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# STATE OF COLORADO

**COLORADO DEPARTMENT OF HEALTH**  
Dedicated to protecting and improving the health and environment of the people of Colorado

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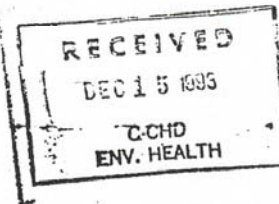
## MEMORANDUM CONSUMER PROTECTION DIVISION

TO: Directors of Environmental Health  
Environmental Health Officers  
Consumer Protection Division Staff

FROM: Tom Messenger *Tom Messenger*

DATE: December 7, 1993

SUBJECT: Licensure of Bed and Breakfast Establishments



Title 12, Article 44, Part 202 (5) (b), CRS 1989, exempts from the definition of a food service establishment "Private Boarding Houses". The question has been asked, are bed and breakfast establishments defined as private boarding houses? The term "Bed and Breakfast Establishment" is not defined in statute or regulation.

In the absence of a definition for a bed and breakfast establishment in statute or regulation, the Department believes that prudent and common sense interpretation would be as follows:

### BED AND BREAKFAST MEANS:

"A RESIDENTIAL STRUCTURE(S) / PROPERTY(S) PROVIDING SLEEPING ACCOMMODATIONS; MEALS ARE PROVIDED AND SERVED TO GUESTS IN ONE COMMON EATING AREA AND/OR THE GUEST ROOM; A SINGLE RATE SHALL INCLUDE ROOM & BOARD; AND THERE SHALL BE AN INNKEEPER IN RESIDENCE WITHIN OR ADJACENT TO THE BED AND BREAKFAST ESTABLISHMENT."

Each facility should be considered as to its own operation, whether it is more like a hotel/motel or boarding house. If an establishment is more like a hotel/motel, which provides accommodations, is commercial in nature, and serves meals to guests and/or the general public, they must meet the requirements of the "Rules and Regulations Governing the Sanitation of Food Service Establishments in the State of Colorado" and therefore, obtain a Colorado State Food Service Establishment License.

