

## ORDINANCE 2017-04

AN ORDINANCE BY THE GOVERNING AUTHORITY FOR THE CITY OF STONE MOUNTAIN, GEORGIA TO AMEND APPENDIX A - ZONING, ARTICLE XV: BED AND BREAKFAST FACILITIES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

### PART I

The Council of the City of Stone Mountain hereby ordains that APPENDIX A – ZONING, ARTICLE XV: BED AND BREAKFAST FACILITIES of *The Code of the City of Stone Mountain, Georgia* be amended as follows:

1. Add to Section 15-1.2 Definitions
  - C. A bed and breakfast hotel facility is defined as a commercial type establishment offering no less than three (3) and no more than eight (8) lodging rooms to be used for temporary occupancy for a fee and that serves meals to guests.
  - D. A bed and breakfast home facility is defined as a residential type establishment, with commercial enterprise, offering no more than three (3) lodging rooms for temporary occupancy for a fee and that may or may not offer food to guests.
2. Delete Section 15-1.3 Licenses in its entirety and
3. Add new Section 15-1.3 Licenses
  - A. A bed and breakfast hotel facility shall obtain an occupational tax certificate from the city and must meet all requirements for food and lodging operations.
  - B. A bed and breakfast home facility shall obtain a home occupational tax certificate from the city and is exempt from local food operations requirements providing that only breakfast is served, with breakfast being defined as pre-wrapped, commercially prepared portions.
  - C. Fees for lodging in all bed and breakfast hotel and home facilities are subject to local and state taxation ordinances.
4. Add to Section 15-2.1(A) Occupancy restrictions, the word “hotel” to read
  - A. A bed and breakfast hotel facility must meet the following occupancy restrictions:
5. Delete Section 15-2.1(A)1 in its entirety and

6. Add to Section 15-2.1 Occupancy restrictions
  - B. A bed and breakfast home facility must meet the following occupancy restrictions:
    1. Provide no more than three (3) lodging rooms with a minimum of 70 square feet per room.
    2. Occupancy of a lodging room shall require at least 40 square feet per individual when occupied by more than one person.
    3. Occupancy by guest(s) shall not exceed fourteen (14) consecutive days during any ninety (90) day period.
    4. The owner of a bed and breakfast home facility shall live in the bed and breakfast facility or on the property on which facility is located. Change in ownership shall be reported to the municipality and may be subject to new licensing requirements.
    5. Bed and breakfast home facilities shall be available for occupancy on a continuous basis except for repairs, renovations, or the absence of the owner.
    6. Bed and breakfast home facilities shall be required to have a smoke alarm in each lodging room (guest room) and a fire extinguisher visible and accessible to guests. The facilities are subject to at least one annual inspection at the time of initial licensing and during renewal of the same.
7. Delete Section 15-3. – Signage in its entirety and
8. Add Section 15-3.1 Signage
  - A. For bed and breakfast hotel facilities – One exterior sign is permitted not to exceed 12 square feet. The sign may not be attached to any structure on the premises. The sign may be lighted on two sides by an external light source not to exceed 2,400 lumens per light. A sign permit application must be submitted to the city clerk for approval and a sign permit fee must be paid according to the schedule of fees maintained by the city prior to the construction of an exterior sign.
  - B. For bed and breakfast home facilities – No business and advertising signs shall be permitted.

PART II

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III

This ordinance shall become effective on the 1st day of August, 2017  
This ordinance was proposed by Council Member Chakira Johnson with a motion to adopt. Thereafter, the motion was seconded by Council Member Susan Colitti. 5 Council Members voted in favor of the motion and 0 Council Members voted against the motion.

Patricia Wheeler  
Mayor Patricia Wheeler

Rhonda A Blackmon  
Rhonda Blackmon, City Clerk

Approved as to form: [Signature]  
City Attorney Joe Fowler

First read: May 15, 2017      Second read: August 1, 2017