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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