

# **Sundays River Valley Municipality**



## **Small House Business Policy**

**Approved by Council – 22 November 2017**



## POLICY

### FOR APPLICATION TO OPERATE A SMALL BUSINESS FROM A RESIDENTIAL DWELLING UNIT

#### 1. WHAT IS A SMALL HOUSE BUSINESS

A small house business permits the small scale retail sale of goods (other than liquor) or operating small scale service trades as stated in the Land Use Planning Ordinance, 15 of 1985 and Spatial Planning and Land Use Management Act 16 of 2013 from a Residential dwelling unit.

#### 2. PROCEDURE TO BE FOLLOWED TO OPERATE A SMALL HOUSE BUSINESS FROM A DWELLING

- The Owner of a residential dwelling, must complete and submit an application form to the Council for a small house business/shop.
- The applicant shall, prior to making application, notify all occupants of adjoining properties of the intention to apply for permission to operate a small business from the dwelling unit. If there is more than one dwelling unit on the applicant's property, the occupants of the surrounding units must be notified.
- The notification of neighbours or occupants shall be in the form of a written notice, either sent by registered mail or hand delivered and signed for. The applicant shall submit proof that this has been done with the submission of the application
- The notice served upon neighbours shall give full details of the proposed small business and shall state that any objections shall be lodged with Council within a period of 21 days of the date of serving or posting the notice.
- The municipality will refer any objections to the applicant for his comments.
- The Council will then consider the application as well as any objections and the applicant's response to the objections.
- The Council/Municipality may then approve or disapprove the application within 60 days, after receiving all documentation and/or comments or objections, subject to certain conditions.

#### 3. STANDARD CONDITIONS OF APPROVAL OF A SMALL HOUSE BUSINESS

Any small house business approved by Council must comply with the following minimum conditions:

1. The Council's consent is granted for a period of 5 years to the applicant personally and not the premises on which the small house business is operated. The consent will automatically lapse should the applicant vacate the premises or the 5 year period.

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2. The small business shall occupy a minor part of the floor area of the dwelling and the small shop must be clearly secondary to the use of the dwelling unit for dwelling purposes. The residential character of the building or property must not be changed in any way when viewed from outside the property.
3. In the opinion of the Council, the use must not interfere with the amenity of the area in any way by virtue of noise, vibration, smoke, odour or unsightly conditions or conditions as stated in Ordinance 15 of 1985 and Spatial Planning and Land Use Management Act 16 of 2013, pertaining the Zoning of the property (Residential Zone I).
4. No more than 2 additional persons shall be employed or assist in running the small business.
5. No public display of goods or signs greater than 400mm x 600mm, shall be permitted, to be displayed and only on the relevant property.
6. The small business shall not involve the regular parking/storing of any vehicle used for transport other than the vehicle the applicant has for personal use.
7. The use shall not create a volume of traffic inconsistent with the normal level of street traffic without the small business.
8. The standard house must have:
  - (a) A separate room or building with a direct exit door.
  - (b) Floor area to be not more than 10% of the total living area of the house or dwelling.
  - (c) Council must approve house plan as per building regulations for any additions to the existing building.
9. In the case of an addition, a door that opens to the outside must be installed which is compulsory for a fire emergency exit.
10. A small house business must only be operated by the Applicant as earmarked by the agreement with the Owner and the Title Deed.
11. The Applicant cannot lease his rights or his business to any individual or company.
12. Council may impose business rates on municipal services and taxes where applicable.
13. All existing small businesses must apply in terms of the new small house business policy.
14. An owner or applicant may not construct any supermarket on his/her site.
15. Must have prepaid electricity and water meters where applicable.

**Note:** The Council may impose any further condition it may deem fit, either at time of application or at any time subsequent to approval of an application.

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4. DOCUMENTS TO BE SUBMITTED

The following documents are to accompany the application

- A fully completed application form attached as **Annexure "A"**.
- Written proof that all adjoining neighbours have been notified of the applicant's intention
- A declaration from the applicant that the Title Deed of property does not prohibit the proposed use.
- Copy of the Title Deed.
- An application fee of R1 600.00.
- Copy of I.D and of husband or wife.
- Copy of a marriage certificate.
- Copy of approved building plans.
- Approval be obtained from the bond holder if any.

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**ANNEXURE A:**

**SECTION A: PERSONAL DETAILS OF APPLICANT**

PLEASE MARK WITH "X"

SURNAME		<u>MARITAL STATUS</u>	MARRIED	COHABITATING
FULL NAMES				
INITIALS		GENDER	MALE	FEMALE
DATE OF BIRTH		TITLE DEED NUMBER/LETTER OF OWNERSHIP FROM MUNICIPALITY		
OCCUPATION				
ID NUMBER				
RESIDENTIAL ADDRESS				

SIGNATURE: .....

**SECTION B: PERSONAL DETAILS OF WIFE, HUSBAND OR PARTNER**

PLEASE MARK WITH "X"

SURNAME		<u>MARITAL STATUS</u>	MARRIED	COHABITATING
FULL NAMES				
INITIALS		GENDER	MALE	FEMALE
DATE OF BIRTH		TITLE DEED NUMBER /LETTER OF OWNERSHIP FROM MUNICIPALITY		
OCCUPATION				
ID NUMBER				
RESIDENTIAL ADDRESS				

SIGNATURE.....

PAYMENT OF R1 600.00 (all inclusive)

RECEIPT NUMBER:..... DATE:...../...../.....

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Approved by Council on 22 November 2017



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N G BIXA  
MAYOR

22 November 2017

