

ORDINANCE NO. 328 OF 2016

**ORDINANCE OF THE TOWNSHIP OF EAST LAMPETER,  
LANCASTER COUNTY, PENNSYLVANIA, REQUIRING  
OPERATORS OF HOTELS IN THE TOWNSHIP TO MAINTAIN  
A REGISTER OF INFORMATION ABOUT GUESTS AND  
FIXING PENALTIES FOR THE FAILURE TO DO SO**

Background

The Township contains numerous hotels. The Board of Supervisors is concerned that hotels in the Township provide an attractive site for criminal activity, as well as privacy and anonymity for guests, all of which threaten the safety and welfare of the Township and its citizens. Due to this concern, the Board developed this Ordinance requiring operators of hotels to obtain identifying information about all guests at the time of check-in and to maintain such information in a guest register for a period of ninety (90) days. The Board seeks to deter criminal activity as a result of requiring guests to provide identifying information. Information gathered and maintained on a guest register will help Township Police investigate crime that occurs in and around hotels in the Township and will help the Township ensure compliance with requirements of the Uniform Construction Code regarding transient persons.

The Board is authorized, pursuant to Section 1506 of the Second Class Township Code, to make and adopt ordinances, bylaws, rules and regulations which are necessary for the maintenance of peace and of the health and welfare of the Township and its citizens.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania, as follows:

**Section 1. Purpose.**

The purpose of this Ordinance is to secure the safety of persons and property in the Township by requiring operators of hotels to obtain and keep identifying information about hotel guests to deter criminal conduct by guests in hotel rooms and elsewhere in the Township and to facilitate investigation and prosecution of crime by Township police.

**Section 2. Definitions.**

As used herein, the following terms shall have the meaning indicated:

- A. Board – The Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania.



- B. Hotel - A building or group of buildings containing six (6) or more individual rooms as rental units for guests or transients for a limited period of time. The building may include common hallways for all rooms on the same floor, and provision may or may not be made for cooking in any individual room or suite. "Hotel" does not include institutional or educational uses, buildings where human beings are housed under legal constraint, bed and breakfasts or campgrounds. The term "hotel" shall be synonymous with "motel."
- C. Operator – The individual or entity which is responsible for the management of a hotel as defined herein, or the person who appears to the general public to have supervisory responsibility for the management of such a hotel.
- D. Police – The East Lampeter Township Police Department.
- E. Township – The Township of East Lampeter, Lancaster County, Pennsylvania.

**Section 3. Guest Register.**

- A. Every owner and/or operator of a hotel in the Township shall maintain a register of all persons provided with accommodations at the hotel.
- B. On arrival of a guest, the hotel owner and/or operator or his or her agent shall require the guest to enter into the register, or shall enter for the guest, the following:
  - (i) the name and address of the guest;
  - (ii) the make, model, and color of any guest's vehicle parked on hotel property;
  - (iii) the guest's date and time of arrival and scheduled departure date;
  - (iv) the room number assigned to the guest;
  - (v) the number of persons in the guest's room;
  - (vi) the rate charged and amount collected for the room; and
  - (vii) the method of payment.
- C. In addition to the requirements of subpart B above, the hotel owner and/or operator or his or her agent shall view photo identification of a guest and record the number and date of such identification in the following circumstances:



- (i) When a guest has no reservation; or
  - (ii) When a guest pays for accommodations in cash; or
  - (iii) When a hotel rents a room to a guest for less than ten hours.
- D. The guest register may be maintained in either electronic or paper form.
- E. The guest register shall be kept for a period of ninety (90) days either on the hotel premises, in the guest reception or guest check-in area or in an office adjacent thereto, or, if not on the premises, in a location where it can be obtained within two hours of any request therefore.
- F. The hotel owner and/or operator or his or her agent shall not provide accommodations to any person who fails to provide the information required by this subpart. However, this subsection shall be read consistently with Pennsylvania law, including the Pennsylvania Human Relations Act, 43 P.S. §951, *et seq.* (the "Act"), and any similar law, and accommodations shall not be refused or denied based upon the factors set forth in Section 3 of the Act.

#### **Section 4. Penalties.**

Any person who violates or fails to comply with the provisions of this Ordinance is guilty of a summary offense and upon conviction thereof before a Magisterial District Judge shall be sentenced to pay a fine of up to One Thousand Dollars (\$1,000) together with costs of prosecution and in default of payment thereof shall be imprisoned for not more than ninety (90) days.

#### **Section 5. Repealer.**

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

#### **Section 6. Severability.**

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Board declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

#### **Section 7. Effective Date.**

This Ordinance shall take effect on September 1, 2016.

Duly ordained and enacted by the Supervisors of the Township of East Lampeter,  
Lancaster County, Pennsylvania, this 11<sup>th</sup> day of July, 2016.

BOARD OF SUPERVISORS OF  
EAST LAMPETER TOWNSHIP

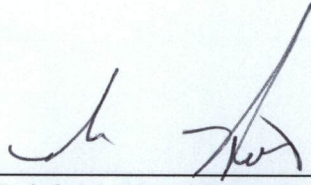
By: John A. Zuerch

Chairman

#00823909 / 41005.611



I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on July 11, 2016, at which meeting a quorum was present and voted in favor thereof.

  
\_\_\_\_\_  
Ralph M. Hutchison, Secretary