

# Residential Occupancy Classifications for Guest House Licenses

## What category do you fit into?

**Page 1** Defines One – Two and Three Family Dwellings. Up to 5 guests per dwelling unit only requires smoke and carbon monoxide detection specific to each dwelling. Once you exceed the 5 guests per dwelling unit you fall into a different occupancy classification.

**Page 2** Defines Lodging and Rooming and Hotel. Lodging and Rooming has four different subclassifications, each of which have different fire code requirements.

Please select the links next to each occupancy classification to see the fire code requirements for each. This will enable you to make an informed decision as to how you would like to use your structure.

## What if I disagree with Inspection or Code Enforcement?

If you disagree with how Newport Fire is enforcing the fire code you have the right to fill out a variance application with the Rhode Island Fire Board of Appeal and Review and have a hearing to explain your specific situation and ask for relief from the code or a time variance to rectify code deficiencies or violations.

### One- and Two-Family Dwellings

**One-Family Dwelling Unit.** A building that consists solely of one dwelling unit with independent cooking and bathroom facilities.

**Two-Family Dwelling Unit.** A building that consists solely of two dwelling units with independent cooking and bathroom facilities.

- 1) One Family Dwelling Up to 5 Guests
- 2) Two Family Dwelling Up to 5 Guests per Dwelling Unit

### Three Family Dwelling

**Three-Family Dwelling Unit.** A building that consists solely of three dwelling units with independent cooking and bathroom facilities.

- 1) One Room – Two Guests Per Dwelling Unit
- 2) Two Room – Two to Five Guests Per Dwelling Unit
- 3) Three Rooms – Up to Five Guests Per Dwelling Unit

**Lodging and Rooming** (Subcategories include Lodging and Rooming, Bed and Breakfast, and Congregate Living Facility)

**Lodging or Rooming House.** A building or portion thereof that does not qualify as a one- or two-family dwelling, that provides sleeping accommodations for a total of 16 or fewer people on a transient or permanent basis, without personal care services, with or without meals, but without separate cooking facilities for individual occupants.

- 1) Lodging and Rooming 4-16 Guests

**Bed and Breakfast Home** is defined as an owner and/or innkeeper occupied building that provides sleeping accommodations for up to sixteen (16) guests. Every “Bed and Breakfast Home” must further have originated as a private home and must have at least three hundred (300) square feet of common space (i.e. dining room, living room, etc.) for guest use, and must further provide breakfast. Finally, the owner and/or innkeeper must occupy the building twenty-four (24) hours a day, seven (7) days a week, while guests are utilizing the facility. The owner and/or innkeeper of the Bed and Breakfast Home shall have a plan of action, approved by the local official, to assure the safety of the guests in the event the owner or innkeeper is required to temporarily leave the facility unsupervised for limited periods during the day.

- 1) B&B 4-6 Guests Owner/Innkeeper Occupied 24/7
- 2) B&B 7-16 Guests Owner/Innkeeper Occupied 24/7

A **Congregate Family Living Facility** is defined as a building or part thereof that contains sleeping rooms where residents share the entire structure and live, cook and function together as a single housekeeping unit.

Every “Congregate Family Living Facility” **must** further have originated as a private residence, shall be limited to no more than two (2) stories in height and shall not exceed two thousand five hundred (2,500) gross square feet.

- 1) Congregate Living 4-6 Guests
- 2) Congregate Living 7-16 Guests