

Child Day-Care or Pre-school in the Home

What are the city’s laws governing a home day-care or pre-school?

Child care services for children outside the home are governed by the city’s zoning ordinance as well as the home occupation licensing ordinance. Occasional baby-sitting does not require a city business license but if children are cared for on a regular or continuous basis for direct or indirect compensation then licensing is required. Caring for eight children or less is a permitted use with a home occupation license from the city, but more than eight requires a conditional use permit from the city. When caring for five or more children State licensing is required (5-8 qualifying children requires a State Residential Child Care Certificate, 9 or more children requires State licensing as a Child Care Provider). Qualifying children would include any of your own children under the age of four.

What do I do to obtain a home occupation license?

A home occupation business license can be obtained at the city office by filling out a simple form and paying an annual fee. Specific guidance on things you need to do to operate as a home occupation will be provided you at that time. The general nature of this guidance is that the home occupation must be conducted as a subordinate use of the home, generally no hiring of others, no storage of goods other than that normal to a household, and there is also guidance to ensure you do not disrupt your neighbors. You must live in an area zoned for home occupations and the “business” must be inspected. State license requirements are separate and may or may not be required.

What are the city’s rules for day-care or pre-school for more than eight?

Operating a day-care or pre-school for more than eight children in a residential zone requires a special permit, for a fee, from the North Logan Planning and Zoning Commission (P&Z) and perhaps the City Council. To obtain this special permit you are asked to describe your operation and answer their questions. If the P&Z and the City Council are convinced that the intent of the City’s home occupation ordinances can be complied with, they normally allow the conditional use. Prior to and as a condition for obtaining the license for this potentially more disruptive home occupation, you will also need approval from the City’s Building/Fire Inspector to ensure compliance with building/fire codes.

What does the State of Utah Require?

The State of Utah requirement under the Human Services Code specifies that you obtain a “Residential Child Care Certificate” if caring for five to eight children or that you obtain “Child Day Care Licensing” if caring for nine or more children. Contact Melanie Reader (435-787-3525) in Logan for more information.

What are the basic building and fire code requirements for a home pre-school or day-care?

Basic building code requirements for a pre-school or day-care in your home require self closing doors and firewall separation for the school area, smoke detectors, separate restrooms for each sex, two exits leading directly outside (one of which can be a window) and no dead bolt locks. There may be additional requirements beyond the scope of this *info-sheet*. If you are interested in having a day-care or pre-school in their home you should discuss your specific plans with our city’s building and fire inspectors.

Need more Information? Contact the Director of Community Development - 435-752-1310 ext 13 or Business Licensing 435-752-1310 ext 12.