



Photo courtesy of MonteBello B&B Inn

## What is an Iowa B&B?

A **bed and breakfast home** is a private home or residence where the host resides and provides lodging and meals for overnight guests.\* It is exempt from licensing and inspection as a *food establishment* and as a *hotel*. No more than four guest families can be accommodated at the same time. A **bed and breakfast home** must:

- Advertise only as a “bed & breakfast home.”
- Have smoke detector in working order in each sleeping room.
- Maintain a fire extinguisher in working order on each floor.
- Have water tested annually by the local board of health or other approved laboratory or have sourced from a public water supply.

\*If food is served to the general public—persons who are not overnight guests—the facility must be licensed and inspected as a food service establishment under the 2005 Food Code. (A separate self-contained food preparation area is required.)

A **bed and breakfast inn** is a hotel or motel with nine or fewer guest rooms.

A **bed and breakfast inn** must:

- Be licensed and inspected as a *hotel* under Chapter 137C of the Iowa Code.
- Provide adequate toilet and lavatory facilities for overnight guests (not required to provide separate toilet and lavatory facilities for each guest room).
- Be licensed and inspected as a *food service establishment* under the 2005 Food Code to serve food to overnight guests or to the general public. A separate self-contained food preparation area is required.
- Comply with Fire Code; details available from the State Fire Marshall (515-281-5821).

# Starting a Bed and Breakfast in Iowa? *Know the laws that apply*

If you live close to a tourist attraction, or your residence is located in a beautiful setting, perhaps you have considered transforming your home into a Bed and Breakfast, or B&B. Those who have done so love the opportunity to share their space and their region’s history and culture with visitors who prefer the personal nature of the B&B experience over that of hotels and motels. This publication reviews the Iowa regulations for B&Bs.

By law, a person who solicits and receives payment for overnight lodging must meet the provisions of the Code of Iowa, Chapter 137, Hotel and Motel Inspections. No person shall open or operate a hotel until a license has been obtained from the regulatory authority and until the hotel has been inspected by the regulatory authority. Licenses expire every year and must be renewed. The Code of Iowa, Sections 137E.1 and 137E.35 provide some exemptions from hotel licensing for bed and breakfast homes and inns. The Iowa Department of Inspections and Appeals is the enforcing authority on compliance with these codes.

## Bed and Breakfast Home or Inn?

The first step in establishing a B&B in Iowa is to understand the difference between a B&B “home” and a B&B “inn.” (See definitions in box at left.)

## Food Service

Additional rules apply if operators of either a B&B home and/or a B&B

inn want to serve food to the general public (beyond those who are overnight guests).

To provide such service, the facility must be licensed and inspected as a food service establishment under the 2005 Food Code. To comply with the Food Code, a separate self-contained food preparation area is required, since under Section 6-202.111 the private home (kitchen) is not allowed to be licensed for this purpose.

## Facility and Room Standards

Whether you will be running a B&B inn or home, the following standards relating to hotel and motel inspection should be met. See [www.dia.iowa.gov/481%20IAC%2037.pdf](http://www.dia.iowa.gov/481%20IAC%2037.pdf) or check with your local health inspector to review the form.

**Grounds**—Generally, the building and grounds should be kept clean with no litter or accumulation of refuse. All garbage must be kept in metal or plastic containers with tight-fitting lids and garbage should be removed regularly so it does not create offensive odors, a problem with insects or rodents, or health/fire hazards.

**Interior and Guest Rooms**—The floors, walls, and ceilings should be kept clean and in good repair. Screens or self-closing doors to keep flies, mosquitoes, and other pests out of living areas should be installed. All guest rooms should be provided with

a ventilation source (either a window or mechanical unit). Furniture, drapes, and accessories should be clean and in good repair. Bedding of an under sheet and top sheet large enough to cover the mattress is needed for every bed, with pillowcases on all pillows. Each guest should receive a clean set of sheets and pillowcases.

**Bathrooms**—Bathrooms should have hot and cold running water and the floor material should be nonabsorbent and impermeable. The bathroom should be well-lit and vented to the outside of the building. Additionally, each guest should be provided the option of a clean towel each day.

### **Food Service Rules**

Neither type of B&B is included in the Code of Iowa definition of a “food establishment” (Section 137F.1). The 2005 Iowa Food Code exempts a B&B from being a food establishment as long as the home is owner occupied, the number of available guest bedrooms does not exceed six, breakfast is the only meal offered, and the number of guests served does not exceed 18. Thus, B&Bs are not required to be licensed as a food service establishment.

B&Bs are exempt from the requirement of having a separate kitchen facility for preparation of food served only to guests; however only overnight guests can be served unless a food establishment license is secured. Any B&B that wishes

to offer dining services to those not staying overnight must have this separate license, as well as a separate, self-contained food preparation area.

However, if a license is not needed (the above conditions are met) the owner must inform patrons in statements contained in published advertisements, mailed brochures, and placards posted at the registration area of the B&B that the food is prepared in a kitchen not regulated and inspected by the regulatory authority.

### **Food Safety Knowledge**

The person(s) in charge of food production and service should be knowledgeable about food safety and be familiar with the Food Code requirements. Completing courses and receiving certification in food safety, such as that offered through the National Restaurant Association’s ServSafe® Program (see box at right), demonstrates to guests that the person in charge does indeed have the training and knowledge to ensure a safe dining experience. Showing proof of such training also may result in lower insurance premiums. The complete Food Code can be reviewed at [www.dia.iowa.gov/food/Documents/2005%20Iowa%20Food%20Code.pdf](http://www.dia.iowa.gov/food/Documents/2005%20Iowa%20Food%20Code.pdf).

### **Iowa Hotel and Motel Tax**

Although exempt from a hotel license, the B&B must still pay tax on gross receipts (revenue) from renting of rooms for periods of less than 31 consecutive days. The tax base includes the entire cost related to the rental of the room. If a person is charged for other items when renting a room, the charges must be stated separately or the entire amount will be subject to the hotel/motel tax. For more details regarding the applicable tax rates and required forms, see [www.iowa.gov/tax/educate/HotelMotelTax.html](http://www.iowa.gov/tax/educate/HotelMotelTax.html).



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## **Resources**

Food Safety Education  
[www.iowafoodsafety.org](http://www.iowafoodsafety.org)

The Iowa Bed and Breakfast Association  
[www.ia-bednbreakfast-inns.com/Iowa\\_Bed\\_and\\_Breakfast\\_Newsletter.htm](http://www.ia-bednbreakfast-inns.com/Iowa_Bed_and_Breakfast_Newsletter.htm)

Iowa Bed and Breakfast Innkeepers Association  
[www.bbonline.com/ia/ibbia/](http://www.bbonline.com/ia/ibbia/)

Iowa Food Code  
[www.dia.iowa.gov/food/Documents/2005%20Iowa%20Food%20Code.pdf](http://www.dia.iowa.gov/food/Documents/2005%20Iowa%20Food%20Code.pdf)

Iowa Hotel/Motel Inspection  
[www.dia.iowa.gov/food/](http://www.dia.iowa.gov/food/)  
[www.dia.iowa.gov/481%20IAC%2037.pdf](http://www.dia.iowa.gov/481%20IAC%2037.pdf)

Iowa Hotel/Motel Tax  
[www.iowa.gov/tax/educate/HotelMotelTax.html](http://www.iowa.gov/tax/educate/HotelMotelTax.html)

Iowa State University Extension Distribution Center—  
[www.extension.iastate.edu/store](http://www.extension.iastate.edu/store)  
*(See Community Economic Development>Small Business and Food, Nutrition and Health topics)*

Iowa State University Extension Hotel, Restaurant, and Institution Management Extension  
[www.extension.iastate.edu/hrim](http://www.extension.iastate.edu/hrim)

ServSafe® Program  
[www.extension.iastate.edu/hrim/training/](http://www.extension.iastate.edu/hrim/training/)

No endorsement of products or firms is intended, nor is criticism implied of those not mentioned.

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