

**137C.6 Authority to enforce.**

1. The director shall regulate, license, and inspect hotels and enforce the Iowa hotel sanitation code in Iowa. Municipal corporations shall not regulate, license, inspect, or collect license fees from hotels except as provided for in the Iowa hotel sanitation code.

2. If a municipal corporation wants its local board of health to license, inspect, and otherwise enforce the Iowa hotel sanitation code within its jurisdiction, the municipal corporation may enter into an agreement to do so with the director. The director may enter into the agreement if the director finds that the local board of health has adequate resources to perform the required functions. A municipal corporation may only enter into an agreement to enforce the Iowa hotel sanitation code if it also agrees to enforce the rules setting minimum standards to protect consumers from foodborne illness adopted pursuant to [section 137F.2](#).

3. A local board of health that is responsible for enforcing the Iowa hotel sanitation code within its jurisdiction pursuant to an agreement shall make an annual report to the director providing the following information:

a. The total number of hotel licenses granted or renewed during the year.

b. The number of hotel licenses granted or renewed during the year broken down into the following categories:

(1) Hotels containing fifteen guest rooms or less.

(2) Hotels containing more than fifteen but less than thirty-one guest rooms.

(3) Hotels containing more than thirty but less than seventy-six guest rooms.

(4) Hotels containing more than seventy-five but less than one hundred fifty guest rooms.

(5) Hotels containing one hundred fifty or more guest rooms.

c. The amount of money collected in license fees during the year.

d. Other information the director requests.

4. The director shall monitor local boards of health to determine if they are enforcing the Iowa hotel sanitation code within their respective jurisdictions. If the director determines that the Iowa hotel sanitation code is enforced by a local board of health, such enforcement shall be accepted in lieu of enforcement by the department in that jurisdiction. If the director determines that the Iowa hotel sanitation code is not enforced by a local board of health, the director may rescind the agreement after reasonable notice and an opportunity for a hearing. If the agreement is rescinded, the director shall assume responsibility for enforcement in the jurisdiction involved.

[C79, 81, §170B.3]

[83 Acts, ch 101, §30](#); [86 Acts, ch 1245, §542, 543](#); [90 Acts, ch 1204, §66](#)

[C91, §137C.6](#)

[98 Acts, ch 1162, §3, 30](#); [2007 Acts, ch 215, §207](#)

Referred to in [§137C.2, §137E.3](#)