

Ordinance No. 122713

CB No 116207

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.

CF No. \_\_\_\_\_

Date Introduced:	<u>5.5.08</u>	
Date 1st Referred:	To: Public Safety, Human Services & Education (PSHSE)	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>6-16-08</u>	<u>6-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>6-17-08</u>	<u>6-25-08</u>	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. <input checked="" type="checkbox"/>
<u>6-25-08</u>	<u>3</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

[Signature]

Councilmember

## Committee Action:

Pass As Amended TB, ~~BT~~, NL  
Abstain BH

Bill 08 Passed 6-0 (Excused: Condon, Crodden, Licata)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

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Indexed



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:

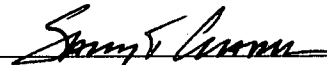


1 Everyone operating, managing or keeping a hotel as defined in Section 6.98.010 shall  
2 require registration of each guest at the time of his or her arrival to sign in ink his true name and  
3 provide his true address on a register kept for that purpose and shall require identification of any  
4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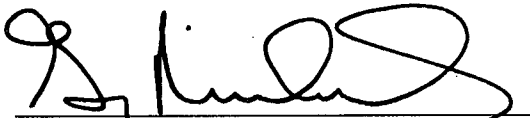


1 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after  
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

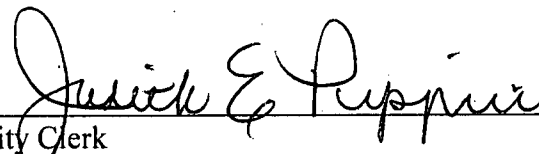
4 Passed by the City Council the 16<sup>th</sup> day of June, 2008, and  
5 signed by me in open session in authentication of its passage this  
6 16<sup>th</sup> day of June, 2008.

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President pro tem of the City Council

11 Approved by me this 25<sup>th</sup> day of June, 2008.

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14 Gregory I. Nickels, Mayor

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

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19 City Clerk

20 (Seal)





# 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,

A handwritten signature in black ink, appearing to read "Tom", written over a horizontal line.

Thomas A. Carr  
Seattle City Attorney

cc: Honorable Gregory J. Nickels, Mayor



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
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. Jordan* 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:*

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



1 Everyone operating, managing or keeping a hotel as defined in Section 6.98.010 shall  
2 require registration of each guest at the time of his or her arrival to sign in ink his true name and  
3 provide his true address on a register kept for that purpose and shall require identification of any  
4 adult guest whose room has been paid for in cash, including money order, traveler check or  
5 personal checks, or by voucher at the time of registration. keep such register as a permanent  
6 record and mark thereon the time and date of the guest's arrival and departure; provided that a  
7 husband may sign the register for his wife and family. Such identification shall be in a valid  
8 and current form issued by a governmental entity. A photocopy of such identification shall be  
9 maintained by the hotel or the identifying information and form of identification shall be  
10 transposed into the hotel registration record. Such record shall be kept available for inspection  
11 by any peace officer at any reasonable time, or in a police emergency at any time of day or night.  
12 Provided, that before such inspection the peace officer must have individualized or particularized  
13 suspicion of illegal activity by the guest or in nearby the room. No guest shall write or cause to  
14 be written in a hotel register any false information or name other than his or her true name. or the  
15 name by which he is generally known For any guest taking occupancy through a prearranged  
16 advanced reservation in his or her name, name of a corporation, business, association or any  
17 other entity, the hotel shall require identification of the specific guest at the time of registration.  
18 PROVIDED that said hotel need not photocopy or record the identification of a person whose  
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2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2008, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2008.

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10 \_\_\_\_\_  
11 President \_\_\_\_\_ of the City Council

12 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2008.

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14 \_\_\_\_\_  
15 Gregory J. Nickels, Mayor

16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2008.

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19 \_\_\_\_\_  
20 City Clerk

21 (Seal)



122713

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

STATE OF WASHINGTON – KING COUNTY  
--SS.

226213  
CITY OF SEATTLE, CLERKS OFFICE

No.

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

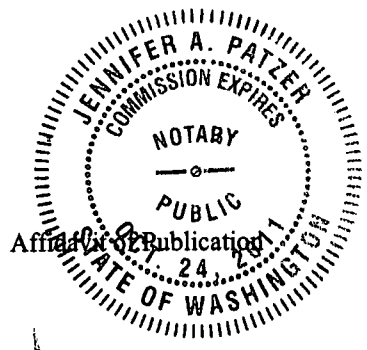
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

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

# City of Seattle

## ORDINANCE 122718

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 1982 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. Jordan* 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:

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 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.

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.

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(286218)

## State of Washington, King County

