

# A BILL

FOR AN ACT TO REPEAL CHAPTER ONE HUNDRED AND SIXTY EIGHT (168) OF THE ACTS OF THE THIRTY THIRD GENERAL ASSEMBLY, AND TO ENACT IN LIEU THEREOF THE FOLLOWING RELATING TO HOTELS, PUBLIC LODGING HOUSES AND RESTAURANTS, DEFINING THE SAME AND PRESCRIBING RULES FOR THEIR OPERATION AND MAINTENANCE, SO AS TO INSURE THE SAFETY AND HEALTH OF EMPLOYEES AND PATRONS OF THE SAME, PROVIDING FOR INSPECTION THEREOF, ESTABLISHING A HOTEL COMMISSION AND PROVIDING FOR A HOTEL COMMISSIONER, AND FOR THE LICENSING OF HOTEL AND RESTAURANT KEEPERS AND FIXING PENALTIES FOR VIOLATION OF SUCH RULES AND REGULATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That chapter one hundred and sixty-eight (168) of the acts of the thirty-third general assembly be and the same is hereby repealed.

Sec. 2. Hotels and hotel proprietors defined. Every building or structure kept, used or advertised as or held out to the public to be an inn, hotel or public lodging-house, where sleeping accommodations are furnished for hire to transient guests, whether with or without meals, shall, for the purpose of this act, be defined to be a hotel, and the person or persons in charge thereof, whether owners, lessees, or managers, shall, for the purpose of this act, be deemed the proprietor of such hotel; and wherever the word "hotel" shall occur in this act it shall be construed to mean every such building and structure as is described in this section, except as herein provided.

Sec. 3. Restaurants and restaurant proprietors defined. Every building and other structure, and all out-buildings in connection, kept, used, maintained as or held out to the public to be a place where meals are served to transients, but without sleeping accommodations, shall, for the purpose of this act, be deemed a restaurant, and the person or persons in charge thereof, whether owner, lessee or manager, shall, for the purpose of this act, be deemed the proprietor of such restaurant; and wherever the word "restaurant" occurs in this act it shall be construed to mean every such structure as is described in this section.

Only such hotels and restaurants as defined in sections 2 and 3 of this act shall have the right to use the word "hotel" or "restaurant" as a part of the name of their business; and the use of the word "hotel" or "restaurant" in connection with the name of a business other than

11 that defined in sections 2 and 3 of this act shall be a violation of this act and subject the user  
12 thereof to its penalties.

Sec. 4. Hotel commission. There is hereby created a hotel commission of the state of Iowa  
2 for which the usual facilities for transacting its business shall be furnished the same as for  
3 other similar departments of the state government.

Sec. 5. The civil engineer of the state board of health shall, by virtue of his office, be hotel  
2 commissioner. Such hotel commissioner shall receive, in addition to the compensation now re-  
3 ceived as a member of the state board of health, a salary of fifteen hundred (\$1,500.00) dollars  
4 per annum, and necessary expenses out of the fund derived from the licensing of hotels and  
5 restaurants. Such hotel commissioner shall, with the approval of the majority of the members  
6 of the state executive council, appoint, and at his pleasure remove, one or more deputies, who  
7 shall under his direction assist in the duties imposed by this act. Such deputies shall give bond  
8 to the state in the penal sum of two thousand (\$2,000.00) dollars, conditioned as that of the  
9 hotel commissioner, to be approved by and filed with the secretary of state. Such deputy hotel  
10 commissioner shall receive such compensation as the executive council of the state of Iowa shall  
11 specify, the same not to exceed fifteen hundred (\$1,500.00) dollars per annum and necessary ex-  
12 penses incurred while actually engaged in his work as deputy hotel commissioner. All bills for  
13 compensation and necessary expenses shall be itemized and verified and warrants drawn on the  
14 hotel commission fund therefore in the same manner as for the other expenses of the members  
15 of the state board of health.

Sec. 6. Duties of hotel commissioner; annual inspection; certificate. It shall be the duty of  
2 the hotel commissioner and his deputies to see that all the provisions of this act are enforced,  
3 and for such purpose said hotel commissioner and deputies shall personally inspect, each year,  
4 every hotel and restaurant in the state coming within the provisions of this act. If upon inspec-  
5 tion of any hotel or restaurant it shall be found that this law has been fully complied with, he  
6 shall issue a certificate to that effect to the person operating the same, and such certificate  
7 shall be kept in plain view in some conspicuous place in said hotel or restaurant. Said hotel  
8 commissioner or deputy is hereby empowered and authorized to enter any hotel or restaurant at  
9 all reasonable hours to make inspection and it is hereby made the duty of every person in the  
10 management or control of such hotel or restaurant to afford free access to every part of the  
11 hotel or restaurant and render all aid and assistance necessary to enable the hotel commissioner  
12 or his deputy to make a full, thorough and complete examination thereof on or before Decem-  
13 ber 31st of each year.

Sec. 7. License for hotels and restaurants. All persons engaged in the business of operat-  
2 ing a hotel or restaurant as defined in this act shall on or before January 1, 1914, and each  
3 year thereafter, secure and pay for a license therefor as follows: Hotels in which over twenty  
4 sleeping rooms are used for the accommodation of guests, five dollars (\$5.00) per year; hotels

5 with less than twenty rooms, three dollars (\$3.00 per year; all restaurants, three dollars  
6 (\$3.00) per year. Such license to be issued by the hotel commissioner upon receipt of the  
7 license fee herein provided and certificate signed by the applicant stating that he has com-  
8 plied and will comply with the provisions of this act. No hotel or restaurant shall be maintained  
9 and conducted in this state after the first day of January, 1914, without a license therefor.

Sec. 8. Reports. The hotel commissioner or deputy shall make a full and complete report  
2 to the state board of health of every hotel inspection, as to its sanitary condition, the number  
3 and condition of its fire escapes, number of stories high, number of sleeping rooms, name of  
4 proprietor, and such other information as the state board of health shall determine will be  
5 for the betterment of the public health. He shall on the first day of each month make and file  
6 with the state treasurer an itemized statement of all license fees collected, and pay into the  
7 state treasury all fees collected for licenses issued during the preceding month, which fees the  
8 state treasurer shall keep in a fund to be known as the "hotel commission fund," to be used for  
9 the purpose of the hotel commission only.

Sec. 9. False certificates; penalty. Any hotel commissioner or deputy who shall knowingly  
2 certify falsely regarding any hotel or restaurant inspected by him, or in regard to fees collected  
3 or expenses paid, or shall issue a certificate to any person owning, managing or operating a  
4 hotel or restaurant, when such person has not complied with the provisions of this act, shall  
5 be guilty of a misdemeanor and on conviction of the same shall be punished by a fine of not  
6 to exceed five hundred dollars (\$500.00) or imprisonment in the county jail for not to ex-  
7 ceed six months, or by both such fine and imprisonment.

Sec. 10. Notice to hotel manager or owner. It shall be the duty of the hotel commissioner,  
2 upon ascertaining by inspection or otherwise that any hotel or restaurant is being carried  
3 on contrary to any of the provisions of this act, to notify the manager, proprietor, or owner,  
4 in writing, in what respect it fails to comply with the law, and to require such person within  
5 a reasonable time, to be fixed by the hotel commissioner, to do or cause to be done the things  
6 necessary to comply with the law.

Sec. 11. Failure or neglect to comply; penalty. Any owner, manager, agent or person in  
2 charge of any hotel or restaurant, who shall obstruct, hinder or interfere with a hotel commis-  
3 sioner or his deputy in the proper discharge of his duty, or who shall wilfully fail or neglect to  
4 comply with any of the provisions of this act, shall be guilty of a misdemeanor, and upon convic-  
5 tion thereof shall be fined not to exceed one hundred dollars (\$100.00) or imprisonment in the  
6 county jail not to exceed thirty days.

Sec. 12. Hotel commissioner to make complaint—Injunction—County attorney to prose-  
2 cute. It shall be the duty of the hotel commissioner, upon ascertaining that any owner, man-  
3 ager, agent or person in charge is violating any of the provisions of this act after the expira-  
4 tion of the time fixed in the notices provided in section 10, hereof, to make complaint, and he

5 may file his petition in any court of competent jurisdiction, or before any judge of such court  
6 in vacation, upon which an injunction may issue, with or without bond, as may be ordered by  
7 the court or the judge restraining the further use of such hotel or restaurant until the provisions  
8 of this act have been fully complied with; but no injunction shall issue until the defendant has  
9 had at least five days' notice of the application therefor, fixing a time for hearing thereon.  
10 It is hereby made the duty of the county attorney, in either case, to prepare the necessary pa-  
11 pers and conduct the prosecution of litigation connected therewith.

Sec. 13. Fire escapes—Manilla ropes. Every hotel of three or more stories in height shall  
2 be provided and equipped with a fire escape, or fire escapes, of the style and character and in  
3 the manner described in section 499-a6 of the supplement to the code, 1907; and in addition  
4 thereto every bedroom or sleeping apartment which has no other fire escape above the ground  
5 floor, except in hotels which are of approved fireproof construction, shall be provided with an  
6 individual fire escape, which shall consist of a manilla rope not less than seven sixteenths of  
7 an inch in diameter, of tensile strength of not less than five hundred pounds (500), and of  
8 sufficient length to reach from the inside of the room to the ground or landing outside, to have  
9 a loop at each end and to be coiled upon a reel. The said rope shall be operated by an ap-  
10 paratus that works automatically and without the aid or special knowledge of the user, carry-  
11 ing him safely to the ground or landing outside, and shall work both ways; that is to say, when  
12 one end of the rope is on the ground or landing the other end is ready for use without wind-  
13 ing or pulling the rope back into the room. It shall be securely fastened on the inside of the  
14 room at a place and in the manner satisfactory to the hotel commissioner. Provided, how-  
15 ever, that any contrivance or appliance for reaching the ground from said bedroom or sleeping  
16 apartment be used in lieu of said rope, if approved by the state hotel commissioner. The pro-  
17 visions herein as to providing ropes shall apply to all hotels of more than two stories which  
18 are not of approved fireproof construction.

Sec. 14. Notices posted. In every such hotel there shall be posted and maintained notices,  
2 printed in black ink on white paper or cardboard, with type not less than one inch in height,  
3 at the entrance to each hall, stairway and elevator shaft, and a like notice printed in plain  
4 type in each bedroom or sleeping apartment above the ground floor, giving directions how to  
5 reach the fire escapes; and there shall also be posted and maintained in each bedroom or sleep-  
6 ing apartment above the ground floor, except in hotels which are of approved fireproof con-  
7 struction, notices printed in bold-face type, calling attention to the rope therein and giving  
8 directions how to use it.

Sec. 15. Chemical fire extinguishers. Every such hotel containing five rooms or more shall  
2 be provided with at least one efficient chemical fire extinguisher on each floor to each twenty-  
3 five hundred (2500) feet of floor space; which extinguisher or extinguishers shall be placed  
4 and maintained in the hallway outside of the sleeping rooms and maintained in condition for

5 immediate use, or in lieu thereof, such hotel shall be equipped with a standpipe, placed in the  
6 hall, of not less than one and one-fourth ( $1\frac{1}{4}$ ) inches in diameter, with hose always of sufficient  
7 length to reach any and every part of the interior of the building, which standpipe shall be  
8 kept and maintained with a sufficient pressure of water. Provided, hotels that are of approved  
9 fireproof construction shall be provided with one such chemical fire extinguisher on each floor  
10 to each five thousand (5000) feet of floor space, or in lieu thereof shall be equipped with a  
11 standpipe as above provided.

Sec. 16. Elevator shafts enclosed below first floor. In every hotel except those of approved  
2 fireproof construction, which is equipped with an elevator or elevators, such portion of the shaft  
3 or shafts thereof as extends below the level of the first floor shall be enclosed with an iron or  
4 steel sheeting, or other fireproof material, as nearly air-tight as practical, with tight doors to  
5 the stairway; the door to be made as far as practical of wire glass, or in lieu thereof shall be  
6 provided with an automatic floor trap at the first floor in each elevator shaft. Each of either of  
7 such appliances shall be constructed in the most approved manner for the prevention of the  
8 spread of fire by means of such elevator shaft.

Sec. 17. Hotel to be kept clean and sanitary. Every hotel located or situated in a city or  
2 town having a system of sewerage shall be thoroughly drained, constructed and plumbed ac-  
3 cording to approved sanitary principles; all hotels shall be kept and maintained in a clean, san-  
4 itary condition, and free from effluvia, gas or offensive odors arising from any sewer, drain  
5 privy, or other source whatever, within the control of the owner, manager or person in charge  
6 thereof. Hotels in cities or towns not provided with a sewerage system shall be provided with  
7 an approved cesspool, or with privies or water closets, properly screened and separated for  
8 the use of males and females; which cesspools, privies and water-closets shall be properly  
9 cleaned and disinfected as often as necessary to keep and maintain them in an approved san-  
10 itary condition.

Sec. 18. Trap door or other opening to court or light wells or ladder. The owner, propri-  
2 etor, manager or person in charge of every hotel, except those which are of approved fireproof  
3 construction, now or hereafter constructed with an inside court or lightwell, and with sleep-  
4 ing rooms or sleeping apartments, the only windows of which open upon or into such court or  
5 light well, unless the same extends to the ground floor, shall cause the roof or covering to such  
6 court or light well to be supplied with a trap door or other opening, which opening shall be  
7 provided with a rope or ladder of sufficient length to reach from such door or opening to the  
8 ground floor, so as to enable those escaping in case of fire to such court or light well, to reach  
9 the ground floor.

Sec. 19. Halls—Fire escapes. Every hotel hereafter constructed, which is three or more  
2 stories high, shall be provided with a hall on each floor above the ground floor, extending from  
3 one outside wall to the other, and at each end of such hall shall be equipped with an iron or

4 steel fire escape on the outside of the building, connecting on each floor with one or more con-  
5 venient and ample openings; such fire escape to comply with the provisions of section 4999-a8  
6 of the supplement to the code, 1907. Provided, that the provisions of this act relating to the  
7 character of the halls and location of outside fire escapes, ropes or automatic appliances, and  
8 notices thereof, shall not apply to hotels of approved fireproof construction, having interior  
9 fireproof stairways, approved as such by the hotel commissioner.

Sec. 20. Beds—How equipped. All hotels shall hereafter provide each bed, bunk, cot or  
2 other sleeping place for the use of the guests with pillow slips and under and top sheets; each  
3 top sheet to be made ninety-nine (99) inches long, and of sufficient width to completely cover  
4 the mattress and springs; provided that a top sheet shall not be used which measures less than  
5 ninety (90) inches in length after being laundered. Said sheets and pillow slips to be made  
6 of white cotton or linen and all such sheets and pillow slips, after being used by one guest, to  
7 be washed and ironed before they are used by any other guest, a clean set being furnished  
8 each succeeding guest.

Sec. 21. Bedding aired and disinfected—Rooms fumigated. All bedding, including mattress-  
2 es, quilts, blankets and comforts, used in any hotel in this state, must be thoroughly aired, dis-  
3 infected and kept clean. Any room in any hotel or restaurant infected with vermin or bed-  
4 bugs shall be fumigated, disinfected and renovated until said vermin or bedbugs are exter-  
5 inated.

Sec. 22. Washroom and individual towels. Each hotel or restaurant in this state shall be  
2 provided with a main public washroom convenient and of easy access to guests. All hotels  
3 and restaurants in this state shall hereinafter, in the said public washrooms, and in reach  
4 of guests, during the regular meal hours, and where no regular meal hours are maintained,  
5 between the hours of seven a. m. and nine a. m., and eleven-thirty a. m. and two p. m., and six  
6 p. m. and eight p. m., and in each guest room, furnish each guest with a clean individual towel,  
7 so that no two or more guests will be required to use the same towel until after it has been  
8 washed. Such individual towels shall not be less than ten inches wide and fifteen inches long  
9 after being washed.

Sec. 23. The sum of one thousand dollars (\$1000.00) or so much thereof as may be neces-  
2 sary, is hereby appropriated out of any money of this state not otherwise appropriated, for  
3 the purpose of carrying into effect the provisions of this act.