_\_\_\_\_

Conditions: Applicant must comply with all Home Occupation Regulations pursuant to; Rio Rancho \_\_\_\_\_  
Ordinance Chapter 121: Home Occupations, all sections.

Lined area for office use only.