

1989 Senate Bill 396

Date of enactment: April 27, 1990

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## 1989 WISCONSIN ACT 354

AN ACT to amend 101.05 (2); and to repeal and recreate 50.50 (1) of the statutes, relating to: changing the definition of bed and breakfast establishments and subjecting certain bed and breakfast establishments to a uniform dwelling code.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 50.50 (1) of the statutes is repealed and recreated to read:

50.50 (1) "Bed and breakfast establishment" means any place of lodging that:

- (a) Provides 8 or fewer rooms for rent to no more than a total of 20 tourists or transients;
- (b) Provides no meals other than breakfast and provides the breakfast only to renters of the place;
- (c) Is the owner's personal residence;
- (d) Is occupied by the owner at the time of rental;
- (e) Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence; and

(f) Has had completed, before the effective date of this paragraph .... [revisor inserts date], any structural additions to the dimensions of the original structure, including by renovation, except that a structural addition, including a renovation, to the structure may, after the effective date of this paragraph .... [revisor inserts date], be made within the dimensions of the original structure.

**SECTION 2.** 101.05 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

101.05 (2) A bed and breakfast establishment, as defined under s. 50.50 (1), is not subject to rules on residential occupancy or to other building codes adopted by the department under this subchapter, except that the uniform dwelling code specified in s. 101.62 applies to the 3rd floor level of a bed and breakfast establishment that uses, other than as storage, the 3rd floor level of the bed and breakfast establishment structure.