

Ordinance 0017- 19

An ordinance to amend Chapter 22 of the City of Racine Code of Ordinances in order to regulate the licensing of hotels and motels within the City.

**WHEREAS**, the City desires to regulate the licensing of hotels and motels separately from residential facilities in order to protect both its resident population, as well as its tourist and transient population;

**WHEREAS**, the City seeks to create higher standards for the operation and maintenance of hotels and motels within the City in order to protect the public health, safety and welfare of its resident, tourist and transient populations;

**WHEREAS**, the City has the authority under Wis. Stat. sec. 97.615(2)(g) to adopt ordinances and regulations that govern the issuance/renewal of hotel operators that are more stringent than those laws set by state statute; and

**WHEREAS**, the City of Racine Public Health Department may prescribe rules and fix standards relating to the public health and safety in hotels pursuant to Wis. Stat. sec. 97.625(2);

**NOW THEREFORE**, the Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: To amend section 22-686. – Definitions, by deleting and recreating the definition for “Rooming house” to state as follows:

*“Rooming house.* Any dwelling containing two or more rooming units, and in which persons either individually or as families are housed for compensation.

Part 2: To change the title of Chapter 22, Article XVIII from “Hotels and tourist roominghouses” to “Hotels, Motels and Tourists Roominghouses”.

Part 3: To create Section 22-560, under Chapter 22, Article XVIII. – Hotels and Tourists Roominghouses to read as follows:

“Sec. 22-560.—Definitions.

*Hotel* means a place offering sleeping accommodations for pay exclusively to tourists or transient guests, all in a building or area that has a centralized means of ingress and egress and provides internal access to guest rooms, a lobby, front desk, and other amenities.

*Motel* means a place offering sleeping accommodations for pay exclusively to tourists or transient guests, all in a building or area that allows direct access to guest rooms and other facilities and amenities via exterior ingress and egress.

*Tourist or transient guest* means a person who travels to a location away from their permanent address and occupies a temporary living accommodation for a period of time which is less than 30 consecutive days for vacation, pleasure, recreation, culture, business or employment.”

Part 4: To amend Section 22-561 by deleting the words “Chapter HSS 195 of the Wisconsin Administrative Code is” and replacing it with the words “Chapter 72 ATCP of the Wisconsin Administrative Code and Ch. 97 of the Wisconsin Statutes are”.

Part 5: To amend Section 22-576 by adding the words, “motel” after the word “hotel”.

Part 6: To create Section 22-580. – Requirements for issuance of a hotel or motel permit, to read as follows:

“Sec. 22-580. – Requirements for issuance of a hotel or motel permit.

- a) No permit shall be issued, nor shall any permit be renewed, for a hotel or motel within the city, unless the facility meets the following terms and conditions:
  1. The facility shall exclusively accommodate tourists or transients, and only for periods of occupancy less than 30 days, unless the hotel or motel has obtained a conditional use permit to operate as an extended stay facility as permitted by the zoning code pursuant to section 114-468(6). For purposes of calculating occupancy, any stays in excess of 29 days within a 90 day period violates this section, whether or not such occupancy was continuous.
  2. The facility shall not rent rooms on an hourly basis.
  3. The manager may live on site.
  4. The facility shall provide customary hotel or motel services and amenities, such as maid service, laundering, linens, furnishings, room upkeep and front desk services.
  5. The facility must comply with all local and state regulations, including all building, health and fire codes, and shall obtain all required permits, inspections and licenses.
  6. The facility shall not operate in such a way as to constitute a public nuisance in violation of city ordinance or state law.
- b) A violation of any of the above provisions shall constitute grounds for suspension, revocation or nonrenewal of such permit.
- c) The procedures under section 22-422 shall govern the suspension, revocation and/or nonrenewal of any permit issued under this article.”

**State law reference** – Agent status for local health departments, Wis. Stat. § 97.615(2)(g); Powers of the department and local health departments, Wis. Stat. § 97.625(2).

Part 7: To amend section 22-411.—Authority, by adding the number “72” after the word “ATCP” and before the number “74”, and deleting the words “HFS 172, 173, 175, 178, 192, 196, 197 and 198”.

Part 8: To amend section subsection (a) of Section 22-417 by adding in subsection (a)(3) to state as follows:

“(3) No permit shall be issued, nor shall any permit be renewed, for a hotel or motel unless the conditions under section 22-580(a) have been met.”

Part 9: To amend section 22-424.—Regulations, rules and laws adopted by reference, by adding the number “72” after the word “ATCP” and before the number “74”, and deleting the words “and HFS 172, 173, 175, 178, 192, 195, 196, 197 and 198”.

Part 10: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A