



Town of Topsham, Maine  
100 Main Street  
Topsham, Maine 04086  
[www.topshammaine.com](http://www.topshammaine.com)  
Codes Enforcement Office  
PH (207) 725-1723/ FX (207)725-1737

## Home Occupations and Zoning Regulation

Per Zoning Chapter 225-45

There are two levels of home occupations; standard and major. There is a single definition covering both with separate standards applicable to each individually. The business use may also require a building permit or a business license from the Town clerk. Please ask if you have questions.

**Home Occupation** - An occupation or profession which is carried on in a dwelling unit or structure accessory to a dwelling unit and which is clearly incidental and secondary to the use of the dwelling for residential purposes and which does not change the character thereof. The term "home occupation" shall include both professional and personal services.

**Home occupation:** A home occupation shall be permitted if it complies with all of the requirements of this subsection:

1. The use of a dwelling unit for a home occupation shall clearly be incidental and subordinate to its use for residential purposes.
2. A home occupation shall be carried on by residents of the dwelling unit.
3. A home occupation may not alter the residential character of the structure, neighborhood or change the character of the lot from its principal use as a residence.
4. The home occupation shall be carried on wholly within the principal or accessory structures. The outside storage or display of materials or products shall be screened from view from the abutting properties and street.
5. The performance standards in Article VII of this chapter shall apply. If additional parking spaces are provided, they shall be located to the rear or side yard of the principal structure but not within the yard setbacks.
6. One nonilluminated sign, no larger than four square feet, may be erected on the premises. Only one sign will be permitted per property regardless of the number of permitted home occupations.
7. The sale of products shall be limited to those which are crafted, assembled or substantially altered on the premises, to catalog items ordered off the premises by customers and to items which are accessory and incidental to a service which is provided on the premises.
8. A home occupation shall not involve the use of heavy commercial vehicles for delivery from or to the premises.
9. A home occupation shall not create greater traffic than normal for the area it is located in or generate more than 20 vehicle trips per day.

**Major Home Occupation:** A major home occupation shall be permitted if it complies with all of the requirements of this subsection:

1. The use of a dwelling unit for a major home occupation shall clearly be incidental and subordinate to its use for residential purposes. A major home occupation shall not involve motor vehicle or heavy equipment service or repair. Only one major home occupation may be operated in conjunction with any dwelling unit.
2. The primary vehicle access to a major home occupation may not be from an internal street within a residential subdivision.
3. A major home occupation shall be carried on by a resident(s) of the dwelling unit. Not more than two people who do not reside on the premises may work on the premises where the home occupation is operated at any time. The major home occupation may have other employees who do not regularly work on the premises. These outside employees shall not be on the premises more than two hours per week and no more than five outside employees may be on the premises at any time.
4. A major home occupation may not alter the residential character of the structure or neighborhood or change the character of the lot from its principal use as a residence.
5. The major home occupation shall be carried on wholly within the principal building or accessory structures. The outside storage or display of materials or products shall be screened from view from the abutting properties and street.
6. The performance standards in Article VII of this chapter shall apply.
7. If people who do not reside on the premises work in the major home occupation, off-street parking must be provided for the maximum number of nonresident workers expected to be on the premises at any time excluding outside employees who are not regularly on the premises. If additional parking spaces are provided to serve the major home occupation, they shall not be located within any required yard setbacks and must be screened from abutting residential properties by a landscaped buffer at least 10 feet in width and/or a solid fence at least four feet high in accordance with § 225-29A(1).
8. One non-illuminated sign may be erected on the premises. The sign may be no larger than eight square feet except in the MV District where the maximum size is four square feet.
9. The sale of products shall be limited to those which are crafted, assembled or substantially altered on the premises, to catalog/internet items ordered off the premises by customers, and to items which are accessory and incidental to a service which is provided on the premises.
10. A major home occupation shall not generate more than 25 vehicle trips per day unless the primary vehicle access for the home occupation is from a street functionally classified as an arterial or collector or from a local road with a preexisting traffic volume of more than 1,000 vehicles per day.