

## **Ordinance I-xx**

### **AN ORDINANCE TO REGULATE BED AND BREAKFASTS IN THE TOWN OF WACHAPREAGUE**

- A bed and breakfast (B&B) is an owner-occupied residence with room(s) set aside for overnight paid accommodations where breakfast is served.
- Bed and breakfasts are allowed in both the commercial neighborhood and residential districts. A total of five (5) Bed and breakfasts will be allowed. This number may be increased/decreased as needed by the Planning Commission and Town Council.
  - Accessory structures shall not be used or occupied as **bed and breakfasts**.
  - Properties will allow no more than two guests per bedroom and no more than four persons for each full bathroom. Families with children under the age of 18 are not limited to the number of guests allowed.
  - The property must provide off-street parking for one vehicle for every two guests. Provisions will be made to park boats and trailers elsewhere on the property and not on public streets.
  - The **bed and breakfast** shall comply with all applicable town, county, state and federal statutes, regulations, and ordinances.
- Every **bed and breakfast** must obtain a business license and maintain a Special Use Permit (SUP) from the town. Special Use Permits for B&Bs expire two-years from the date of issuance and must be reconsidered by town council following the application process in place at the time of the renewal request.
  - The current Special Use Permit expires on change of property ownership. In the case of a contingent sale, the purchaser may apply for the Special Use Permit prior to closing if the purchaser wishes to continue operation as a **Bed and Breakfast**.
  - The Special Use Permit may be revoked if three or more substantiated complaints are received by the town, or failure to maintain compliance with any of the regulations set forth herein
- Every **bed and breakfast** is required to submit transient occupancy tax (TOT). If any **bed and breakfast** is idle for 12 consecutive months or does not submit TOT as defined, the Special Use Permit is automatically rescinded, and the owner must reapply using the process in place at the time of the reapplication.
- To the extent permitted by state law, each **bed and breakfast** must maintain registration with the commissioner of revenue's office and pay all applicable taxes.
- The property owner shall provide annual documentation to the town Zoning Administrator that the dwelling meets all applicable building code requirements for smoke alarms, carbon monoxide detectors, and fire suppression.

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- The town reserves the right to inspect the residence based on complaints to verify that the **bed and breakfast** is being operated in accordance with the regulations set forth within this section.