



# City of Madison

## FAQ: Bed and Breakfast

### Bed and Breakfast (B&B)

B&B's are owner occupied, the residence of the owner, and the owner must be occupying the dwelling at the time of the rental. All B&B's are required Conditional Use approval, health licensing, and payment of room tax

#### **Zoning Ordinance Definition:**

Bed and Breakfast Establishment. A private residence that rents rooms as temporary lodging and which is the personal residence of the operator.

#### **Supplemental Zoning Regulations:**

- a) A maximum of eight (8) rooms shall be rented.
- b) The establishment shall have a current license from Public Health of Madison and Dane County.
- c) The only meal that may be served is breakfast to registered guests.
- d) Fire protection shall be approved by the Fire Department, and may be more restrictive than State requirements.
- e) Length of stay shall not exceed twenty-one (21) consecutive days for each registered guest.
- f) No more than twenty (20) tourists or transients shall be allowed to rent at one time.
- g) The owner of the residence shall occupy the residence at the time of the rental.



## Zoning Scenarios

- *Can the single family home I occupy be used as a B&B?*

**Yes.**

- *Can the single family home I own but do not occupy as my personal residence be used as a B&B?*

**No.**

- *Can an apartment unit I own but do not reside in be used as a B&B?*

**No.**

- *In the apartment I rent, can I rent a bedroom as a B&B?*

**No, a B&B cannot be in a rental. A renter may only rent a room as a TRH for up to 30 day if the lease allows the arrangement.**

- *Can I rent a room in my home?*

**Yes.**

- *Can I rent a room in my condo?*

**Yes.**



- *Can I leave while I rent out my house or condo?*

**No, in a B&B the owner must occupy the dwelling as their personal residence and must occupy at the time of rental.**

- *Is there a limit to the number of nights I can rent my B&B?*

**No.**

- *What are the occupancy limits, as limited in the zoning code for a B&B?*

- ◆ **Up to 8 rooms**
- ◆ **Up to 20 guests**
- ◆ **Length of stay of guest not to exceed 21 days**

## Public Health Madison and Dane County

Bed and Breakfast License is Required

- Must be owner occupied at the time of the rental
- Only breakfast can be provided to the guests
- Up to 10 guests can share a bathroom

## Building Code

Uniform dwelling code for one and two family dwellings has specific language that establishes regulations for B&B operations.

Commercial building code has specific language for multi-family/hotel occupancy, specifically regulating to uses such as a B&B.

## Room Tax/Sellers Permit

Room Tax Certificate from the City of Madison Treasurer is required. Information can be found at: <http://www.cityofmadison.com/clerk/documents/licensing/roomtaxpacket.pdf>

## Still Have Questions?

Please feel free to call or come by the Department of Planning & Community & Economic Development to speak with one of our Zoning Staff.

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Economic Development**  
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