

## CHAPTER 43. BED AND BREAKFAST ESTABLISHMENTS

43.01 Definitions: Unless the context clearly requires otherwise, the following terms as used in this Ordinance shall be the same as defined by the “Bed and Breakfast Act” enacted by the State of Illinois, effective September 14, 1987, as amended, and as set forth below.

- A. “Bed and Breakfast Establishment” shall mean an operator-occupied residence providing accommodations for a charge to the public with no more than five (5) guestrooms for rent, in operation for more than ten (10) nights in a twelve (12) month period. Breakfast may be provided to the guests only. Bed and breakfast establishments shall not include motels, hotels, boardinghouses, or food service establishments.
- B. “Guest room” shall mean a sleeping room intended to serve no more than two transient guests per night.
- C. “Owner/Operator” shall mean the owner of the bed and breakfast establishment, who is required by this article to reside in the bed and breakfast establishment, or on contiguous property.

43.02 Designation of agent. The county health department of Champaign County is hereby designated as the agent of the Village of Pesotum to perform all health department inspections required by this Chapter. However, the building inspector of the Village of Pesotum shall have jurisdiction over all building code and zoning matters as permitted by the ordinances of the Village of Pesotum.

43.03 Required Minimum Standards. Bed and Breakfast establishments shall comply with the following minimum standards:

- (1) Food shall be clean, wholesome, free from spillage, free from adulteration and misbranding, and safe for human consumption. Containers of food shall be stored above the floor, on clean racks, shelves or other clean surfaces in such a manner as to be protected from splash or other contamination. Milk of only pasteurized grade A may be used. Use of home canned food is prohibited, except for jams and jellies.
- (2) Food shall be protected from contamination while being stored, prepared and served, and during transportation. Perishable foods shall be stored at temperatures that will protect them against spoilage. Potentially hazardous food shall be maintained at safe temperatures of 45 degrees Fahrenheit or below, or 140 degrees Fahrenheit or above, as appropriate, except during the necessary period of preparation and serving. Frozen food shall be kept at temperatures that will keep it frozen, except when being thawed for preparation. Potentially hazardous frozen food shall be thawed

at refrigeration temperatures or below, quick-thawed as part of the cooking process, or thawed by another method approved by the local health department. An indicating thermometer shall be located in each refrigerator. Raw fruit and vegetables shall be washed thoroughly before use. Stuffings, poultry, and pork products shall be cooked to heat all parts of the food at least 165 degrees Fahrenheit before being served. Salads made of meat, poultry, potatoes, fish, shellfish, or eggs and other potentially hazardous prepared food, shall be prepared from chilled products with a minimum of manual contact. Portions of food once chilled to an individual may not be served again. Live animals shall be excluded from food preparation areas.

- (3) No person knowingly infected with a communicable disease that may be transmitted by food handling may work in a bed and breakfast establishment. If the bed and breakfast operator suspects that any employee, family member or the operator himself has a communicable disease, the operator shall notify the county health department immediately.
- (4) All operators shall be certified. Certification shall be achieved as required by successfully completing an examination by the county health department as described in the current edition of the State of Illinois Food Service Rules and Regulations.
- (5) Persons preparing or serving food or washing utensils shall wear clean outer garments and maintain a high degree of personal cleanliness. They shall wash their hands thoroughly before starting work and as often as necessary while working to remove soil and contaminants. After visiting a toilet room, persons shall wash their hands thoroughly in a lavatory but never in the kitchen sink.
- (6) Tobacco may not be used in any form while preparing or serving food.
- (7) Utensils shall be kept clean and in good repair. Multiuse eating and drinking utensils shall be thoroughly cleaned after each use. Facilities needed for the operations of washing, rinsing and sanitizing shall be provided. Pots, pans and other utensils used in the preparation and serving of food or drink and all food storage utensils shall be thoroughly cleaned after each use. Cooking surfaces of equipment, if any, shall be cleaned at least once each day. Nonfood contact surfaces of equipment shall be cleaned at intervals that will keep them in a clean and sanitary condition. Residential sinks and home-styled mechanical dishwashing machines are acceptable facilities for washing multiuse eating and drinking utensils. Immediately following either manual or

mechanical washing of eating or drinking utensils, and pots, pans and other cooking utensils, these utensils shall be effectively sanitized by being submerged in a hypochlorite solution with a chlorine concentration continuously maintained in 100 parts per million, or another approved sanitizing solution which shall be used at the concentration tested and approved by the local health department. Dishpans may be used to accomplish the final sanitizing rinse. The reuse of single-service utensils is prohibited.

43.04 Linen and Towels. Each person who is provided accommodations shall be provided individual soap and clean individual bath cloths and towels. Clean bed linens in good repair shall be provided for each guest who is provided accommodations and shall be changed between guests and as often as necessary. Clean linens shall be stored and handled in a sanitary manner.

43.05 Additional Building Standards. Bed and Breakfast establishments shall meet the state fire marshal's requirements for one-family and two-family dwellings. In addition, the following standards shall be required:

- (1) Manual extinguishing equipment shall be provided on each floor in accordance with National Fire Protection Association (NFPA) 10 Standards for the Installation of Portable Fire Extinguishers.
- (2) All combustibles or flammable liquids shall be stored in approved metal containers. No combustible storage shall be in or under stairways.
- (3) All trash containers shall be metal.
- (4) No cooking facilities shall be permitted in guestrooms.
- (5) All hallways and stairways shall be adequately lighted.
- (6) No portable heating devices shall be permitted in guestrooms.
- (7) The operator shall submit a floor plan of the Bed and Breakfast establishment to the local fire department.

43.06 Insurance. The Bed and Breakfast establishment shall provide proof of adequate liability insurance as required by the Village of Pesotum.

43.07 License Required: No person shall operate a Bed and Breakfast establishment in the Village of Pesotum without first obtaining a license.

A. Applications: Applications for licenses shall be made to the Village President in writing and signed by the Applicant, on forms provided by the Village of Pesotum. The Application shall be verified by oath or by affidavit. No license shall be issued until there is presented to the Village President a

certification from the building code inspector that all requirements of the building code and of this Chapter relating to building have been met. Further, no license shall be issued until there is confirmation from the zoning board that the property in which the Bed and Breakfast establishment is located is properly zoned to allow such use. If upon report by the building code inspector, the fire department / protection district and the county health department it appears that the proposed Bed and Breakfast establishment will comply with all applicable Village Ordinances and State laws, a license shall be issued.

B. Fee. Each Bed and Breakfast establishment shall pay to the Village an annual license fee due on or before May 1 of every year in the amount of \$50.00 as and for the license fee under this Chapter. If such license fee is not paid when due, the Village shall have the power to suspend, revoke or refuse to issue a license. There shall be no vested right in a license; such license shall not be subject to any security interest, lien, hypothecation or attachment in any manner whatsoever.

43.08 Inspection. The holder of a license under this Chapter shall be deemed to have consented to reasonable inspections throughout the license year by the Village or its designated agent. An inspection shall be performed at a reasonable time, and at a reasonable frequency, as determined by the Village or its agent.

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