



City of Madison

FAQ: Tourist Rooming House

Tourist Rooming House (TRH)

Zoning Ordinance Definition:

Tourist Rooming House. A building or portion thereof, other than a Hotel, Motel, Bed and Breakfast Establishment or Hostel, in which sleeping accommodations are offered for pay to tourists or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients.

Supplemental Zoning Regulations:

- a) The establishment shall have a current license from Public Health of Madison and Dane County, as required by Wis. Admin. Code ch. DHS 195.
- b) The tourist rooming house shall be the owner's primary residence.
- c) Owner shall register with Treasurer's office and shall pay room tax as required under Sec. 4.21, MGO.
- d) Only the owner of the property may operate a Tourist Rooming House, except that a renter may operate if explicitly allowed in the lease.
- e) If the operator does not occupy the residence at the time of rental, the tourist rooming house may operate no more than thirty days per licensing year; July 1st to June 30th.
- f) If the operator occupies the residence at the time of rental, there is no limit to the number of days the Tourist Rooming House may operate.
- g) Maximum tourist occupancy shall comply with maximum family occupancy rules in the underlying zoning district regulations.
- h) Each establishment shall have a registry available on-site for inspection, indicating the identity of all guests, dates of stay, acknowledgement of operator presence or absence during stay, and length of stay. The registry shall include all information from the current registry year and the year immediately prior.



Zoning/Use Scenarios

- *Can I rent a bedroom in my apartment?*

Yes, a tenant may rent a room as a TRH if the lease allows the arrangement. If the tenant stays at the unit at the time of rental, there is no limit to the number of rental days allowed per year.

- *Can I rent a room in my home?*

Yes. There is no limit to the number of days you may rent a room if you stay at the home at the time of rental.

- *Can I rent a room in my condo?*

Yes. There is no limit to the number of days you may rent a room if you stay at the home at the time of rental (See Public Health comment regarding bathrooms).

- *Can I leave my apartment and rent it?*

Yes, if the lease allows the arrangement, a maximum of 30 days in a license year (See Public Health comment regarding bathrooms).

- *Can I leave my house or condo while my TRH renter is there?*

Yes, for a maximum of 30 days in a license year.

- *I own a home that is vacant. Can I rent this home as a TRH?*

No. If you own a home that you do not live in or is not your residence, no short-term rental is allowed.



- *What if my TRH renter occupies longer than 30 consecutive days?*

TRH regulations in the zoning code do not apply to people occupying for over 30 days.

- *How many people can I rent the space to?*

Same as the limitation of occupancy for the dwelling. A family is generally considered a group of related individuals. Roomers are considered unrelated individuals. The regulation of a family plus roomers depends on the zoning of the property. Check with the zoning office to clarify the correct limit. A few scenarios:

- ◆ Typical low-density residential area, primarily single-family owner occupied homes = *family plus one roomer or no more than two unrelated individuals.*
- ◆ A multiple-family zoning district, higher density, apartments or condos = *typical occupancy is limited to a family plus four roomers, or up to five unrelated individuals.*

Public Health Madison and Dane County

Tourist Rooming House License is required. Information can be found at:
<https://www.publichealthmdc.com/environmental/licensed/hotels.cfm>

- May or may not be owner occupied at the time of the rental
- Owner can offer prepackaged, shelf-stable food, or whole fruit to their guests without a food license.
- Guests may not share bathrooms unless the house is rented to a single family.
- For unrelated guests, each bedroom must have its own bathroom or separate designated men's and women's bathrooms must be provided.
- Individual locks on the bedroom doors are required unless you rent the home to a single family.

Building Code

No building code issues beyond what is otherwise required for the residential use.

- *Is there a smoke detector rule?*
Yes, current rules for smoke detectors apply, no change required to TRH.
- *Is there a carbon monoxide rule?*
Yes, current rules for CO detectors apply, no change required for TRH.

Room Tax/Sellers Permit

Room Tax Certificate from the City of Madison Treasurer is required. Information can be found at:
<http://www.cityofmadison.com/treasurer/licensing/>

Still Have Questions?

Please feel free to call or come by the Department of Planning & Community & Economic Development to speak with one of our Zoning Staff.

Department of Planning & Community & Economic Development

Building Inspection Division
126 S Hamilton St
P.O. Box 2984
Madison, WI 53701-2984

Phone: (608) 266-4551
<http://www.cityofmadison.com/dpced/bi/>

