

**BED AND BREAKFAST OPERATIONS
CITY OF TECUMSEH, MICHIGAN
ord. no. 3.984 adopt. July 21, 1986**

An Ordinance to regulate and license bed and breakfast operations within the City of Tecumseh.

THE CITY OF TECUMSEH ORDAINS:

3.984.01 Sec. 1. **PURPOSE.**

This ordinance is established to enable single family dwelling units of historic significance to conduct bed and breakfast operations as defined in the City of Tecumseh Zoning Ordinance. The Ordinance is enacted on the basis of the public policy that supports the City of Tecumseh as a tourist destination for persons interested in the architectural and historical significance of the City's single family structures. The Ordinance also focuses on the need to provide an incentive for owners to continue occupancy and maintenance of historic structures. The Ordinance emphasizes protection to neighborhoods with the provisions of standards that prohibit nuisance and detrimental change in the single family character of any site proposed for a bed and breakfast operation.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.02 Sec. 2. **CRITERIA AND CONDITIONS.**

- A. The structure to be used as a **bed and breakfast establishment** shall be of historic significance. It is the applicant's responsibility to show proof of historic significance to the Planning Commission.
- B. 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 City of Tecumseh Building Code. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.

- C. Two (2) off street parking spaces plus one (1) additional off street parking space per room to be rented must be provided.
- D. Tandem parking is allowed; however, not more than two (2) cars per lane shall be allowed.
- E. No building or structure shall be removed in order to allow for a bed and breakfast use nor shall such a building or structure be removed in order to provide parking for such a use.
- F. All parking spaces shall be paved or graded to City standards with materials which maintain the historical character of the neighborhood.
- G. If the applicant is unable to meet criteria C, D, E or F above, the applicant may request special consideration from the Planning Commission through a site plan review process. The City's intent is not to encourage yards to be destroyed, landscaping removed or the integrity of the neighborhood altered in order to provide parking.
- H. Identifying signs are not permitted. If Bed and Breakfast League or comparable organization is established, then a uniform symbol or logo adopted by said organization and not exceeding two (2) square feet may be mounted flat against the wall of the principal building. The symbol or logo shall be non-illuminated and unanimated.
- I. The dwelling unit in which the bed and breakfast takes place shall be the principal residence of the real property owner and operator and said real property owner and operator shall live on the premises when the bed and breakfast operation is active.
- J. The structure shall remain a residential structure, i.e. the kitchen shall not be remodeled into a commercial kitchen.
- K. Meals shall be served only to residents and overnight guests.
- L. 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.
- M. The maximum stay for any occupants of bed and breakfast operations shall be fourteen (14) days.
- N. The bed and breakfast room(s) shall occupy no more than a total of 25% of the dwelling unit floor area.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.03 Sec. 3. **LICENSING FEES.**

It shall be unlawful for any person to operate a bed and breakfast operation, as defined and as permitted by the City of Tecumseh Zoning Ordinance without first having obtained a license. The fee for issuance of a license required under this Ordinance shall be collected by the office of the City Building Inspector. The fee for issuance of the license shall be \$50.00 and the issuance fee and annual license fee may be changed hereafter by City Council resolution. An annual license fee of \$50.00 shall be paid at the office of the City Building Inspector, who **shall issue** the license in January of each year.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.04 sec. 4. **APPLICATION REQUIREMENTS.**

Applicants for a license to operate a bed and breakfast shall submit a floor plan of the single family dwelling unit illustrating that the proposed operation **will** comply with the City Zoning Ordinance as amended, other applicable City codes and ordinances, and within the terms of this Ordinance.
(ord. no. 3.984 adopt. **July 21**, 1986)

3.984.05 sec. 5. **CONSIDERATION OF ISSUANCE.**

After application is duly filed with the City Building Inspector for a license under this section, the Planning Commission shall determine whether any further licenses shall be issued based upon the public need to protect neighborhoods from detrimental change and to encourage the occupancy and maintenance of historic buildings and structures by single family owners. In the determination by the Planning Commission of the number of bed and breakfast operations required to provide for such public need, the Planning Commission shall consider the effect upon residential neighborhoods and public convenience, concentration and location of existing license holders, and the necessity of the issuance of additional licenses.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.06 Sec. 6. **PUBLIC NUISANCE VIOLATIONS.**

Bed and breakfast operations **shall** not be permitted whenever the operation endangers or offends, or interferes with the safety or rights of others so as to constitute a nuisance.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.07 **Sec. 7. AUTHORITY FOR DENIAL.**

The floor plan for the bed and breakfast operation shall be reviewed by the City Building Inspector for compliance with all City, State and Federal codes and ordinances. If the City Building Inspector **finds** that an applicant cannot meet a particular requirement, then the City Building Inspector shall have authority to deny the applicant a license. The denial may be appealed to the City Board of Appeals, who may then weigh the facts of the case and make a final decision. (ord. no. 3.984 adopt. July 21, 1986)

3.984.08 **Sec. 8. SUSPENSION, REVOCATION AND RENEWAL.**

The City Building Inspector shall have the authority to refuse to renew a license or to suspend or revoke a license for continued and repeated violations of the provisions of this Ordinance. A decision to deny a license may be appealed to the City Council by the applicant. Any license issued under the provisions of this Ordinance may be revoked by the City Council for good cause shown after investigation and opportunity to the holder of such license to be heard in opposition thereto; in such investigation the compliance or non-compliance with the State law and local ordinances, the conduct of the licensee in regard to the public, and other consideration shall be weighed in determination of such issue.

Any license issued is non-transferable.
(ord. no. 3.984 adopt. July 21, 1986)

3.984.09 **Sec. 9. PENALTY FOR VIOLATIONS.**

It shall be a misdemeanor to violate this Ordinance and a fine of One Hundred Dollars (\$100.00) or ninety (90) days in jail, or both, may be assessed in the discretion of the court.

This Ordinance shall become effective 15 days from date hereof and after publication thereof.
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