

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 070

By: Mayor Perciak and Mr. Schonhut

AN ORDINANCE AMENDING CHAPTER 1454 OF TITLE SIX OF PART FOURTEEN-BUILDING AND HOUSING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE RELATING TO INSPECTION OF REGISTRATION RECORDS MAINTAINED BY MOTELS AND HOTELS, AND DECLARING AN EMERGENCY.

WHEREAS, recent developments in the law have caused the Administration to review and update various provisions in Chapter 1454 of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Chapter 1454 Motels and Hotels, of Title Six of Part Fourteen-Building and Housing Code of the Codified Ordinances of the City of Strongsville be and is hereby amended in order that it shall read in its entirety as follows:

**CHAPTER 1454
Motels and Hotels**

1454.01	Definitions.
1454.02	Right of entry.
1454.03	Records.
1454.04	Compliance with Zoning Code.
1454.05	Time of permitted occupancy.
1454.06	Cleanliness; report of disorder disturbance .
1454.07	Cleanliness of furniture.
1454.08	False name, registration.
1454.09	Knowledge of false name.
1454.10	Compliance required.
1454.99	Penalty.

1454.01 DEFINITIONS.

(a) "Hotel" means any structure consisting of one or more buildings, with more than five sleeping rooms, that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations, ~~excluding cooking facilities within the rental unit,~~ are offered for consideration to transient guests and having ~~a common entrance~~ **separate doors to the units** or entrances. The term "transient guests" means persons who contract to occupy the premises for thirty days or less.

(b) “Motel” means any structure consisting of one or more buildings, detached or semi-detached, ~~having separate outside entrances,~~ with more than five sleeping rooms, which is kept, used, maintained, advertised, or held out to the public to be a place where only overnight sleeping accommodations, ~~excluding cooking facilities within the rental unit,~~ are offered for consideration to transient guests. The term “transient guests” means persons who contract to occupy the premises on a daily basis not to exceed thirty days.

~~(Ord. 2006-197. Passed 10-2-06.)~~

1454.02 RIGHT OF ENTRY.

The Police Chief, Fire Chief, Fire Prevention Officer, Building Commissioner and their designees, within the scope of their respective enforcement duties and authority, shall have access from 8:00 a.m. until 8:00 p.m. seven days a week to each motel and hotel premises and to any unit thereof to ascertain compliance with the requirements of this Chapter, the ordinances of the City and the laws of the State of Ohio, and in a manner so as to minimize any interference with, or delay of, business operations of such motel or hotel. No person shall refuse or cause to be refused to such official admittance to any such premises in the performance of his or their duties under this chapter, or any other law, ordinance or regulation pertaining thereto.

~~(Ord. 2006-197. Passed 10-2-06.)~~

1454.03 RECORDS.

(a) The proprietor or person in charge of any motel or hotel shall keep a register or record containing the names and places of residence of all persons who lodge at or occupy quarters at such motel or hotel and the make, model and auto license registration, if any, of any motor vehicle owned or operated by such persons while lodging or occupying quarters at such motel or hotel. Upon request, such register or record ~~shall~~ **may** be provided to police authorities and to any other law enforcement officials between the hours of 8:00 a.m. and 8:00 p.m.

(b) The time of arrival of an occupant of each separate room, suite, or other separate unit in any motel or hotel shall be noted upon such register or record, and in no event shall there be a letting to or occupancy by any other persons of such room, suite, or other separate unit within the twenty-four hour period next following the time so noted.

(c) No person shall occupy any room, suite or other separate unit in any motel or hotel within the City unless such room, suite, or other separate unit shall ~~be have been constructed maintained~~ in full compliance with the Building Code, **Property Maintenance Code, Fire Code, and all other relevant laws** of the City.

~~(Ord. 2006-197. Passed 10-2-06.)~~

1454.04 COMPLIANCE WITH ZONING CODE.

Unless existing at the effective date of this chapter (Ordinance 1954-29, passed June 7, 1954), no motel or hotel shall be permitted in any way to operate unless the same shall be ~~located within a so-called Business District as the same is established by the provisions of the Zoning Ordinance.~~ **in compliance with the zoning laws of the City.**
(~~Ord. 2006-197. Passed 10-2-06.~~)

1454.05 TIME OF PERMITTED OCCUPANCY.

No person residing within the City for a period of thirty days, or over, is to be deemed a transient guest under the provisions of this Chapter, nor shall the owner, operator or person in control of any motel or hotel permit any person(s) to occupy any unit therein for a period in excess of thirty (30) days unless such motel or hotel is so licensed by the State of Ohio pursuant to Ohio Revised Code Chapter 3731 or any other licensing agency; and is constructed as to be in full compliance with the laws and ordinances of the City and State of Ohio applicable to motel or hotels.
(Ord. 2006-197. Passed 10-2-06.)

1454.06 CLEANLINESS; REPORT OF ~~DISORDER~~ DISTURBANCE.

Every motel or hotel and all parts thereof and places appurtenant thereto, which are under the control of the owner or operator thereof, shall be maintained in good repair, thoroughly clean and free from any accumulation of filth, garbage, rubbish or other waste. Receptacles sufficient to contain all the garbage, rubbish and other waste accumulated therein shall be provided as required by law, and all garbage, rubbish and other waste shall be disposed of as required by law. All dogs and cats belonging to the occupants thereof shall be kept under control at all times, and all ~~disorders~~ **disturbances** in or upon the premises shall be promptly reported to the proper authorities.
(~~Ord. 2006-197. Passed 10-2-06.~~)

1454.07 CLEANLINESS OF FURNITURE.

No motel or hotel shall be used unless all beds, bed clothing, furniture and furnishings therein contained are kept clean and free from vermin, and the premises **are kept** free from nuisances of any sort.
(~~Ord. 2006-197. Passed 10-2-06.~~)

1454.08 FALSE NAME, REGISTRATION.

No person shall register for accommodations at any motel or hotel under a false, fictitious or assumed name, without first making his/**her** true name known to the person in charge thereof.
(~~Ord. 2006-197. Passed 10-2-06.~~)

1454.09 KNOWLEDGE OF FALSE NAME.

No person, employed by or connected with the management of a motel or hotel, having knowledge of a false, fictitious or assumed name being registered at such lodging house, motel or tourist court, shall fail, refuse or neglect to furnish information in relation thereto to any court or law enforcement official when called upon to do so.

(Ord. 2006-197. Passed 10-2-06.)

1454.10 COMPLIANCE: REQUIRED.

No person shall fail or refuse to comply with the provisions of this chapter.

(Ord. 2006-197. Passed 10-2-06.)

1454.99 PENALTY.

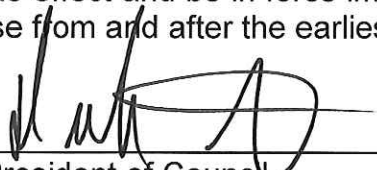
Any owner, operator, or person in control of a motel or hotel who allows a violation or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree for each offense. Any other person who violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(Ord. 2006-197. Passed 10-2-06.)

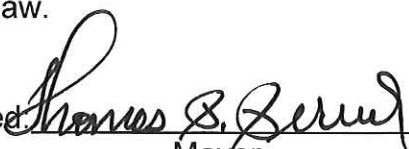
Section 2. That any ordinances or parts thereof inconsistent with this Ordinance be and are hereby repealed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the public health, safety and welfare of the City, and for the further reason that it is immediately necessary to adjust the City's Ordinances to conform them to new constitutional standards concerning law enforcement inspection of motel and hotel registration records and to avoid legal entanglements. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.



President of Council

Approved: 

Mayor

Date Passed: March 21, 2016

Date Approved: March 22, 2016

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	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	<u> </u>
Daymut	<u>✓</u>	<u> </u>
DeMio	<u>✓</u>	<u> </u>
Dooner	<u>✓</u>	<u> </u>
Schonhut	<u>✓</u>	<u> </u>
Short	<u>✓</u>	<u> </u>
Southworth	<u>✓</u>	<u> </u>

Attest: *Christina Meher*
Assistant Clerk of Council

ORD. No. 2016-070 Amended:
1st Rdg. 03/21/16 Ref:
2nd Rdg. suspended Ref:
3rd Rdg. suspended Ref:

Pub Hrg. Ref:
Adopted: 03/21/16 Defeated: