

LODGING HOUSE



GENERAL EXPLANATION

LODGING HOUSE

Any bed and breakfast inn, boardinghouse, rooming house, and short-term rentals. All lodging houses must be approved by the Board of Adjustment and have an annual fee (expiring December 31st of every year) of \$80.00 for the first unit plus \$30.00 for each additional unit. Boardinghouses, rooming houses and short-term rentals are subject to City rental inspections every four (4) years, including associated fees; bed and breakfast inns are inspected by the state.

BED & BREAKFAST INN

A private single-family residence where lodging and meals (if determined available by management) are provided, for compensation, for transient guests for a short-term basis, in which the host or hostess resides; and in which no more than four guest rooms are available for rent; and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, and, if applicable, offers food service only to overnight guests.

BOARDINGHOUSE

A private single-family dwelling other than a hotel or restaurant where lodging and meals are provided for compensation to guests who are not family members of the owners or occupant. Maximum of six (6) units available to rent with no more than two (2) persons per unit; no maximum stay.

ROOMING HOUSE

A private single-family dwelling where any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for commercial cooking or eating purposes and where lodging is provided for compensation for guests who are not family members of the owners or occupant. Maximum of six (6) units available to rent with no more than two (2) persons per unit; no maximum stay.

SHORT-TERM RENTAL

Any dwelling or portions thereof, which is available for use, or is used for accommodations or lodging of guests, paying a fee or other compensation for a period of less than twenty-eight (28) consecutive days. Maximum of four (4) units available to rent with no more than four (4) persons per unit.

TAXES

ICA 423A.2 "Lodging" for the purpose of imposition of State and locally-imposed Hotel-Motel tax; subject to exemptions set forth at ICA 423A.5. All lodging houses; to include bed and breakfasts, boardinghouses, rooming houses, and short-term rentals meeting the provisions sanctioned in ICA 423A are required to obtain and maintain appropriate taxing status with the State of Iowa, and submit verification to the Planning office to be kept on file.

LODGING HOUSE STANDARDS

The Board of Adjustment shall approve, or approve with conditions, an application for a lodging house permit upon a finding that the application complies with all the following standards:

- (a) The dwelling unit must meet all fire and applicable building inspection standards in accordance with 17.10.065, Iowa health department codes, and applicable safety codes.
- (b) The operator shall provide one off street parking space per unit, unless the unit affords multiple bedrooms, in which event there should be a space for each bedroom available to accommodate occupants' vehicles. Parking spaces must match 20.58.050.

- (c) The structure shall be properly maintained, and kept in good repair, in order that the use in no way detracts from the general appearance of the neighborhood.
- (d) Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
- (e) No sign, symbol, device, decal, engraved surface, trademark, or logo that directly or indirectly names, advertises or calls attention to the lodging house, excluding bed and breakfast inns, shall be posted to advertise the availability of or presence of the lodging house to the public.
- (f) The owner shall keep on file with the City of Fairfield Department of Planning and Zoning the name and telephone number of a contact person who shall be responsible for responding to questions or concerns regarding the operation of the lodging house. This information must be kept current. This information also shall be posted in a conspicuous location within the dwelling unit. The contact person must be available to accept telephone calls on a twenty-four hour basis at all times that the lodging house is rented and occupied. The contact person must have a key to the rental unit and be able to respond to the lodging house within sixty minutes to address issues, or must have arranged for another person to address issues within the same time frame. The requirement for identifying a contact person applies to each person, or entity, making arrangements for renting a lodging house. The owner shall notify in writing neighboring dwelling units, within 200 feet of the residential dwelling unit, that the property is a permitted lodging house and shall provide a telephone number of the rental agency, if any, or other contact person.
- (g) Fire and safety inspection by the City of Fairfield shall be required as part of the initial application and on a four year rotating basis thereafter. Statutory minimum fire safety standards, as applicable, (see ICA 137C.35) must be constantly maintained.
- (h) Dwellings must conform to their respective zoning requirements outlined in title 20.58.
- (i) The owner, managing agency or agency contact shall provide the tenant or lessee with the following information prior to occupancy of the premises and post such information in a conspicuous place on the premises.
 1. The name of the contact person and telephone number at which they can be reached on a twenty-four hour basis; and
 2. Notification of the maximum number of overnight occupants permitted on the Premises pursuant to this Ordinance; and
 3. Notification of the parking standards of the Ordinance; and
 4. A copy of this Ordinance, as may be amended from time to time; and
 5. Notification that an occupant may be cited or fined by the City of Fairfield, in addition to any other remedies available at law; for violating any provisions of this Ordinance; and
 6. All land-based recreational activities are to be limited to rented premises and shall not encroach on neighboring properties; and
 7. Tenants shall not create a nuisance, including but not limited to the following:
 - i. Playing or using a radio, phonograph, disc player, tape player, television, musical instrument, sound amplifier, or other electronic or mechanical sound-producing device in such a manner, or with such volume, so as to disturb the quiet, comfort or repose of a reasonable person of normal sensitivities in the immediate neighborhood.
 - ii. Yelling, shouting, hooting, singing, or making other noise that because of its volume, frequency, or shrillness, unreasonably disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities in the immediate neighborhood.
 - iii. Sounding or using any horn, siren, whistle, bell or other warning device so as to unreasonably disturb the quiet, comfort or repose of another person of normal sensitivities in the immediate neighborhood.

APPLICATION FOR LODGING HOUSE PERMIT



OWNER _____ PHONE _____

MAILING ADDRESS _____

MANAGER (If any) _____ PHONE _____

TYPE OF LODGINGHOUSE:

Bed & Breakfast _____ Rooming _____ Boarding _____ Short-Term Rental _____

No. of Units _____

LODGING HOUSE ADDRESS _____

Lot No. _____ Block _____ Addition _____

Zoning District _____ Fee Paid _____ **EXPIRATION DATE** - December 31, _____

I, hereby understand the Lodging House rules and regulations set forth in the Fairfield Municipal Code. The purpose and intent of this lodging house is to provide guests with and maintain safety and health standards at the above described dwelling for compensation. This permit shall not be transferred to another dwelling within the corporate limits of the City of Fairfield. I further understand and agree to collect and remit Hotel-Motel Tax as regulated by the State of Iowa Code Chapter 423A.

Applicant _____

RECOMMENDATION -

Approve

Disapproved

Board of Adjustment _____ (Date) _____ (Date)

City Council _____ (Date) _____ (Date)

ZONING ADMINISTRATOR _____ DATE _____

NEW _____

RENEW _____

NO. _____