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ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE SECTION 25-12-3 RELATING TO BUILDING CODE REQUIREMENTS FOR BED AND BREAKFASTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 25-12-3 (*Local Amendments to the Building Code*) is amended to add a new Section 110.7 to read:

110.7 Inspectors. An inspection conducted under this Code may be performed by an inspector employed by the City or by a non-city employee approved by the Building Official. A person hired by the City as a Building Inspector after the effective date of this code, must attain certification as a Commercial Building Inspector and as a Commercial Energy Inspector within one year of the person's date of employment under the certification program established by the International Code Council.

PART 2. Section 202.1 (*Supplemental Definitions*) of City Code Section 25-12-3 (*Local Amendments to the Building Code*) is amended to add a new definition of "Bed and Breakfast" to read as follows:

BED AND BREAKFAST. A private residence having a limited number of sleeping rooms which are available for transient guests who have paid for accommodations. For the different classifications of Bed and Breakfast, refer to Section 25-2-781.

PART 3. Subsection R-1 of Section 310.1 (*Residential Group R*), as codified in City Code Section 25-12-3 (*Local Amendments to the Building Code*), is amended to read:

R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

Boarding houses (transient)

Hotels (transient)

Motels (transient)

Bed and Breakfasts

Congregate living facilities (transient) with 10 or fewer occupants are permitted as an alternate method of compliance to comply with the construction requirements for Group R-3 including Section 903.2.8 (*Group R*).

Exception: Compliance with Section 903.2.8 (*Group R*) is not required for a single structure Group R-1 Bed and Breakfast occupancy (*see LDC 25-2-781*) when the owner resides within the Bed and Breakfast occupancy and provided that:

- (1) the structure is a detached single family home that was legally constructed and occupied as a single family residence prior to January 1, 2006;
- (2) the total number of sleeping rooms has not been increased after January 1, 2006;
- (3) the residence is protected by a monitored residential style fire/security system with an appropriate automatic smoke detection system installed throughout the residence with occupant notification devices in accordance with Section 907.5(*Occupant notification systems*); and
- (4) the residential style fire/security system must be inspected, tested and maintained in accordance with Section 907.8 (*Inspection, testing and maintenance*).

PART 4. This ordinance takes effect on _____, 2011.

PASSED AND APPROVED

_____, 2011 § _____
Lee Leffingwell
Mayor

APPROVED: _____

Karen M. Kennard
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk