

Sec. 9-12-1. - Definitions.

Generally. For the purposes of this chapter, certain words and phrases shall have the meanings set out in this section, except in cases where the context clearly indicates a different meaning.

Capture means that the guest's name and the guest's address shall be written in a book/register inscribed with ink or indelible pencil.

Extended stay hotel and *extended stay motel* mean any hotel containing four or more guestrooms intended or designed to be used, or which are used, rented, or hired out to be temporarily occupied or which are temporarily occupied by tourists and travelers for sleeping purposes for more than ten days within any 30-day period and that contain fixed cooking appliances.

Fixed cooking appliance means a stove; a hotplate that does not serve as an integral part of an appliance designed solely to produce coffee; a conventional oven; a convection oven; or any oven producing heat using resistance heating elements, induction heating, or infrared heating sources. Fixed cooking appliances do not include microwaves or outdoor grills.

Guest means any person who occupies a guestroom.

Guestroom means temporary living and sleeping quarters for a person or persons.

Hotel means a building, structure or place containing ten or more guestrooms wherein tourists and travelers are temporarily provided lodging in exchange for financial compensation and in which ingress and egress to each guestroom is made through the interior of the building.

Identification means a current and valid government-issued photo identification card such as a driver's license, military identification card, state identification card, or passport.

Law enforcement personnel means any law enforcement officer, fire marshal, or any of his or her assistants, fire inspector, or code enforcement officer employed by the city.

Minor means an individual less than 18 years of age.

Motel means a building, structure or place containing ten or more guestrooms wherein tourists and travelers are temporarily provided lodging in exchange for financial compensation and in which ingress and egress to each guestroom is on the outside of the building.

Natural disaster means a flood, tornado, hurricane, earthquake, or other occurrence for which the President of the United States has made a federal disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5206. Should the State of Georgia's definition of "natural disaster" found in O.C.G.A. § 50-1-9 differ from the definition herein, the definition in O.C.G.A. § 50-1-9 controls.

Person means any individual, firm, owner, sole proprietorship, partnership, corporation, and unincorporated association governmental body, municipal corporation, executor, administrator, trustee, guardian, agent, occupant, or other legal entity.

Record(s) means the name and home address of each tourist or traveler renting or occupying a guestroom, including adults and minors, kept electronically in the hotel's or motel's electronic guest registration system or in a book/register inscribed with ink or indelible pencil.

Tourist and *traveler* mean a person who is going from one place to another for the purpose of business or pleasure.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-2. - Enforcement.

Law enforcement personnel are authorized and shall have authority to enforce all provisions of this chapter.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-3. - Access to premises and records.

Law enforcement personnel shall have access at all reasonable times to all hotels and motels, except occupied guestrooms, unless so authorized by other laws or ordinances, for the purpose of investigating any complaint or enforcing any law, ordinance or regulation.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-4. - Numbering of guestrooms.

Each guestroom in any hotel or motel shall be numbered in a plain, conspicuous manner. Such numbers shall be at least three inches high and shall be placed at eye level on the outside of the outer door of each guestroom, and no two guestrooms shall bear the same number.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-5. - Registration generally.

- (a) For each person paying in cash for the occupation of a hotel or motel, every person operating a hotel or motel shall require each such person to provide identification prior to renting a guestroom. A record shall be kept on file for the duration of the occupancy and for 60 days thereafter. In the event the hotel or motel does not have an electronic guest registration system, the hotel or motel shall capture the guest's name and the guest's address and any unique identifier from the identification. Such record shall be signed by the person renting a guestroom or someone of his or her authority, and the operator of such hotel or motel, or his agent, shall thereupon electronically enter or write, opposite such name so registered, the number of the guestroom assigned to and occupied by such guest, together with the time when such guestroom is rented. Until all of the aforesaid entries have been made, no guest shall be permitted to occupy any guestroom in such hotel or motel. Such record is subject to inspection at all times provided that the city obtains consent of the owner of or person operating a hotel or motel or produces appropriate legal authorization through a warrant or subpoena. The individual paying in cash shall also be the individual occupying the guestroom.
- (b) For each person paying with a credit card for the occupation of a hotel or motel, every person operating a hotel or motel shall require each such person to provide identification prior to renting a guestroom. A record shall be kept on file for the duration of the occupancy and for 60 days thereafter. In the event the hotel or motel does not have an electronic guest registration system, the hotel or motel shall capture the guest's name and the guest's address and any unique identifier from the identification. Such record shall be signed by the person renting a guestroom or someone of his or her authority, and the operator of such hotel or motel, or his agent, shall thereupon electronically enter or write, opposite such name so registered, the number of the guestroom assigned to and occupied by such guest, together with the time when such guestroom is rented. Until all of the aforesaid entries have been made, no guest shall be permitted to occupy any

guestroom in such hotel or motel. Such record is subject to inspection at all times, provided that the city obtains consent of the owner of or person operating a hotel or motel or produces appropriate legal authorization through a warrant or subpoena. The individual paying in cash shall also be the individual occupying the guestroom.

- (c) For each individual who pays for a guestroom via an internet site or some other digital payment before arriving at the hotel or motel, every person operating a hotel or motel, shall require each such person to provide identification prior to renting a guestroom. A record shall be kept on file for the duration of the occupancy and for 60 days thereafter. In the event the hotel or motel does not have an electronic guest registration system, the hotel or motel shall capture the guest's name and the guest's address and any unique identifier from the identification. Such record shall be signed by the person renting a guestroom or someone of his or her authority, and the operator of such hotel or motel, or his agent, shall thereupon electronically enter or write, opposite such name so registered, the number of the guestroom assigned to and occupied by such guest, together with the time when such guestroom is rented. For each person paying via the internet or other digital payment, the individual paying shall also be the occupant of the guestroom. Until all of the aforesaid entries have been made, no guest shall be permitted to occupy any guestroom in such hotel or motel. Such record is subject to inspection at all times provided that the city obtains consent of the owner of or person operating a hotel or motel or produces appropriate legal authorization through a warrant or subpoena.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-6. - False registration by guests.

- (a) It shall be unlawful for any person to write, or cause to be written, or knowingly permit to be written, in any record in any hotel or motel, any other or different name or designation than the true name of the person registered therein. Identification shall be required to be produced at registration.
- (b) It shall be unlawful for any hotel or motel owner, operator, manager, or person in charge of a hotel or motel to allow a guest to pay for or occupy a guestroom without identification.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-7. - Giving false information to obtain lodging.

It shall be unlawful for any person to obtain lodging for any person under the age of 18 years in any hotel or motel by giving to the proprietor, owner, manager, agent, person in charge or keeper thereof, false information as to such person's age or false information as to the relationship to such person of any alleged parent or guardian. Further, it shall be unlawful for any person under the age of 18 years to obtain lodging for himself or herself in any such establishment by giving any such false information.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-8. - Renting or occupying guestroom for illegal or unlawful purposes.

- (a) It shall be unlawful for any person to rent or occupy any guestroom in any hotel or motel in this city for illegal or unlawful purposes, or for the proprietor, manager, or other person in charge of any such hotel or motel to rent, assign to or permit any person to occupy any such guestroom, with knowledge that they intend to use it for illegal or unlawful purposes.
- (b) It shall also be unlawful to rent or occupy any guestroom in any hotel or motel for otherwise legal commercial activity from guestrooms or common areas without obtaining approval from the city manager or his or her designee.
- (c) It shall be unlawful for any guest or other individual to advertise on any website, social media, printed material, radio or television advertisement any business, service or product (unlawful or lawful) being delivered, offered, performed, created, distributed, or otherwise transacted from any guestroom within a hotel or motel.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-9. - Letting same guestroom more than once in one night.

It shall be unlawful for any person to let any guestroom in any hotel or motel more than once between the hours of 9:00 p.m. and 6:00 a.m. of the next day, except in the case of a written contract between the hotel or motel and the person (excluding a standard contract between the hotel or motel executed by virtue of payment of a deposit or room rate) in which:

- (1) A specific business entity desires such occupation for an employment-related purpose which requires temporary occupancy, including, but not limited to, relocation services; or
- (2) A government, charity, or insurance agency desires such occupation to house families in a natural disaster.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-10. - Length of stay.

- (a) It shall be unlawful for any person to stay at any hotel or motel for longer than ten days in a 40-day period. It shall also be unlawful for the owner, operator, manager, or person in charge of a hotel or motel or to permit or allow a person to stay at a hotel or motel in excess of ten days in a 30-day period.
- (b) Notwithstanding subsection (a) of this section, a stay in excess of ten days in a 30-day period may occur in the following situations:
 - (1) Where there is a written contract between a hotel or motel and a specific business entity for occupation for an employment-related purpose which requires temporary occupancy, including, but not limited to, relocation services;
 - (2) A government, charity, or insurance agency desires such occupation to house families in a natural disaster; or
 - (3) When the occupant of a guestroom is temporarily located while on active military duty.
- (c) The written contract, document, and authorization noted in subsection (b) shall be kept on file and must be available for inspection.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-11. - Receipt for payment received.

A receipt showing payment received shall be provided to the guest.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-12. - Hotel and motel guestroom and common area requirements.

- (a) All guestrooms shall be equipped with a hard-wired smoke detector approved by the fire marshal.
- (b) Smoking is prohibited in all areas of a hotel or motel, including but not limited to, exterior breezeways and stairwells, except for designated smoking guestrooms.
- (c) Each guestroom shall provide both hot and cold water from all faucets and shower heads.
- (d) All walls, carpet, floors, ceilings, and fixtures located in guestrooms or common areas shall be and remain clean, undamaged, free from dust, dirt, marks, or any obvious signs of patching or repair.
- (e) All furniture shall be and remain durable, clean, undamaged, free from any obvious signs of patching or repair, and free from evidence of deterioration. Within any individual area (guestroom, breakroom, seating area, etc.), the color and design of all furniture must match.

- (f) Entry doors, closet doors, bathroom doors, and guestroom doors shall be and remain clean, undamaged, free from scratches, indention, holes, scraps, stains, and free from any evidence of deterioration.
- (g) All door hardware, including, but not limited to, latches, hinges, locks, and knobs, shall be and remain clean, undamaged, free from evidence of deterioration, free from obvious signs of patching or repair, and fully functional at all times to provide appropriate security, storage, and passage.
- (h) Fixed cooking appliances are not permitted inside guestrooms and no guestrooms shall be allowed to operate in an extended-stay capacity.
- (i) All interior areas of any hotel or motel shall be and remain free of insects, rodents, and other vermin.
- (j) All interior areas of any hotel or motel shall be clean and remain free of mold and dirt. Interior areas shall be maintained with fresh paint when necessary. All decorations must be maintained in good repair.
- (k) All windows shall be maintained free of cracks and excessive scratches, and they must be cleaned regularly according to hotel or motel industry standards. Any repairs to windows must be invisible and cannot display glue, tape, or wood.
- (l) Exterior areas shall be maintained free of all litter and debris. Sidewalks abutting the hotel or motel, exterior breezeways, and stairwells shall be clean and clear, in good repair without trip hazards or uneven surfaces. Hotels or motels allowing pets shall keep all areas free of noxious odors and animal excrement. All trash receptacles shall be emptied and cleaned on a regular basis. Trash receptacles with excessive dents, holes, or peeling paint shall be repaired or replaced.
- (m) Loitering is prohibited between the hours of 10:00 p.m. and 7:00 a.m. in the parking lot of a hotel or motel, on sidewalks abutting the hotel or motel, or in hallways outside of guestrooms.
- (n) Storage outside of hotels or motels is prohibited.
- (o) All exterior lights shall be maintained in good working order, and all lighting fixtures shall remain in good repair.
- (p) Parking lots, exterior breezeways, stairwells, sidewalks, and other common areas shall not be used for unplanned seating, clothes drying, congregating or other similar conditions or activities.
- (q) Parking lots shall remain in a reasonable state of repair and must be resurfaced in cases of excessive patching of potholes and widespread fracturing of asphalt.
- (r) All painted surfaces, including but not limited to, handrails, fences, exteriors building surfaces, and interior building finishes, shall be free of rust, dirt, graffiti, or other evidence of deterioration.
- (s) Grilling is only allowed in designated areas and where all applicable safety codes and regulations are met. Grilling is not permitted in guestrooms or on guestroom balconies.
- (t) All guestroom linen shall be in good condition, clean and free of stains. Torn, damaged, stained or worn linen are prohibited. Hotels and motels shall maintain, on site, a minimum supply of linen sufficient to accommodate a daily 100 percent occupancy room turnover. All occupied guestrooms shall be supplied with a minimum of two bath towels, two hand towels and two washcloths. Guests in rooms with more than two guests at one time shall be allotted an additional towel, hand towel, and wash cloth for each additional guest.

(Ord. No. 2017-04, § 1, 4-11-17)

Sec. 9-12-13. - Penalties.

Any person violating any provision of this chapter shall be guilty of an offense. Further, any hotel or motel that fails to meet the requirements of this chapter shall be subject to citation imposing the maximum penalty allowed under the charter and ordinances of the city for each day of noncompliance. Each day of noncompliance shall constitute a separate offense punishable by a separate citation.

