ORDINANCE 122713

AN ORDINANCE relating to guest registration at Motels and Hotels in the City of Seattle; amending Seattle Municipal Code Section 6.98.020 to comply with the State and recent court rulings.

WHEREAS, the City of Seattle enacted Ordinance number 91072 in 1962 relating to registration of guests at Motels in the City of Seattle;

WHEREAS, the Seattle City Clerk has codified Ordinance number 91072 as Seattle Municipal Code Section 6.98.020;

WHEREAS, on April 27, 2007, the Washington Supreme Court decided State v. Jorden wherein the Court invalidated portions of a Pierce County ordinance similar to Seattle Municipal Code Section 6.98.020;

WHEREAS, the Seattle Municipal Court has repeatedly dismissed criminal complaints filed to enforce Seattle Municipal Code Section 6.98.020, finding ambiguity in the language of the ordinance;

WHEREAS, unregulated Motels and Hotels present a significant public safety problem for the City of Seattle;

WHEREAS, Motels and Hotels can become centers of drug and prostitution activity;

and

WHEREAS, the City of Seattle finds the regulation of Motels and Hotels to be an important to the public safety, health and welfare of the people of the City of Seattle;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Ordinance 91072, codified as Seattle Municipal Code Section 6.98.020 is amended as follows:

BMS CITY CLERK

Everyone operating, managing or keeping a hotel as defined in Section 6.98.010 shall require registration of each guest at the time of his or her arrival ~~to sign in **ink** his true name and provide his true address~~ on a register kept for that purpose and shall require identification of any adult guest whose room has been paid for in cash, including money order, traveler check or personal checks, or by voucher at the time of registration. ~~keep such register as a permanent record and mark thereon the time and date of the guest's arrival and departure; provided that a husband may sign the register for his wife and family.~~ Such identification shall be in a valid and current form issued by a governmental entity. A photocopy of such identification shall be maintained by the hotel or the identifying information and form of identification shall be transposed into the hotel registration record. Such record shall be kept available for inspection by any peace officer at any reasonable time, or in a police emergency at any time of day or night. Provided, that before such inspection the peace officer must have individualized or particularized suspicion of illegal activity by the guest or in or nearby the room. No guest shall write or cause to be written in a hotel register any false information or name other than his or her true name. ~~or the name by which he is generally known~~ For any guest taking occupancy through a prearranged advanced reservation in his or her name, name of a corporation, business, association or any other entity, the hotel shall require identification of the specific guest at the time of registration. PROVIDED that said hotel need not photocopy or record the identification of a person whose personal or business credit card (containing a name and expiration date) has been verified as valid in advance of the registration.

CITY CLERK

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 16th day of June, 2008, and signed by me in open session in authentication of its passage this 16th day of June, 2008.

President ~~pro tem~~ of the City Council

Approved by me this 25th day of June, 2008.

Gregory J. Nickels, Mayor

Filed by me this 25 day of June, 2008.

City Clerk

(Seal)

CITY CLERK

Seattle City Attorney
Thomas A. Carr

April 2, 2008

Honorable Richard Conlin
President, Seattle City Council
Seattle City Hall
Seattle, WA 98124

Re: Motel Ordinance

Dear Richard:

As part of my office's on-going efforts to prevent drug and prostitution activity in and around motels, I am forwarding an ordinance that would prohibit such activities.

I would appreciate your support for this important public safety legislation. Please feel free to contact me if you have any other questions.

Very truly yours,

Tom

Thomas A. Carr
Seattle City Attorney

cc: Honorable Gregory J. Nickels, Mayor

SEATTLE CITY ATTORNEY'S OFFICE
600 FOURTH AVENUE, 4TH FLOOR, P.O. BOX 94769, SEATTLE, WASHINGTON 98124-4769
(206) 684-8200 FAX (206) 684-8284 TTY (206) 233-7206
an equal employment opportunity employer

LMS CITY CLERK

Author's Full Name/Typist Initials
File Name – Department, Short Description, Type of Document (e.g., DOF Fourth Quarter Supplemental FISC)
Hard-coded Date
Version #

Form revised February 6, 2008

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
City Attorney	Thomas A. Carr/4-8288	

Legislation Title:
ORDINANCE relating to guest registration at Motels and Hotels in the City of Seattle; amending Seattle Municipal Code Section 6.98.020.

- **Summary of the Legislation:** **This legislation brings the Seattle motel registration ordinance in conformance with state law, by implementing the state Supreme Court decision in State v. Jorden and by clarifying the motel's registration obligation based on Seattle Municipal Court decisions finding the ordinance ambiguous.**

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):* **See above.**

- *Please check one of the following:*

X **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

BNS CITY CLERK

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WHEREAS, unregulated Motels and Hotels present a significant public safety problem for the City of Seattle;

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LMS CITY CLERK

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CITY CLERK

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Passed by the City Council the ____ day of _____, 2008, and signed by me in open session in authentication of its passage this

_____ day of _____, 2008.

_____
President _____ of the City Council

Approved by me this ____ day of _____, 2008.

_____
Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2008.

_____
City Clerk

(Seal)

DIS CITY CLERK

122713

FILED
CITY OF SEATTLE
08 JUL 18 PM 1:05
CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

226213 No.
CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122713 ORDINANCE

was published on

06/30/08

The amount of the fee charged for the foregoing publication is the sum of $ 147.53, which amount has been paid in full.

Subscribed and sworn to before me on

06/30/08

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT. 24, 2011
STATE OF WASHINGTON

City of Seattle

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Passed by the City Council the 16th day of June, 2008, and signed by me in open session in authentication of its passage this 16th day of June, 2008.

Nick Licata

President of the City Council

Approved by me this 25th day of June, 2008.

Gregory J. Nickels, Mayor

Filed by me this 25th day of June, 2008.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, June 30, 2008.

6/30(226213)

State of Washington, King County