

## **ORDINANCE 04 - 2025**

**AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, REPEALING ORDINANCE 1-04, AND ALL AMENDMENTS THERETO, AS WELL AS ALL ORDINANCES, REGULATIONS, CODES AND/OR ORDERS IN CONFLICT HEREWITH, AND ADOPTING AND APPROVING NEW REQUIREMENTS FOR GUEST REGISTRATION AT HOTELS AND MOTELS LOCATED IN THE CITY OF FORT WRIGHT, KENTUCKY.**

**WHEREAS**, on or about January 20, 2004, the City of Fort Wright adopted Ordinance 1-04, requiring guest registration at hotels and motels located in the City of Fort Wright, Kentucky; and

**WHEREAS**, the City of Fort Wright, Kentucky has recognized and determined that hotels and motels create a transient problem and that these establishments often require and/or create increased need for police and fire related services; and

**WHEREAS**, the City of Fort Wright, Kentucky, in the exercise of its police powers and in order to promote and ensure the health, safety and general welfare of its citizens, has determined that Ordinance 1-04 should be repealed in its entirety, and replaced with this Ordinance No. 04-2025.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT WRIGHT, KENTUCKY, AS FOLLOWS:**

### **SECTION I**

Ordinance 1-04, enacted on or about January 20, 2004, and all subsequent amendments thereto, is hereby repealed in its entirety.

### **SECTION II**

That the City of Fort Wright, Kentucky hereby approves and adopts this Ordinance No. 04-2025, which Ordinance shall supersede, amend, and fully restate Ordinance 1-04, to wit:

**A. DEFINITIONS.** For the purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Hotel/Motel” shall mean an establishment primarily engaged in providing short-term lodging in facilities known as hotels, motor hotels, resort hotels, and motels. The establishments in this industry may offer food and beverage services, recreational services, conference rooms, convention services, laundry services, parking, and other services (NAICS-721110). ”.

“Proprietor” shall mean and include the owner, manager, operator, desk clerk or other employee whose duty it is to register patrons of the establishment.

“Guest” shall mean and include a patron or lodger of an Establishment.

“Establishment” shall mean a hotel or motel where sleeping accommodations are made available for pay to the public for lodging on a temporary, short-term (30 consecutive days or less) basis (referred to herein as “Establishment”).

“Premises” shall mean a lot, parcel or plot of land associated with an Establishment, including all buildings or structures located thereon.

“Housing Voucher” shall mean a voucher, certificate or coupon for lodging issued individually or jointly by any agency or authority of the following:

- The Federal Government;
- The Commonwealth of Kentucky;
- A County;
- A Municipality; and/or
- A non-profit organization that issues vouchers, certificates or coupons for lodging to individuals or families.

## **B. REGISTRATION REQUIREMENTS.**

Every Proprietor and/or other person who controls or operates an Establishment shall keep and maintain a register of guests which shall include the true name and address of each guest, the room and/or letter number occupied by such guest and the beginning and ending dates and time of arrival and departure of occupancy for each guest. The registering guest shall verify his or her true name at the time of registration by presenting valid identification (ID must have not expired) such as Driver's License, Non-Driver's State Issued Identification Card, a Real ID, or passport. No guest shall be allowed to register without presenting valid identification. No person shall be received as a guest who refuse to register as required. Each Registration shall include and/or be subject to the following requirements:

- (1) The registration of every person staying in the room must be registered.
- (2) Minors who accompany adults must have their name and address listed on the register.
- (3) No portion of the registry shall be altered or erased.
- (4) The registry shall identify the rate charged and amount collected for rental of the room assigned to each guest.
- (5) The registry shall identify the method of payment for each room (including but not limited to Vouchers).
- (6) A copy of the state or federal photo ID provided for the registry – The type of written instrument of identification presented by the guest to verify his/her name and address, and the number of the identification. A

photocopy of the instrument of identification is sufficient to satisfy this requirement.

- (7) It shall be an offense to permit any Guest or employee to remain as a guest or employee who commits any crime on the property.
- (8) Before renting or otherwise making available any room or accommodation to any guest the proprietor of the Establishment shall require each guest to sign the register.
- (9) Every Proprietor and/or other person owning, conducting, or operating an Establishment is hereby required to report immediately the registration of any minor, under the age of 18 years, unaccompanied by his or her parent or guardian to the Fort Wright Police Department. The report shall contain the name, age, and place of residence of the minor.
- (10) No Proprietor and/or other person owning, conducting, or operating an establishment shall knowingly permit any fugitive from justice to stay in any hotel or motel.
- (11) Each guest who arrives by motor vehicle (unless uber, lyft, taxi) must register the license number and the state issuing such license, the year, color, make, and model number shall also be recorded in the register.
- (12) Every Proprietor and/or other person owning, conducting, or operating an Establishment shall retain the register, including all information required for three (3) full calendar years following the close of the Establishment's fiscal year and it must be open for inspection at any time the Establishment is open for business upon the request of any member of the Fort Wright Police or Fire/EMS Department.

### **C. ADDITIONAL REQUIREMENTS/RESTRICTIONS.**

The following requirements and restrictions shall apply to the operation of all hotel and motel Establishments:

- (1) Any Proprietor and/or other person owning, conducting, or operating an Establishment shall cause each and every room, apartment or suite which is rented to Guests to be numbered or lettered in a plain and conspicuous manner by some approved system of numbering or lettering, in such manner that no 2 rooms shall have the same number or letter, and so that the numbers or letters shall increase or decrease sequentially. More than one numbering system may be used when required by design of the building. Changes in room number or letter sequences shall be indicated by appropriate signage.

- (2) Any Proprietor and/or other person owning, conducting, or operating an Establishment shall cause to be posted, in a conspicuous place in both the office of the Establishment and each room, a notice of the Establishment's room rates and check out times.
- (3) No Proprietor and/or other person owning, conducting, or operating an Establishment shall rent or let, or caused to be rented or let, any room of the Establishment on an hourly basis; rent or let, or caused to be rented or let, any room of the Establishment for a period of fewer than 12 hours; nor rent or let, or cause to be rented or let, any room of the Establishment more than twice in any 24 hour period commencing at 12:01 a.m. It shall be unlawful to offer a discount or rebate for early checkout from a room within 24 hours.
- (4) Any and all Establishments may only offer sleeping accommodations for pay to the public strictly on a temporary basis (30 consecutive days or less). No rooms in any Establishment shall be offered, rented or let on a permanent basis (in excess of 30 consecutive days). Management, housekeepers, maintenance and employees are prohibited from living in any room at any Establishment.
  - (a) No Proprietor or Establishment shall engage in any actions intended to circumvent the short-term 30-day Guest lodging restrictions set forth in this Ordinance (including but not limited to requiring a Guest to switch rooms, temporarily check out, receiving complimentary stays to avoid consecutive days stayed and/or continuous payment or any other actions that result in a direct or indirect circumvention of the 30-day restrictions).
- (5) It shall be unlawful for any person to register at any Establishment under the name of any other person or a fictitious name, or to give or sign, or cause to be signed, upon the register of any such Establishment any assumed, false or fictitious name, or any name other than the true and correct name of the person so registering or so giving or signing or causing his name to be signed. It shall also be unlawful for any Proprietor and/or other person owning, conducting, or operating an Establishment, to allow any person to give or sign, or cause to be signed, upon the register of any such Establishment any assumed, false or fictitious name, or any name other than the true and correct name of the person so registering or so giving or signing or causing his name to be signed.
- (6) It shall be unlawful for any Proprietor and/or other person owning, conducting, or operating an Establishment to knowingly receive any person as a Guest or to permit any person to remain as a guest or employee who falls within the following classifications:

- (a) A prostitute; or
  - (b) Any person who solicits or arranges for illegal acts.
- (7) It shall be unlawful for any Proprietor and/or other person owning, conducting, or operating an Establishment to refuse or obstruct admittance or offer resistance to any peace officer into the hallways, lobby, office, restrooms, kitchen or storage, except such room as may be actually occupied by a person as a private room, which such peace officer would otherwise have a right to enter under the law.
- (8) Any Proprietor and/or other person owning, conducting, or operating an Establishment shall cause to be posted, in a conspicuous place, the provisions of this Ordinance.

**D. ENFORCEMENT AND PENALTY.** Pursuant to and consistent with KRS §83A.065(1)-(8), inclusive, enforcement and penalties shall be as follows:

- (1) Criminal. Whoever violates this Ordinance shall be guilty of a Class B Misdemeanor.
- (2) Civil.

(a) Pursuant to and consistent with KRS §83A.065(4), any person who violates the provisions of this Ordinance shall be subject to a Citation issued by any law enforcement officer. Violations shall be deemed a civil offense.

(b) The civil fine for non-compliance shall be as follows:

- 1. Fine in an amount of no less than \$100.00 per day and no more than \$500.00 per day.
- 2. Each day of non-compliance will constitute the imposition of per day fine for each day's violation, up to the following maximums:
  - i. On the first violation, the maximum total fine shall be \$1,000.00.
  - ii. On the second violation that occurs within 12 months of the first violation, the maximum total fine for each person cited is \$3,000.00.
  - iii. On the third violation that occurs within 12 months of the first violation, the maximum total fine shall be \$5,000.00.

3. Any of the civil fines set forth herein shall be doubled in the event of a violation of Section II, C(4)(a) above.

### **SECTION III**

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

### **SECTION IV**

If any provisions of this ordinance or their application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

### **SECTION V**

That this ordinance shall become effective upon its passage and shall be published under KRS §83A.060(9) and other applicable law. The ordinance may be published by summary.


Passed by City Council on June 4, 2025.

CITY OF FORT WRIGHT, KENTUCKY

By: 

David Hatter, Mayor

ATTEST:



Kerrie Holland, City Clerk

FIRST READING: 5-7-25

SECOND READING: 6-4-25

PUBLICATION: 6-19-25