



Legislation Details (With Text)

File #: ID 17-0030 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 1/3/2017 **In control:** City Council
On agenda: 1/17/2017 **Final action:** 1/17/2017
Title: Ordinance Amending Chapter 13 of the Greensboro Code of Ordinances with Respect to Licenses, Taxation and Misc. Business Regulations - Section 13-11 Hotels, Motels, Boardinghouses, Rooming Houses, Tourist Homes, and Tourist Courts

Sponsors:

Indexes:

Code sections:

Attachments: 1. 17-0030 Hotel Registry Amendment.pdf

Date	Ver.	Action By	Action	Result
1/17/2017	1	City Council	adopt	Pass

Ordinance Amending Chapter 13 of the Greensboro Code of Ordinances with Respect to Licenses, Taxation and Misc. Business Regulations - Section 13-11 Hotels, Motels, Boardinghouses, Rooming Houses, Tourist Homes, and Tourist Courts

Department: Executive
Council District: All

Public Hearing: No
Advertising Date/By: N/A

Contact 1 and Phone: Tom Carruthers, City Attorney, 373-2320
Contact 2 and Phone: Terri Jones, Assistant City Attorney, 373-2320

PURPOSE:

To amend Section 13-11, Hotels, Motels, Boardinghouses, Rooming Houses, Tourist Homes, and Tourist Courts by updating the guest register inspection authorization in accordance with federal law.

BACKGROUND:

Currently, Section 13-11 of the City Code of Ordinances requires all operators of hotels, motels, boardinghouses, rooming houses, tourist homes, tourist courts, and similar places (collectively “hotels”) to keep a guest register. The guest register must include the name and home address of each person renting a room and the person’s vehicle description and license plate information. Section 13-11 also authorizes any law enforcement officer within the territorial jurisdiction and any official of the fire prevention bureau of the City to inspect the guest register at any reasonable time. In 2015, the Supreme Court of the United States determined that a similar ordinance in Los Angeles, California requiring that hotel operators make their guest registers available to the police on demand is facially unconstitutional. In the case of City of Los Angeles v. Patel, et al., the Supreme Court decided that a police officer must obtain the hotel owner’s consent or a proper

administrative search warrant in order to view or obtain a copy of the guest register.

The City of Greensboro imposes a room occupancy tax which is collected by Guilford County and remitted to the City. The guest register is a tool to verify what rooms were occupied and who paid the room occupancy tax. In addition, a guest register has been traditionally used as a deterrent against illegal activities occurring in hotels and other rented rooms. The Fire Department is able to determine compliance with fire prevention codes without needing to know the identity of the occupants in any particular room. In the event of a fire or other emergency condition, first responders would presumably have exigent circumstances to view the guest register to determine which rooms are occupied and by how many people.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

It is recommended that City Council consider adoption of the proposed ordinance amendment.