

CHAPTER 27
BED AND BREAKFAST ESTABLISHMENTS
(Ord 2006-38)

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27.01 **DEFINITIONS.** The following words and phrases shall have the following meanings and are hereby defined as follows for this Chapter 27:

Bed and Breakfast Establishment: An Operator-occupied residence providing accommodations for a charge to the public with no more than 5 Guest Rooms for rent, in operation for more than 10 nights in a 12 month period. Breakfast may be provided to the guests only. Bed and Breakfast Establishments shall not include motels, hotels, boarding houses or food service establishments.

Operator: The owner of the Bed and Breakfast Establishment, or the owner's agent, who is required by this Act to reside in the Bed and Breakfast Establishment, or on contiguous property.

Guest Room: A sleeping room intended to serve no more than 2 transient guests per night.

27.02 **STANDARDS.** The standards for operating, licensing and inspecting Bed and Breakfast Establishments shall be pursuant to 50 ILCS 820/1 *et seq.*

27.03 **LICENSE REQUIRED.** No person shall operate a Bed and Breakfast Establishment without first having obtained a Village license. A license shall not be issued until the owner has obtained a conditional use permit (special use). A violation of any of the terms and conditions of the conditional use permit (special use) may be a cause for revocation or suspension of the license.

27.04 **LICENSE ISSUANCE AND RENEWAL.**

(a) No license shall be issued or renewed until the Bed and Breakfast Establishment facilities have been inspected and approved by the Village, the McHenry County Department of Health and the Richmond Township Fire Protection District to insure compliance with the standards set forth herein.

(b) In addition to submitting compliance certificates from the McHenry County Department of Health and Richmond Township Fire Protection District, proof of obtaining insurance of not less than \$500,000 per occurrence shall accompany the application for a Village license.

(c) The license fee shall be \$100.00 for the first year and \$50.00 per year upon renewal. The fee shall not be pro-rated and shall be submitted at the time of application. A Bed and Breakfast Establishment license is not transferable.

(d) The license period shall be from May 1 of each year through April 30 of the following year. Applications shall be submitted not less than 30 days prior to operation or renewal.

27.05 LICENSE REVOCATION OR SUSPENSION. The Village President may revoke or suspend licenses for non-compliance with applicable rules and regulations. A licensee may request a hearing before the Village Board if a written request is filed with the Village Clerk within 10 days after the revocation or suspension order is issued. The Village Board shall set a time, date and place for a hearing on the suspension or revocation within 30 days from the date of receipt of said notice from the licensee. The Village Board's determination on whether or not the revocation or suspension should be affirmed, modified or reversed shall be considered final.