

~~(H) (1) EXCEPT AS PROVIDED IN SUBSECTION (D)(1)(D) OF THIS SECTION AND PARAGRAPH (2) OF THIS SUBSECTION, A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION OF THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY NOT PROHIBIT A NO IMPACT HOME-BASED BUSINESS.~~

~~(2) A HOMEOWNERS ASSOCIATION MAY RESTRICT OR PROHIBIT A NO-IMPACT HOME-BASED BUSINESS IN ANY COMMON AREAS.~~

Article - Corporations and Associations

5-6B-01.

(O) "NO-IMPACT HOME-BASED BUSINESS" MEANS A BUSINESS THAT:

(1) IS CONSISTENT WITH THE RESIDENTIAL CHARACTER OF THE DWELLING UNIT;

(2) IS SUBORDINATE TO THE USE OF THE DWELLING UNIT FOR RESIDENTIAL PURPOSES AND REQUIRES NO EXTERNAL MODIFICATIONS THAT DETRACT FROM THE RESIDENTIAL APPEARANCE OF THE DWELLING UNIT;

(3) USES NO EQUIPMENT OR PROCESS THAT CREATES NOISE, VIBRATION, GLARE, FUMES, ODORS, OR ELECTRICAL OR ELECTRONIC INTERFERENCE DETECTABLE BY NEIGHBORS; AND AND

(4) DOES NOT INVOLVE USE, STORAGE, OR DISPOSAL OF ANY GROUPING OR CLASSIFICATION OF MATERIALS THAT THE UNITED STATES SECRETARY OF TRANSPORTATION OR THE STATE OR ANY LOCAL GOVERNING BODY DESIGNATES AS A HAZARDOUS MATERIAL;

~~(5) IS OWNED OR OPERATED BY A RESIDENT OF THE DWELLING UNIT AND HAS NO EMPLOYEES, AGENTS, OR CONTRACTORS ON THE PREMISES OTHER THAN A RESIDENT OF THE DWELLING UNIT; AND~~

~~(6) DOES NOT HAVE ANY CUSTOMERS OR INVITEES VISITING THE PREMISES.~~

5-6B-18.1.

(A) THE PROVISIONS OF THIS SECTION RELATING TO NO-IMPACT HOME-BASED BUSINESSES DO NOT APPLY TO A COOPERATIVE HOUSING CORPORATION THAT HAS ADOPTED, PRIOR TO JULY 1, 1999, PROCEDURES IN ACCORDANCE WITH ITS ARTICLES OF INCORPORATION OR A PROPRIETARY LEASE OR A PROVISION OF ITS BYLAWS FOR THE PROHIBITION OR REGULATION OF NO-IMPACT HOME-BASED BUSINESSES.

~~(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A COOPERATIVE HOUSING CORPORATION MAY NOT PROHIBIT A NO IMPACT HOME BASED BUSINESS.~~

~~(B) A COOPERATIVE HOUSING CORPORATION MAY RESTRICT OR PROHIBIT A NO IMPACT HOME BASED BUSINESS IN ANY COMMON PROPERTY.~~