

Chapter 9.55**LIMITATION ON CONTINUOUS AND CUMULATIVE OCCUPANCY OF TRANSIENT HOTELS AND MOTELS****Sections:**

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Section 9.55.010 Purpose.

The purpose of this chapter is to ensure the continued use of transient hotels and motels in the manner intended pursuant to the Zoning Ordinance of the City of Riverside and to provide for enforcement of those provisions. (Ord. 6723 § 1, 2004)

Section 9.55.020 Definitions.

- A. "Person" means any individual; any unincorporated club, group or association; or any entity, including but not limited to, a firm, company, corporation, partnership, or trust.
- B. "Transient motel" means a lodging facility as defined in Title 19 of this code.
- C. "Transient hotel" means a lodging facility as defined in Title 19 of this code.
- D. "To rent" means to rent or let, or otherwise provide lodging accommodations at a transient hotel or motel whether or not for compensation. (Ord. 6723 § 1, 2004)

Section 9.55.030 Limitation on duration of occupancy.

A. LIMITATION. This section limits the continuous and cumulative occupancy of transient hotels and motels. It is unlawful for any transient hotel or transient motel to rent any room, in excess of 5 percent of the total number of its rooms, to any person for any period of time greater than that permitted under Section 19.04.185 or Section 19.04.380 of this code. In all circumstances in which the exception provision set forth in Section 9.55.030.B., below, is not applicable; it is the intent of this Section 9.55.030.A. that if a specific room is rented to any person for either of the maximum time periods allowed by Section 19.04.185 or Section 19.04.380, then that room shall not again be rented to that same person until such time as so doing does not constitute a violation of this Section 9.55.030.A.

1. Each transient hotel or motel shall maintain daily written records reflecting the renting of any of its rooms including, but not limited to, check-in and check-out dates of each person who rents a room. These records shall include the name and home or business address and telephone number of the person renting the room; unless payment for the room is made by check or credit card. These records shall also indicate which rooms have been rented for long-term stays as permitted under the 5 percent allowance provisions of Section 19.04.185 or 19.04.380 of this code. The required records shall be maintained for no less than one year, or for such longer period as may be prescribed by law, and shall be available for review by any City representative during normal business hours.

2. Except as otherwise provided by law, each transient hotel and motel shall post a legible copy of the text of Chapter 9.55 in an open and conspicuous place within the public lobby area, and in an open and conspicuous place where other postings are required by law, in each room available for rent.

3. Any property left in a room by a person or party who has checked out shall be removed by the operator of the transient hotel or motel and stored or otherwise disposed in accordance with applicable laws.

B. EXCEPTION. Any transient hotel or motel seeking to lawfully exceed the occupancy time limits set forth in Sections 19.04.185 or 19.04.380 shall first apply for a conditional use permit to operate as a "long term stay hotel/motel," as that term is defined in Section 19.04.184 of this code; and shall comply with all of the development standards set forth in Section 19.30.020 TTT of this Code. (Ord. 6723 § 1, 2004)

Section 9.55.040 Penalties.

It is unlawful for any person to violate Section 9.55.030 of this chapter. Any person who violates Section 9.55.030 may be charged with a misdemeanor and upon conviction thereof shall be punished by a fine of up to One Thousand Dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each such person may be charged with a separate offense for each and every day, or any portion thereof, during which any violation of Section 9.55.030 is committed, continued, or permitted by such person; and shall be deemed punishable therefore as provided in this chapter. (Ord. 6723 § 1, 2004)

Section 9.55.050 Civil remedies.

Notwithstanding Section 9.55.040, above, any violation of Section 9.55.030 shall constitute a nuisance and may be abated by the City through civil process by means of a restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of nuisances. (Ord. 6723 § 1, 2004)

Section 9.55.060 Administrative remedies.

Notwithstanding Sections 9.55.040 and 9.55.050, above, the provisions of this chapter may be enforced by administrative code enforcement remedies as set forth in Chapter 1.17 of this code. (Ord. 6723 § 1, 2004)

Section 9.55.070 Remedies not exclusive.

The remedies available under this chapter shall be in addition to criminal, civil or other legal or equitable remedies now or hereafter established by law which may be pursued to address violations of this code. The use of the remedy provisions of this chapter shall be at the sole discretion of the City Attorney or his or her designated agent. (Ord. 6723 § 1, 2004)

Section 9.55.080 Severability.

The City Council declares that, if any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions sections, paragraphs, sentences, and words of this Ordinance shall remain in full force and effect. (Ord. 6723 § 1, 2004)

Section 9.55.090 Hourly Rates Prohibited.

A. No person owning, controlling, managing, or having charge of any transient hotel or motel within the city shall allow or permit an hourly charge for any room within said

establishment.

B. No person owning, controlling, managing, or having charge of any transient hotel or motel within the city shall allow or permit any room or rooms within said establishment to be rented more than twice in any 24-hour period commencing at 12:01 a.m. (Ord. 6827 § 2, 2005)