

**CITY OF HURSTBOURNE  
ORDINANCE NO. 22-03  
AN ORDINANCE ADDING A NEW CHAPTER TO TITLE 11, BUSINESS  
REGULATIONS TO ADD REGULATIONS TO HOTELS, MOTELS, AND SIMILAR  
BUSINESSES INCLUDING A RESTRICTION ON HOURLY RENTALS AND THE  
ADDITION OF MANDATORY GUEST REGISTRATION**

**WHEREAS**, The City of Hurstbourne's access to multiple interstates creates an opportunity for human trafficking, drug trafficking, prostitution and other criminal activities;

**WHEREAS**, hotels and motels that allow for the hourly rental of rooms lend themselves to human trafficking, drug trafficking, prostitution, and other criminal activities;

**WHEREAS**, a few of the hotels and motels in the city are responsible for many of the emergency calls in the city, and currently Police are unable to find the individuals who have committed crimes and generated calls because of lack of regulation of the registration of guests;

**WHEREAS**, Metro Louisville just enacted an ordinance to institute an hourly rental prohibition to cut down criminal activity and;

**WHEREAS**, to combat the use of hotels and motels for illegal activity, the City of Hurstbourne also wishes to institute both a ban on hourly rental of rooms and to add the requirement that hotels and motels keep track of the identity of their guests.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HURSTBOURNE, KENTUCKY:**

**SECTION 1:** The City of Hurstbourne does hereby enact the following new Chapter 118 to Title 11, Business Regulations of its codified ordinances, as follows:

§ 118.01 Definitions. For the purposes of this new chapter, the following definitions shall apply, unless the context clearly indicated of requires a different meaning.

**Hotel** - Any public or private space or structure, including but not limited to, any hotel, motel, inn, bed, and breakfast inn, boarding house, lodging house, or short-term rental offering sleeping accommodations or temporary lodging in exchange for rent and for a period of less than 30 consecutive days. Hotel does not include living accommodations provided at any governmental or nonprofit institution in connection with the functions of that institution.

**Housing Voucher** - A voucher, certificate, or coupon for lodging issued individually or jointly by any agency or authority of the following:

1. The federal government,
2. The Commonwealth of Kentucky or another state,
3. A county,
4. A municipality, or
5. A non-profit entity that issues vouchers, certificates or coupons for lodging to individuals or families.

**Operator** - Any person who has the right to rent rooms within the hotel, whether in the capacity of owner, manager, lessee, franchisee, licensee or in any other managerial capacity.

**Rent** - The consideration charged, whether or not received, for the occupancy of a room in a hotel, whether to be received in money, goods, housing vouchers, labor or otherwise.

**Room** - Any portion of a hotel which is designed or intended for occupancy by a person for temporary lodging or sleeping purposes.

**§ 118.02 RENTAL FOR FEWER THAN 24 HOURS PROHIBITED.**

1. It shall be unlawful for a hotel, hotel operator or hotel employee to:
  - a. Charge an hourly rate for a room or to otherwise charge rent for a room for a period of fewer than twenty-four hours; or
  - b. Offer a discount or rebate for early checkout from a room within a twenty-four-hour period.
2. The provisions of this section shall not apply to:
  - a. The rental of rooms for the holding of conventions or meetings for the conduct of lawful business;
  - b. The rental of rooms by patient and/or the patient's family members accessing outpatient care at a medical facility;
  - c. The rental of rooms to any person with a valid housing voucher; or
  - d. The rental of rooms for air transit or vehicle transit layovers.

**§ 118.03 HOTEL GUEST REGISTRY.**

1. Every hotel operator shall keep a record of all rental agreements between the hotel or motel, all guests, and their visitors, and make these records available to the city within a reasonable time upon request. For purposes of this chapter, the term "record" shall mean the hotel's electronic guest registration which stores guest identifying information. In the event the hotel does not have an electronic guest registration system, the hotel shall record the guest and any visitor's information in a paper record or reservation book. The following information, at a minimum must be recorded at the time of registration and maintained for a period of no less than one (1) year after the rental agreement's termination:
  - a. The full name, phone number, and home address of each overnight registered guest,
  - b. The make, type, and license number of the guest's vehicle if the vehicle will be parked on hotel premises,
  - c. The day, month, year and time of arrival of each guest,
  - d. The number or other identifying symbol of the location of the room rented or assigned each guest,
  - e. The date that guest is scheduled to depart,
  - f. The rate charged and amount collected for rental of the room assigned to each guest,
  - g. The method of payment for each room,
  - h. The full name of the person checking in the guest, and

- i. Copy of a state or federal photo ID
- 2. All information required to be procured and kept pursuant to this chapter shall be provided to any federal, state, or local law enforcement officers, including code enforcement officers, upon demand, and in no event later than twenty-four hours after demand by the officer and representation by said officer that a reasonable suspicion exists that such information is relevant to a then-pending investigation or inquiry, criminal or otherwise. Nothing in this requirement shall be construed as giving any such officer a greater right or license to enter a room or invade privacy than the officer shall otherwise possess as a matter of law, probable cause, constitutional law, statutory right, or warrant.

§ 118.04 ENFORCEMENT AND PENALTY.

- 1. Any person who violates the provisions of this chapter shall be subject to citation issued by any law enforcement officer and/or Code Enforcement officer. Violations shall be deemed a civil offense. Citations shall be enforced through the Code Enforcement Board pursuant to ordinance chapter 40.
- 2. The civil fine for non-compliance shall be as follows: Fine in an amount no less than \$100.00 per day and no more than \$500.00 per day. Each day of non-compliance will constitute the imposition of per day fine for each day's violation, up to the following maximums. On first violation, the maximum total fine is \$1,000.00. On a second violation that occurs within 12 months of the first violation, the maximum total fine for each person cited is \$3,000.00. On a third violation that occurs within 12 months of the first violation, the maximum total fine shall be \$5,000.00.

**SECTION 2:**

This ordinance shall take effect upon enactment and publication according to law.

First Reading: 3-8-22  
 Second Reading: 3-22-22  
 Passed and Approved: 3-22-22

Mary Masick  
 Mary Masick Mayor

ATTEST:

[Signature]  
 Jim Leidgen, Clerk

In Favor: 4

Opposed: 0