

Legislation Text

File #: 150076, **Version:** 0

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades, and Professions," by adding provisions that require hotels and other places that offer rentals of temporary overnight lodging or spaces to maintain a room registry; prohibiting some rentals at less than the daily rate or at hourly rates; and, providing for definitions, penalties and other related items; all under certain terms and conditions.

WHEREAS, The United Nations estimates human trafficking is a \$32 billion-a-year industry that enslaves as many as 27 million people around the world at any given time. This modern-day slavery occurs in countries throughout the world and in communities across our Nation; and

WHEREAS, To uphold the values of freedom, liberty, and opportunity, the City joins the Nation in efforts to end the modern-day slavery of human-trafficking and exploitation in all forms; and

WHEREAS, Global and National anti-human trafficking efforts continue to focus on prosecution of criminals and assisting victims to recover their lives, the development of new tools are needed to prevent and respond to this crime; and

WHEREAS, It is essential that the hotels and other places that offer rentals of temporary overnight lodging conduct business in a manner that combats the trafficking in persons; and

WHEREAS, Human trafficking uncovered in a hotel or other place of business within the City can have serious consequences, with added risks to reputation and profit; and

WHEREAS, Regulation of the places where victims are exploited provides important implications for crime prevention; and

WHEREAS, Human traffickers often rent hotel rooms hourly and less than the daily rate, relying on legitimate businesses to sustain their operations and infrastructure; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 is hereby amended as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

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CHAPTER 9-4100. HOTELS, MOTELS, AND INNS.

§ 9-4101. Definitions.

In this Chapter, the following definitions shall apply:

“Hotel.” A hotel, motel, inn, guesthouse, rooming house or other establishment located within the City which holds itself out by any means including advertising, license, registration with any innkeeper's group, convention listing association, travel publication or similar association or with any government agency as being available to provide overnight lodging or use of facility space for consideration to persons seeking temporary accommodation; any place which advertises to the public at large or any segment thereof that it will provide beds, sanitary facilities or other space for a temporary period to members of the public at large; any place recognized as a hostelry, provided that portions of such facility which are devoted to persons who have established permanent residence shall not be included in this definition.

“Operator.” Any individual, partnership, non-profit or profit-making association or corporation or other person or group of persons who maintain, operate, manage, own, have custody of, or otherwise possess the right to rent or lease overnight accommodations in any hotel to the public for consideration.

“Patron.” Any person who pays the consideration for the occupancy of a room or rooms in a hotel.

“Room registry.” A written or electronic list of all patrons in legible writing that contains the name and residential address, including state, city or town and street number or rural mail delivery address of the patron, the number of the room or facility occupied by the patron, and the date and time of registration and checkout of such patron.

§ 9-4102. Room Registry Required.

(a) An operator of a hotel in this City shall maintain a room registry of all patrons for a period of five years.

(b) No person shall occupy any room or facility until the information required for the room registry is completed.

§ 9-4103. Hourly Rentals Prohibited. A hotel's operator, managing agent, staff and employees are prohibited from renting out a room intended for overnight accommodations to a patron at an hourly rate. The daily rate must be charged for all rooms intended for overnight accommodations.

§ 9-4104. Penalties.

(a) Any person who violates any provision of this Chapter or any regulation adopted pursuant to this Chapter shall have committed a Class II offense and be subject to the fines set forth in Subsection 1-109(2) of the Code. The penalties set forth herein are in addition to any other penalty that may be imposed under any other law. Each day that a violation exists or a person refuses to submit such information as required shall constitute a separate offense.

(b) In addition to any other penalty, any violation of this Chapter or failure to pay fines and costs imposed under this Chapter, may result in a suspension or revocation of the license issued under Chapter 9-3900 and any Commercial Activity License issued under Section 19-2602 of this Title.

SECTION 2. This Ordinance shall take effect in 60 days.

Explanation:

Italics indicate new matter added.