

**CITY OF O’FALLON, ILLINOIS
ORDINANCE NUMBER _____**

**AN ORDINANCE OF THE
CITY OF O’FALLON REQUIRING
A REGISTER BE MAINTAINED AT
ALL HOTELS, MOTELS, LODGING
HOUSES AND ROOMING HOUSES
WITHIN THE CITY OF O’FALLON**

WHEREAS, the O’Fallon Police Department has determined that the keeping of a Register at all hotels, motels, lodging houses and rooming houses in the City would assist in investigating criminal activity that may occur in these establishments; and,

WHEREAS, the O’Fallon Police Department has determined that it is in the best interest of the community that law enforcement agents be allowed to review the Register maintained by any hotel, motel, lodging house or rooming house on demand; and,

WHEREAS, hotels, motels, lodging houses and rooming houses are not currently required to maintain a record of any personal information on their guests; and,

WHEREAS, the Public Safety Committee has recommended that a Register be maintained at all transient residence establishments in the City.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF O’FALLON, ILLINOIS, AS FOLLOWS:**

SECTION 1: Title XI (Business Regulations) of the O’Fallon Code of Ordinances is hereby amended by the addition thereto of section 119 **REGISTRATION FOR ALL HOTELS, MOTELS, LODGING HOUSES AND ROOMING HOUSES**, to read as follows:

**Chapter 119
REGISTRATION FOR ALL HOTELS, MOTELS, LODGING HOUSES AND
ROOMING HOUSES**

Sections:

- | | |
|---------------|---|
| 119.01 | Registration for all Hotels, Motels, Lodging Houses and Rooming Houses |
| 119.02 | Exceptions |

119.03 Registration Under Fictitious Name
119.04 Penalties

119.01 REGISTRATION FOR ALL HOTELS, MOTELS, LODGING HOUSES AND ROOMING HOUSES.

The owner, proprietor, manager or other person in charge of any hotel, motel, lodging house, rooming house or other place where transients are accommodated shall, at all times require persons registering to provide a valid photo identification document and keep a Register in which shall be ascribed the names of the person registering for or, if different, the person occupying rooms in such establishment. The Register shall be signed by the person renting the room or someone under his direction. The Register shall include the full name of the person, their home or business telephone number and the license plate number and state of issue for all vehicles belonging to the guest that will be parked at the establishment. Such registration shall be made, and after the names and information is ascribed in the Register, the manager or other person in charge, or his agent, shall write the number of the room such guest or person is to occupy, together with the time when such room is rented so as to identify the room occupied by the person registering. All the foregoing shall be done before any guest is permitted to occupy a room. Such register shall at all times be open to inspection by any police officer of the City of O'Fallon or, at their direction any County, State or Federal law enforcement official.

119.02 EXCEPTIONS

A registration will not be required for private meeting rooms, banquet facilities, group sales event, wedding or accommodations utilized by pre-registered corporate or individual guests participating in specific registration programs sponsored by the hotel, motel, lodging house or rooming house so long as the establishment has the capacity to positively identify the guest through available records.

119.03 REGISTRATION UNDER FICTITIOUS NAME

No person shall write or cause to be written, or knowingly permit to be written, in any Register in any hotel, motel, lodging house, rooming house or other place whatsoever where transients are accommodated in the City, any other or different name or designation than the true name of the person so registered therein, or the name by which the person is generally known.

119.04 PENALTIES AND REMEDIES

- (A) Each violation of this Chapter shall be considered a separate offense subject to a fine as set forth herein for each offense.

- (B) Whoever violates any provision this Chapter of the Code of Ordinances for which another penalty is not already otherwise provided for by appropriate Federal or State statutory penalty shall, upon conviction, be subject to a fine or other relief as provided in Chapter 10 § 10.99 of the Code of Ordinances.
- (C) Every act or omission constituting a violation of any of the provisions of this Chapter by any agent or employee of any person shall be deemed and held to be in the act of such person, and said person shall be punishable in the same manner as if said act or omission had been done or omitted by him or it personally, provided such act or omission was within the scope of authority of such agent or employee.

SECTION 2: This Ordinance is effective upon its passage by the City Council, approval by the Mayor, and publication according to law.

SECTION 3: Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 4: If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without by the City and shall be thereafter be binding.

This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

Passed by the City Council this _____ day of _____ 2007.

ATTEST: Approved by the Mayor this _____ day of _____ 2007.

(seal)

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	Grogan	Schmidt	True	Polites	Reckamp	Medford	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Mouser	Renner	Bennett	Engler	Drolet, N.	Albrecht	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									