

**CITY OF OGALLALA**  
**APPLICATION TO OPERATE A BED AND**  
**BREAKFAST ESTABLISHMENT**

*(Please type or print legibly)*

**Date**\_\_\_\_\_

**Applicants**  
**name**\_\_\_\_\_

**Home**  
**address**\_\_\_\_\_

**Home**  
**phone**\_\_\_\_\_

**Address of Proposed bed & breakfast**\_\_\_\_\_

**Maximum number of patrons that can be accommodated**\_\_\_\_\_

**Number of off street parking accommodations**\_\_\_\_\_

**Applicant signature**\_\_\_\_\_

*For department use only*

**Fee Paid**\_\_\_\_\_

**Application accepted by**\_\_\_\_\_ **Date**\_\_\_\_\_

## Excerpt from Municipal Code

### § 153.226 BED AND BREAKFASTS.

- (A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BED AND BREAKFAST.** A home used to provide residential-style accommodations to the traveling public for 12 or fewer individuals. ('85 Code, § 11-322)

- (B) *Authorized.* A bed and breakfast, as defined by this code, is permitted as a special exception in all districts within the city which are zoned for residential use when said bed and breakfast is approved by the City Council, but only after receiving the recommendation of the Planning Commission; after a public hearing; subject to the conditions and protective restrictions set forth in § 152.211; and subject to all provisions of this code and of state statutes relating to bed and breakfast establishments. ('85 Code, § 11-323)

- (C) *Building, fire, health, and safety standards.* A bed and breakfast shall meet all minimum building, fire, health, and safety standards set by state and local laws and regulations applicable to such an establishment. ('85 Code, § 11-324)

- (D) *Supervision.* No bed and breakfast shall be permitted to operate without a caretaker or owner present at all times while patrons are in the building. ('85 Code, § 11-325)

- (E) *License.*

- (1) *License required.* A bed and breakfast shall not be established, operated, or maintained upon any property within the planning jurisdictional boundaries of the city without having first secured a license from the City Clerk. Prior to the issuance of the initial license for a bed and breakfast establishment, the City Clerk shall receive from the Building Inspector a copy of a certificate of occupancy indicating that the establishment is in compliance with the provisions of this section. The certificate of occupancy shall be maintained on file in the office of the City Clerk. All licenses shall expire on July 31. Application for license renewal shall be made at least 30 days prior to expiration. ('85 Code, § 11-326)

- (2) *License application.* The application for such license or renewal thereof shall be filed with the City Clerk and shall be accompanied by the

annual fee of \$50. The cost of any license secured having less than six months to run before the expiration date as herein provided shall be reduced to one-half the original amount. The application for a license or renewal thereof shall be made on forms furnished by the City Clerk and shall include the name, address, and signature of the applicant, if other than the owner; and the address and legal description of the premises upon which the bed and breakfast establishment will be located. ('85 Code, § 11-327) Penalty, see § 153.999