

Consumer Health and Food Safety
STANDARD OPERATING POLICIES AND PROCEDURES

TITLE:	Bed and Breakfast Establishments		
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Staff Affected by SOP:

Program Manager, Sanitarian Supervisors, Sanitarians, Sanitarian Assistants

A. Purpose:

This SOP outlines the requirement for operating permits and the procedure for inspecting Bed and Breakfast Establishments, a segment of the hospitality industry.

B. Definition:

. A Bed and Breakfast, a type of lodging establishment, is usually conducted from a private home where sleeping accommodations are provided to travelers by renting extra bedrooms. Typically, each bedroom has a private bathroom immediately adjacent to it. Generally, these private homes are owner-occupied, but may be managed with onsite staff that occupies one of the bedrooms or lives in a separate dwelling on the property.

When the number of dwelling units for sleeping accommodations meets the definition in Pima County Code §8.16 for a Hotel, Motel or Tourist Court and if the dwelling units may be rented by the day (e.g. has a daily rate, instead of a weekly rate), then the Bed and Breakfast is considered a Hotel, Motel or Tourist Court for purposes of the Pima County sanitary code.

C. Policy:

Bed and Breakfast Establishments are subject to three operating permits.

1. An operating permit for a lodging establishment is required pursuant to Pima County Code §8.16. Bed and Breakfast Establishments must be inspected once annually using the regulations written in Pima County Code §8.16. Inspection results are written on a General Inspection form.
2. An operating permit is required for a food establishment if food is served to the guests, unless the establishment meets all conditions for the exception provided in the Food Code. (See excerpt below.) The food inspection is conducted according to the frequency set for the type of foodservice. Inspection results are written on the Food Safety Evaluation form.

Excerpt from the Food Code

(c) **"Food establishment"** does not include:

(v) *A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the CONSUMER is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the FOOD is prepared in a kitchen that is not regulated and inspected by the REGULATORY AUTHORITY;*

3. An operating permit is required for a swimming pool and/or spa that is used by the guests. The pool and/or spa inspection is conducted according to the frequency set for semi-public pools and spas. Inspection results are written on the Pool/Spa Inspection form.

D. Procedure:

Bed and Breakfast Establishments are subject to three inspections and the associated sanitary regulations.

- A. Inspect the areas associated with having "public accommodations" pursuant to Pima County Code §8.16. Bed and Breakfast establishments must follow the sanitary regulations written for Hotels, Motels and Tourist Courts.
- B. Inspect the food service operation pursuant to Pima County Code §8.08.010. Bed and Breakfast establishments must follow the sanitary regulations written for Food Establishments.

When the Bed and Breakfast meets the exception from the Food Code (see below), then an operating permit for foodservice nor a food inspection are required.

1. The establishment must meet all requirements listed in the Food Code for the exception to apply. The conditions are:
 - a. The owner must live in the home being used as the Bed and Breakfast.
 - b. The number of bedrooms must be less than seven (7).
 - c. Only "breakfast" is served and no other meals. The establishment cannot serve afternoon snacks, provide a wet bar or other food in the rooms, or serve foods or beverages after the breakfast meal.
 - d. The maximum number of guests at any one time must be less than nineteen (19).
 - e. The establishment discloses to its guests using placards in the registration area and any published literature that the establishment's foodservice is not regulated or inspected by the Health Department.
2. Bed and Breakfast Establishments that raise livestock used for foodservice must be properly licensed by appropriate agencies for the food to be

considered from an approved source. For example, if the establishment raises chickens for eggs, then the establishment must be licensed as a "small egg producer" by the State of Arizona's Department of Agriculture.

C. Inspect the pool and/or spa, pursuant to Pima County Code §8.32. Bed and Breakfast Establishments must follow the sanitary regulations written for semi-public pools and spas.

D. Notice of Violation—Failure to Have Required Operating Permits

1. If the Bed and Breakfast does not have a required operating permit, issue a Notice of Violation (NOV) .
2. Issue a separate NOV for each missing type of operating permit.
3. Clearly state on the NOV why the establishment meets the requirement for the operating permit.
4. On the NOV give thirty (30) days for the establishment to submit plans to begin the process of obtaining an operating permit.
5. Recommend to the operator that activities be discontinued that violate the sanitary code.