

Sec. 21-19. Bed-and-breakfast operations.

(a) **Definition, licensing and fees.** It shall be unlawful for any person to operate a bed-and-breakfast facility, as defined and as permitted in the Grand Haven Zoning Ordinance, without first having obtained a license. A license shall be issued for one (1) 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 doing business within the City of Grand Haven on the date thereof.

(b) **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.

(c) **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.

(d) **Length of stay.** The maximum stay for any occupant of a bed-and-breakfast operation shall be fourteen (14) consecutive days and not more than thirty (30) days in one (1) year.

(e) **License.** The bed-and-breakfast license is not transferable.

(f) **Application procedure.** Application for a license to operate a bed-and-breakfast facility shall be made to the building department in strict accordance with the guidelines and regulatory standards set forth in the Grand Haven Zoning Ordinance.

(g) **Public nuisance violations.** Bed-and-breakfast facilities shall not be permitted whenever the operation thereof endangers, offends, or interferes with the safety and rights of others so as to constitute a bona fide public nuisance.

(h) **Authority for denial-Initial review.** The planning commission, upon review of an initial application or an application to reestablish 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 Grand Haven Zoning Ordinance pertaining to bed-and-breakfast operations.

(i) **Same-Subsequent review.** 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 Grand Haven Zoning Ordinance pertaining to bed-and-breakfast operations.

(j) **Appeal.** An applicant, denied approval of an application to establish, reestablish or renew a bed-and-breakfast facility license by the city, may appeal that decision to the Grand Haven 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 Grand Haven 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 the state law and local ordinances, the conduct of the licensee relative to the public and the guidelines set forth in this section and other consideration(s) pertinent to the appeal, brought to the attention of the board shall be weighed in determination of such issue.

(Ord. No. 85-5, § 1, 5-20-85; Ord. No. 87-13, § 2, 8-10-87)

CROSS references-Bed-and-breakfast operations defined, § 40-4; districts where bed-and-breakfast operations are permitted, §§ 40-50(3), 40-65(4) and 40-133(6).