

Requirements For Starting A Business In Avilla

The items listed below are solely the requirements for starting a business in the zoning boundaries of the Town of Avilla. There are also requirements of the state of Indiana, Internal Revenue Service, and depending on the type of business, there may be requirements of the Board of Health or other governmental organizations. The Town of Avilla does not require a license or permit to establish or maintain a business.

The planned location of your business will define what must be done before you can open for business. The locations can be divided into three categories: Your Home, Existing Building, and Vacant Land.

Your Home

Homes can be on properties which are zoned either residential or agricultural. There are limits to the types of business which you can operate from within your home. Most of these business types utilize a room for an office like an accountant or tax preparer. Or a room for the business such as a barber or hair salon. In most cases, these types of business will not require a rezoning or variance to operate but it is recommended to verify with the Town Manager before opening. Other businesses like a welding service or auto repair would likely require a variance if it is on property zoned agricultural; and may not be permitted at all on property zoned residential. Homeowners associations may also have restrictions regarding home based businesses. Each business is unique in its offerings and each home is unique in its setting which is why each business situation needs to be reviewed by the Town Manager. If a variance is required, the Town Manager will provide instruction on how to proceed with the Board of Zoning Appeals to request a variance. Variances can be conditional, such as have an expiration date. Or for example, be in force until the current owner sells the property. Once the conditional terms have been met, a new variance can be requested but acceptance cannot be guaranteed based on a previous variance.

Existing Building

Locating in an existing building is generally the most cost-effective for a new business which cannot be a home-based business. As you search for a building that fits your business needs, the property it is on must be zoned for the type of business you plan to put on it. The business types are divided into five categories (Districts): Highway Service, Local Business, General

Business, Central Business, and Industrial. The definition of each of these can be found on page 21 here: <http://avilla-in.org/wp-content/uploads/2015/05/Zoning-Ord.pdf>

A list of the business types in each of these categories are charted starting on page 31. It is possible to change the zoning of a property. Each situation is unique and would need to be presented to the Avilla Plan Commission for consideration of rezoning. Ideally you find a building that meets your needs and has the proper zoning. Once a building is obtained (purchased/rented/leased) the utilities need to be turned on. This is accomplished by contacting the Town Hall and paying the appropriate deposits. Once the utilities are turned on the building will likely need some changes or maintenance to be ready for your business. General maintenance to the building such as painting, replacing the roof, or replacing windows can be performed without a building permit. But any structural, electrical, or plumbing changes require a Building Permit. The building permit application can be found here:

<http://avilla-in.org/building-permit-fees/>

This could become expensive if you are working on an old building. The issuing of a building permit requires all items of the same category (Indiana Building, Electrical, and/or Plumbing) to be brought up to current code. Those codes are not available online but must be purchased from the State of Indiana. The Town Manager maintains an up-to-date copy of the code books. For example, if you want to move a restroom from one area to another, you would be required to apply for a Building Permit for remodeling with plumbing. Once a permit for the plumbing is issued, all the plumbing in the building must be brought up to current plumbing code. This is how a small change can grow into a major remodel; and additional expenses. Buildings which are already up to code can be remodeled more cost effectively to meet your new business requirements. Inspections are required during the remodeling for footings, electrical, and plumbing; and the building permit is closed after a final inspection is passed and certificate of occupancy is issued.

Vacant Lot/Property

Erecting a building to meet your specific business needs is the best way to present your new business, but also requires the most effort and expense. There are many things to consider when selecting a property for your new business such as geographic location, zoning, utility availability, and proper street access for truck deliveries. Once a lot or property is selected, the zoning must be reviewed by the Town Manager to be sure it is appropriate for the type of business which is to be placed on it. If not, the Town Manager will provide instruction on how to proceed with the Avilla Plan Commission for consideration of rezoning. When the zoning is appropriate, the commercial building development and site plans can be created. Plans for commercial buildings and properties require a Professional Engineer stamp. These plans need

to be submitted to the State online (Indiana Department of Homeland Security) and to the Town (<http://avilla-in.org/building-permit-fees/>) for permits. The State will issue a Design Release once their requirements have been met. The Design Release enables the Town to issue a building permit once their requirements are met. Inspections are required during the construction for footings, electrical, and plumbing. The Town Manager will provide a contact for connecting to the Town water, sewer, and electrical as needed after the appropriate deposits have been paid. The building permit is closed after a final inspection is passed and certificate of occupancy is issued.

With the properly zoned location established and the building prepared, the business can now open. There are also guidelines on the sign a business can install which can be found here starting on page 59: <http://avilla-in.org/wp-content/uploads/2015/05/Zoning-Ord.pdf>

If your business is in your home there may also be restrictions by your homeowners association.

The Town has no requirements for closing a business other than shutting off the utilities if you do not own the property on which you business existed.