

City of Chula Vista

ORDINANCE NO. 2794

An Ordinance of the City of Chula Vista Adding Chapter 3.41 to the Chula Vista Municipal Code Relating to Hotels and Motels Requiring Identification from Customers as a Prerequisite to Room Rental and Limiting the Rental Period.

The City Council of the City of Chula Vista does ordain as follows:

Section I: That Chapter 3.41 is hereby added to the Chula Vista Municipal Code to read as follows:

Chapter 3.41

REGISTRATION OF TRANSIENTS

REGISTRATION OF TRANSIENTS AT HOTELS AND MOTELS

Sections

3.41.010	Purpose
3.41.020	Definitions
3.41.030	Regulations
3.41.040	Administration
3.41.050	Violations
3.41.060	Frequency of rental

Section 3.41.010 Purpose

The City Council finds and determines that it is important for the safety of visitors to our community and to control vice, disturbance, and narcotics offenses to require transient residents of hotels and motels to furnish identification at the time of registration and for operators to have evidence of identification available for reasonable inspection by a peace officer. The City Council further finds that furnishing identification at the time of registration does not impede hotel or motel business and is not overly invasive to patron privacy.

Section 3.41.020 Definitions

The terms "operator," "transient," and "hotel" are defined in Section 3.40.020 of the Municipal Code.

Section 3.41.030 Regulations

- A. Every transient shall furnish to an operator of a hotel satisfactory identification as a part of the registration process for the hire of lodgings at that hotel by the transient.
- B. Satisfactory identification for legal residents of the United States shall consist of one of the following: a valid driver's license issued by the transient's state; a federal or state government or military identification card; a passport; or any other form of **valid governmental** identification on which the transients photograph appears. For persons legally residing outside of the United States, valid governmental identification shall include an official passport, US Visa, INS Alien Registration Card or INS Border Crossing Card.
- C. The operator of the hotel shall maintain a record of the following identification produced by the transient. The record shall include the name of transient, current address, ID number

and state or country of issue and date of birth. Irrespective of method of payment, the hotel operator shall comply with Section 3.41.030A.

An operator shall retain any records required under this subsection for sixty days after the date the transient vacates the lodging and shall destroy them after that time.

D. An operator shall notify any transient who fails or refuses to provide proper identification or refuses to identify occupants to any operator that a room will not be rented.

E. The duties imposed on an operator by this Chapter 3.41 shall not be interpreted or applied so as to violate or cause the violation of the American 's with Disabilities Act of 1990 (PL 101-336).

Section 3.41.040 Administration

Operator may post a notice advising transients that a transient is liable for any room charges or damage to the room during the term of hire, whether caused by the transient or other authorized occupant, or both, until the room is vacated by the transient and all authorized occupants and keys are returned to the operator. The notice may also provide that the transient may be held liable for charges or damage caused by an occupant who was not identified by the transient but occupied the room with the transient 's permission.

Section 3.41.050 Frequency of Rental

The operator shall not rent any room more than two (2) times during any twenty-four (24) hour period, beginning at 12 noon and ending at 12 noon the following day.

Section 3.41.060 Violations

It is unlawful for an operator of a hotel to fail to require a transient to provide photo identification; to fail to retain the information required by Section 3.41.030B; or to refuse to provide such information to a police officer conducting an investigation. Provided, however, that any duty required under Section 3.41.030C terminates on and after the sixty-first (61st) day following the date the transient vacates the lodging.

It is unlawful for any operator to rent the same room, or rent to the same transient, more than two times during any twenty-four hour period, beginning at the time of check-in.

Section II: This ordinance shall take effect and be in full force and effect on the thirteenth day after its second reading and adoption.

Presented by

Approved as to form by

Richard P. Emerson
Police Chief

John M. Kaheny
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 17th day of August, 1999, by the following vote:

AYES: Councilmembers: Davis, Moot, Padilla, Salas and Horton

NAYS: Councilmembers: None
ABSENT: Councilmembers: None
ABSTAIN: Councilmembers: None

Mary Salas, Deputy Mayor

ATTEST:

Susan Bigelow, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No.2794 had its first reading at a regular meeting held on the 10th day of August, 1999 and its second reading and adoption at a regular meeting of said City Council held on the 17th day of August, 1999.

Executed this 17th day of August, 1999.

Susan Bigelow, City Clerk