

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 727
Human Resources Committee Substitute Adopted 5/13/91

Short Title: Bed and Breakfast Inns.

(Public)

Sponsors:

Referred to:

April 22, 1991

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST
INNS.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1992, G.S. 130A-247 reads as rewritten:

§ 130A-247. Definitions.

The following definitions shall apply throughout this Part:

- (1) 'Permanent house guest' means a person who receives room or board for periods of a week or longer. The term includes visitors of the permanent house guest.
- (2) 'Private club' means an establishment which maintains selective members, is operated by the membership, does not provide food or lodging for pay to anyone who is not a member or a member's guest, and is not profit oriented.
- (3) 'Regular boarder' means a person who receives food for periods of a week or longer.
- (4) 'Where drink is prepared or served' means a place where drink is put together, portioned, set out or handed out in unpackaged portions using containers which are reused on the premises rather than single-service containers.
- (5) 'Where food is prepared or served' means a place where food is cooked, put together, portioned, set out or handed out in unpackaged portions for human consumption.

- 1 (6) 'Bed and breakfast inn' means a business establishment of not more
2 than 12 guest rooms that offers bed and breakfast accommodations to
3 at least nine but not more than 23 persons per night for a period of less
4 than one week, and that:
5 a. Does not serve food or drink to the general public for pay;
6 b. Serves only the breakfast meal, and that meal is served only to
7 overnight guests of the establishment;
8 c. Includes the price of breakfast in the room rate; and
9 d. Is the permanent residence of the owner or the manager of the
10 establishment."

11 Sec. 2. Effective January 1, 1992, G.S. 130A-248(a2) reads as rewritten:

12 "(a2) For the protection of the public health, the Commission shall adopt rules
13 governing the sanitation of private homes offering bed and breakfast accommodations
14 to eight or less persons per ~~night~~-night, and rules governing the sanitation of bed and
15 breakfast inns as defined in G.S. 130A-247. In carrying out this function, the
16 Commission shall adopt requirements that are the least restrictive so as to protect the
17 public health and not unreasonably interfere with the operation of bed and breakfast
18 inns."

19 Sec. 3. The Department of Environment, Health, and Natural Resources shall
20 report to the Joint Legislative Commission on Governmental Operations not later than
21 April 1, 1992, on the implementation of the requirements governing bed and breakfast
22 inns.

23 Sec. 4. This act is effective upon ratification.