



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: April 1, 2019

TO: Mayor Eveleth and City Council

FROM: Nathan Henne, City Manager

SUBJECT: **Bed and Breakfast Ordinance Amendments – Set Public Hearing**

RECOMMENDATION:

Hold a public hearing on April 15, 2019 to receive citizen comment regarding the adoption of amendments to the City's existing Bed and Breakfast Ordinance. Following the public hearing, make the decision to revise, adopt, or deny the amendments.

BACKGROUND:

The City of Owosso adopted its current Bed and Breakfast Ordinance in 1984 based largely on the State of Michigan's guidance for regulating B&B's. In 1996, the State amended MCL 125.1504b but the City has kept the older rules. In this case, the state law is clear that it does not preempt local law. Nonetheless, I am recommending we update our ordinance to reflect these 1996 changes – chief among which requires an innkeeper to reside in the home rather than the owner him/herself.

FISCAL IMPACTS: None

Attachment:
Resolution

RESOLUTION NO.

SETTING A PUBLIC HEARING TO CONSIDER AMENDING VARIOUS SECTIONS OF
CHAPTER 7, BED AND BREAKFAST OPERATIONS,
OF THE CODE OF THE CITY OF OWOSSO
UPDATING REGULATIONS FOR BED AND BREAKFAST OPERATIONS

WHEREAS, Chapter 7, Bed and Breakfast Operations, of the Code of the City of Owosso establishes rules and regulations for the operation of bed & breakfast businesses; and

WHEREAS, the State of Michigan has updated its law regulating Bed and Breakfast Operations in 1996; and

WHEREAS, Chapter 7 was last updated in 1984; and

WHEREAS, City Staff recommends adoption of the following amendments to the Bed and Breakfast Operations ordinance; and

WHEREAS, the City Council must hold a public hearing to hear all interested persons regarding any and all proposed ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF OWOSSO ORDAINS THAT:

SECTION 1. AMENDMENT. That Section 7-5, Minimum specifications, of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances is hereby amended to read:

Sec. 7-5. - Minimum specifications.

No premises shall be utilized for a bed and breakfast operation unless there are at least two (2) exits to the outdoors from such premises. Rooms utilized for sleeping shall have a minimum size of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm as required in the building code. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation. **as required by the (MRC) Michigan Residential Building Code, Section R-304 Minimum Room Areas Subsection R-304.1 through R-305.1 of the(MRC) Michigan Residential Building Code. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.**

SECTION 2. AMENDMENT. That Sections 7-8 and 7-9 of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances are hereby amended to read:

Sec. 7-8. - Residence of ~~operator/owner~~ innkeeper and/or owner.

~~The dwelling unit in which the bed and breakfast operation takes place shall be the principal residence of the operator/owner. The operator/owner shall live on the premises while the bed and breakfast operation is active.~~

The dwelling unit in which the bed and breakfast operation takes place shall be the principle residence of the innkeeper and/or owner. The innkeeper and/or owner shall live on the premises while the bed and breakfast operation is active.

Sec. 7-9. - Residential status of structure.

The structure utilized in a bed and breakfast operation shall remain a residential structure. ~~i.e. the kitchen shall not be remodeled into a commercial kitchen.~~

SECTION 3. AMENDMENT. That Section 7-13, Maximum space to be used in operation, of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances is hereby amended to read:

Sec. 7-13. - ~~Maximum space to be used in operation.~~ Floor Plan

~~The bed and breakfast room(s) shall occupy no more than a total of twenty-five (25) percent of the dwelling unit floor space.~~ **The bed and breakfast floor plan shall be in full compliance with the (MRC) Michigan Residential Building current edition.**

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, April 15, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendments.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 6. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.