

CHAPTER 110: BED AND BREAKFASTS

Section

- 110.01 License required; fee; transferability
- 110.02 Dwelling unit and operator requirements
- 110.03 Guest register
- 110.04 Length of stay
- 110.05 Public nuisance violations
- 110.06 Application review
- 110.07 Appeals

§ 110.01 LICENSE REQUIRED; FEE; TRANSFERABILITY.

(A) *License required; fee.* It shall be unlawful for any person to operate a bed and breakfast facility, as defined and as permitted in the city Zoning Ordinance, without first having obtained a license. A license shall be issued for one year with subsequent license renewal required each year thereafter. The annual fees for such license shall be set by the City Council by resolution from time to time and shall be published in the office of the City Clerk, who, upon receipt of approval of an application for a bed and breakfast facility by the Planning Commission in the first instance and by the Building Inspector in subsequent instances, shall issue a license in January of each year. This section shall not apply to hotels, motels or motor lodges.

(B) *Transferability.* The bed and breakfast license is not transferable.
(Ord. 106, passed 3-8-89) Penalty, see § 10.99

§ 110.02 DWELLING UNIT AND OPERATOR REQUIREMENTS.

Bed and breakfast facilities shall be confined to the single-family dwelling unit which is the principal dwelling unit on the property. The dwelling unit in which the bed and breakfast facility is to be located shall be the principal residence of the operator, and said operator shall live within said principal residence when bed and breakfast operations are active.
(Ord. 106, passed 3-8-89) Penalty, see § 10.99

§ 110.03 GUEST REGISTER.

Each operator shall keep a list of the names of all persons staying at the bed and breakfast operation. Such list shall be available for inspection by city officials at any time.
(Ord. 106, passed 3-8-89) Penalty, see § 10.99

§ 110.04 LENGTH OF STAY.

The maximum stay for any occupant of a bed and breakfast operation shall be 14 consecutive days and not more than 30 days in one year.

(Ord. 106, passed 3-8-89) Penalty, see § 10.99

§ 110.05 PUBLIC NUISANCE VIOLATIONS.

Bed and breakfast facilities shall not be permitted whenever the operation thereof constitutes a bona fide public nuisance.

(Ord. 106, passed 3-8-89)

§ 110.06 APPLICATION REVIEW.

(A) *Review of initial application or application to re-establish.* The Planning Commission, upon review of an initial application or an application to re-establish a bed and breakfast facility in the city, may deny approval of the application when, in its opinion, the application does not meet the requirements set forth herein or the applicable requirements of the city Zoning Ordinance pertaining to bed and breakfast operations.

(B) *Review of renewal application.* The Building Inspector, upon review of an annual application to renew an established bed and breakfast operations permit, may deny approval of the application when, in the Building Inspector's opinion, the application no longer meets the requirements set forth herein or the applicable requirements of the city Zoning Ordinance pertaining to bed and breakfast operations.

(Ord. 106, passed 3-8-89)

§ 110.07 APPEALS.

An applicant denied approval of an application to establish, re-establish or renew a bed and breakfast facility license by the city may appeal that decision to the city Zoning Board of Appeals for further review and consideration in accordance with the rules and procedures for hearing appeals as set forth and regulated in the city Zoning Ordinance. The Board of Appeals may deny issuance or reissuance of a license when, in the Board's opinion, good cause is shown after investigation and after opportunity has been given to the licensee to be heard in opposition thereto. In its investigation, the compliance or noncompliance with state law and local ordinances, the conduct of the licensee relative to the public and the guidelines set forth in this chapter and other considerations pertinent to the appeal brought to the attention of the Board shall be weighed in determination of such issue.

(Ord. 106, passed 3-8-89)