STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2017-6

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART I "RELATED LAWS PERTAINING TO CLAYTON COUNTY", CHAPTER 22 "BUSINESSES", ARTICLE II "OCCUPATIONAL LICENSES", DIVISION I "GENERALLY" BY REPEALING AND DELETING THE EXISTING SECTION 22-41 "REQUIREMENT FOR GUEST REGISTER AND NECESSARY INFORMATION, REGISTER OPEN FOR INSPECTION BY LAW ENFORCEMENT OFFICERS", AND INSERTING IN LIEU THEREOF A NEW SECTION 22-41 "REQUIREMENT FOR GUEST REGISTER AND NECESSARY INFORMATION", AND BY ADDING A NEW SECTION 22-42 "MANAGER REQUIRED TO BE ON PREMISES AND AVAILABLE AT ALL TIMES"; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY
BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

Section 1. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part I "Related Laws Pertaining to Clayton County", Chapter 22 "Businesses", Article II "Occupational Licenses", Division I "Generally" by repealing and deleting the existing Section 22-41 "Requirement for guest register and necessary information, register open for inspection by law enforcement officers", and inserting in lieu thereof a new Section 22-41 "Requirement for guest register and necessary information"; to read as follows:

"Sec. 22-41. - Requirement for guest register and necessary information.

(a) Definitions. In addition to the definitions provided in other sections of this Code, the following words, terms, and phrases, when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Guest shall mean any person hiring or occupying for a consideration, on a temporary, transient, or nonpermanent basis, a room, rooms, mobile home or trailer or portion thereof, for sleeping purposes; a "guest" may hire or occupy for a consideration, whether rent is paid in money, goods, labor, or otherwise; "guest" includes employees of an establishment who reside or live upon the premises of the establishment;

(2) Establishment shall mean hotel, motel, apartment, rooming house, extended stay facility, mobile home park, or any other place used or intended to be used by a "guest" and/or "guests" for sleeping purposes located in the unincorporated area of Clayton County.

(b) Requirement for guest register and necessary information.

(1) Every proprietor or manager of an establishment shall maintain a guest register, and shall require each guest, at the time of hiring or occupying the premises, to present a legal form of identification, to sign his or her full name on the register, together with his or her full residence address, as well as provide the full name and residence address of each member of the guest's party; in the event that said guest or his or her party travels by means of motor vehicle of any kind, the guest shall also enter at the same time on said register the make, type, and license number, including the name of the state or country of the license, of the motor vehicle.

(2) The proprietor or manager of the establishment shall, at the time of the registering, assign the guest to a room, rooms, or mobile home or trailer, enter opposite the guest's name the number or other identifying information as to the room, rooms, or mobile home or trailer, assigned, and enter the date of the registration.

(3) When the guest or guests check out, the proprietor or manager of the establishment shall cause that fact to be entered on the guest register, together with the date of leaving.

(4) All entries in the guest register, whether by the guest or proprietor or manager, shall be made in ink and shall not in any manner be erased, obliterated or defaced.

(c) The guest register maintained by the proprietor or manager of an establishment shall be kept in a conspicuous place on the premises of the establishment and shall be maintained for no less than two years.

(d) The property owner, general manager or employee in charge of the property may be cited for any violation of this section and punished as provided for in section 1-12 of this code."

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part I "Related Laws Pertaining to Clayton County", Chapter 22 "Businesses", Article II "Occupational Licenses", Division I "Generally" by adding a new code Section 22-42 "Manager required to be on premises and available at all times", to read as follows:

"**Sec. 22-42. – Manager required to be on premises and available at all times.**

(a) Definitions. In addition to the definitions provided in other sections of this Code, the following words, terms, and phrases, when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Guest shall mean any person hiring or occupying for a consideration, on a temporary, transient, or nonpermanent basis, a room, rooms, mobile home or trailer or portion thereof, for sleeping purposes; a "guest" may hire or occupy for a consideration, whether rent is paid in money, goods, labor, or otherwise; "guest" includes employees of an establishment who reside or live upon the premises of the establishment;

(2) Establishment shall mean hotel, motel, apartment, rooming house, extended stay facility, mobile home park, or any other place used or intended to be used by a "guest" and/or "guests" for sleeping purposes located in the unincorporated area of Clayton County;

(3) Manager shall mean the owner or employee in charge of the establishment; and

(4) The Front Desk shall mean that place where business is transacted with guests and where the Establishment's Guest Registration Book is kept.

(b) Requirement for manger to be on-duty and on the premises.

(1) A Manager is required to be on the premises and on-duty and available to guests and public safety officers at all times when the establishment is open for businesses or housing guests.

(2) The name of the Manager on-duty will be identified by sign, name plate, or other conspicuous identification with letters of at least three (3) inches high and plainly visible to the public at the front desk of the establishment.

(c) The property owner, general manager or employee in charge of the property may be cited for any violation of this section and punished as provided for in section 1-12."

Section 3. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section 4. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 5. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this the 3rd day of January, 2017.

CLAYTON COUNTY BOARD OF COMMISSIONERS

JEFFREY E. TURNER, CHAIRMAN

GAIL B. HAMBRICK, COMMISSIONER

SONNA GREGORY, COMMISSIONER

FELICIA FRANKLIN WARNER, COMMISSIONER

MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

SANDRA T. DAVIS, CLERK