

him in the discharge of such duties, from the fund created by the payment of fees by applicants for examination. Secretary shall receive his necessary expenses incurred for services which cannot be performed at the capitol. All printing, postage and other contingent expenses necessarily incurred under the provisions of this act shall be paid from said fund. All expenses incurred under the provisions of this act shall be itemized thereupon and audited and a warrant drawn therefor on the optometrists fund in the same manner as other expenses of the state board of health.

SEC. 11. **Not applicable to merchants or dealers—unlawful practice.** This act shall not be construed to apply to merchants or dealers who sell glasses as merchandise and who do not profess to be optometrists or practice optometry as herein defined. Any person practicing optometry shall be prohibited from using the prefix doctor to his name, unless he is a duly registered and licensed physician and surgeon and his rights to such being allowed by the state board of medical examiners, nor shall he advertise himself in such a manner as to lead the public to believe him to be different than an optometrist as defined in this section.

SEC. 12. **Penalty.** Any person who shall practice optometry in this state in violation of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00) or imprisonment in the county jail not more than thirty (30) days.

SEC. 13. **Unappropriated funds turned into state treasury.** All unappropriated funds arising under this act shall be accounted for and turned into the state treasury on June thirtieth of each year.

Approved March 27, A. D. 1909.

CHAPTER 168.

HOTELS, INNS AND LODGING HOUSES.

H. F. 190.

AN ACT relating to hotels, inns and public lodging houses, defining the same and prescribing rules for their operations and maintenance, so as to insure the safety and health of employes and patrons of the same; providing for inspection thereof, fees for same and fixing fines and penalties for violation of such rules and regulations. [Additional to title twelve (XII) of the code, relating to the police of the state.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Hotel defined.** Every building or structure kept, used, advertised as or held out to the public to be an inn, hotel or public lodging house, or place where sleeping accommodations are furnished for hire to transient guests, whether with or without meals in which ten (10) or more sleeping rooms are used for the accommodation of such guests, shall for the purpose of this act be defined to be a hotel, and wherever the word "hotel" shall occur in this act, it shall be construed to mean and cover every such building or structure as is described in this section, except as herein provided.

SEC. 2. **Fire escapes—manilla ropes.** Every hotel of three or more stories in height shall be provided and equipped with a fire escape or fire escapes of the style and character and in the manner described in section four thousand nine hundred and ninety-nine-a-eight (4999-a-8) of the supplement to the code, 1907, and in addition thereto, every bed-room or sleeping apartment which has no other approved fire escape above the ground floor except in

hotels which are of approved fire proof construction shall be provided with a manilla rope at least five-eighths ($\frac{5}{8}$) of an inch in diameter and of sufficient length to reach the ground, with knots or loops not more than fifteen inches apart, and of sufficient strength to sustain a weight and strain of at least five hundred pounds. Such ropes shall be securely fastened to the building as near the window as practicable and shall be kept coiled in plain sight at all times nor shall such rope be covered by curtain or other obstruction. Provided, however, that any other contrivance or appliance for reaching the ground from said bed room or sleeping apartment may be used in lieu of said rope, if approved by the state hotel inspector. The provisions herein as to providing ropes shall apply to all hotels of more than one story.

SEC. 3. Notices posted. In every such hotel there shall be posted and maintained notices, printed in black ink on white paper or cardboard with type not less than one inch in height, at the entrance to each hall, stairway, elevator shaft, and in each bed-room or sleeping apartment, above the ground floor, directions how to reach the fire escapes and there shall also be posted and maintained in each bed-room or sleeping apartment, above the ground floor, except in hotels which are of approved fire proof construction notices printed in large bold faced type, calling attention to the rope therein, and giving directions how to use it.

SEC. 4. Chemical fire extinguisher. Every such hotel shall be provided with, at least, one efficient chemical fire extinguisher on each floor, to each twenty-five hundred (2,500) feet of floor space, which extinguisher or extinguishers shall be placed and maintained in the hallway outside of the sleeping rooms and kept and maintained in condition for immediate use, or in lieu thereof such hotel shall be equipped with a stand pipe placed in the hall of not less than one and one-fourth ($1\frac{1}{4}$) inches in diameter, with hose always attached of sufficient length to reach any and every part of the interior of the building, which stand pipe shall be kept and maintained with a sufficient pressure of water.

SEC. 5. Elevator shafts enclosed below first floor. Every hotel except in hotels which are of approved fire proof construction which is equipped with an elevator or elevators such portion of the shaft or shafts thereof as extend below the level of the first floor shall be enclosed with an iron or steel sheeting or other fire proof material as nearly air-tight as practicable with tight doors to the shaftway, the door to be made as far as practicable of wire glass or in lieu thereof shall be provided with an automatic floor trap at the first floor in each elevator shaft; each or either of such appliances shall be constructed in the most approved manner for the prevention of spread of fire by means of such elevator shaft.

SEC. 6. Hotel to be kept clean and sanitary. Every hotel located or situated in a city or town having a system of sewerage, shall be thoroughly drained, constructed and plumbed according to approved sanitary principles; all hotels shall be kept and maintained in a clean and sanitary condition and free from and [any] effluvia, gas or offensive odors arising from any sewer, drain, privy, or any other source whatever within the control of the owner, manager, agent or person in charge thereof. Hotels in cities or towns not provided with a sewerage system shall be provided with an approved cess-pool or with privies or water closets properly screened and separated for the use of males and females, which cess-pools, privies and water closets shall be properly cleaned and disinfected as often as necessary to keep and maintain them in an approved sanitary condition.

SEC. 7. Trap door or other opening to court or lightwell—rope or ladder. The owner, proprietor, manager or person in charge of every hotel except in hotels which are of approved fire proof construction now or hereafter constructed with an inside court or light-well and with sleeping rooms or sleep-

ing apartments, the only windows of which open upon or into such court or lightwell unless the same extends to the ground floor, shall cause the roof or covering to such court or lightwell to be supplied with a trap door or other opening, which opening shall be provided with rope or other ladder of sufficient length to reach from such door or opening to the ground floor so as to enable those escaping in case of fire to such court or lightwell to reach the ground floor.

SEC. 8. Halls—fire escapes. Every hotel hereafter constructed that is three or more stories high shall be provided with a hall on each floor, above the ground floor, extending from one outside wall to the other, and at each end of such hall shall be equipped with an iron or steel fire escape on the outside of the building, connecting on each floor with one or more convenient and ample openings, such fire escapes to comply with the provisions of section four thousand nine hundred ninety-nine-a-eight (4999-a-8) of the supplement to the code, 1907.

SEC. 9. Inspector of hotels—deputies — bonds. The "civil engineer" member of the state board of health shall by virtue of his office be inspector of hotels and shall be required to give bonds to the state in the penal sum of five thousand (\$5,000.00) dollars, conditioned for the faithful performance of his duty, to be approved by and filed with the secretary of state, and shall maintain his office in the state board of health rooms at the capitol. Such inspector may, with the consent of a majority of the members of the state board of health, appoint, and at his pleasure remove one or more deputies who shall assist under his direction in performing the duties imposed by this act; such deputies shall each give bond to the state in the penal sum of two thousand (\$2,000) dollars, conditioned, as that of the inspector, and be approved by and filed with the secretary of state.

SEC. 10. Annual inspection—certificate. It shall be the duty of the inspector and his deputies to see that all of the provisions of this act are enforced and complied with, and for such purpose such inspector or deputy shall personally inspect once each year every hotel in the state coming within the provisions of this act. If upon inspection of any hotel, it shall be found that this law has been fully complied with, and the inspection fee has been paid to the inspector he shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel. Said inspector or his deputy being hereby empowered and authorized to enter any hotel at all reasonable hours to make such inspection, and it is hereby made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel and render all aid and assistance necessary to enable the inspector to make a full, thorough and complete examination thereof.

SEC. 11. Reports. The inspector or deputy shall make a full and complete report to the state board of health of every hotel inspected, upon blanks furnished for that purpose, which report shall show the condition of the hotel inspected, as to its sanitary condition, the number and condition of its fire escapes, number of stories high, number of sleeping rooms or sleeping apartments, name of the proprietor, fee charged for inspection, and such other information as the state board of health may determine will be for the betterment of the public health.

SEC. 12. Inspection fees. The proprietor or manager of every hotel containing twenty (20) rooms or less for the accommodation of the public, shall pay the person making the inspection a fee of four dollars (\$4.00), and every hotel containing more than twenty rooms for the accommodation of the public, a fee of eight dollars (\$8.00) when inspected under the provisions of this act. But no hotel shall be inspected oftener than once a year unless there is a change of proprietors or unless upon a verified complaint signed by 3 or more patrons setting forth facts showing that such hotel is in an unsanitary condi-

tion or that fire escapes and appliances are not kept and maintained in accordance with the provisions of law. Upon receipt of such complaint, the inspector shall make or cause to be made an inspection or examination of the matters complained of, and, if upon inspection such complaint is found to be justifiable, the legal fee of inspection shall be charged and collected. In case the complaint is found to be without reasonable grounds the ordinary fee for such inspection shall be chargeable against and collected from the person or persons making the complaint. All fees for the inspection shall be forthwith paid over to the state treasurer and his receipt taken and filed with the secretary of the state board of health. Such fees shall be by the treasurer kept as a separate fund to be known as a hotel inspection fund, and only paid out upon warrants or orders issued by the secretary of the state board of health and countersigned by the chairman thereof.

SEC. 13. Salaries—expenses. In addition to the compensation now received by the civil engineer as a member of the state board of health, he shall receive as inspector, a salary of fifteen hundred dollars (\$1,500.00) per annum and necessary expenses out of the hotel inspection fund. Each deputy inspector shall receive such compensation out of the hotel inspection fund as shall be fixed by the inspector, not to exceed five dollars (\$5.00) per day and necessary expenses when actually engaged in the work of inspection. All salaries, compensation, printing, stationery, postage, and other contingent expenses necessarily incurred under the provisions of this act shall be paid from said fund. All bills for compensation and necessary expenses shall be itemized, verified, audited, and warrant drawn on the hotel inspection fund in the same manner as other expenses of the state board of health, provided that no salaries, compensation or expenses shall be paid in excess of the inspection fees received; and provided that at the close of each fiscal year all fees remaining in the state treasury in excess of the outstanding warrants and the sum of five hundred dollars (\$500.00) shall be transferred to the general fund.

SEC. 14. False certificates—penalty. Any inspector or deputy who shall knowingly certify falsely regarding any hotel inspected by him, or shall issue a certificate to any person owning, managing, or operating a hotel when such person has not complied with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SEC. 15. Notice to hotel manager or owner. It shall be the duty of the inspector upon ascertaining by inspection or otherwise, that any hotel is being carried on contrary to any of the provisions of this act, to notify the manager, proprietor or owner in writing in what respect it fails to comply with the law and requiring such person within a reasonable time, to be fixed by the inspector, to do or cause to be done the things necessary to make it comply with the law.

SEC. 16. Failure or neglect to comply—penalty. Any owner, manager, agent or person in charge of a hotel who shall obstruct, hinder or interfere with an inspector or his deputy in the proper discharge of his duty, or who shall wilfully fail or neglect to comply with any of the provisions of this act, or who shall fail to pay the proper fee for inspection shall be guilty of a misdemeanor and upon conviction thereof, be fined not exceeding one hundred (\$100.00) dollars or imprisoned in the county jail not exceeding thirty days.

SEC. 17. Inspector to make complaint—injunction—county attorney to prosecute. It shall be the duty of the inspector upon ascertaining that any owner, manager, agent or person in charge is violating any of the provisions of this act after the expiration of the time fixed in the notice provide^d in

section fifteen (15) hereof to make complaint, and may file his petition in any court of competent jurisdiction or before any judge of such court in vacation upon which an injunction may issue with or without bond as may be ordered by the court or judge, restraining the further use of such hotel until the provisions of this act are fully complied with. But no injunction shall issue until after the defendant has had at least five days notice of the application therefor, fixing a time for hearing thereon. It is hereby made the duty of the county attorney in either case to prepare the necessary papers and conduct all prosecutions or litigation connected therewith.

Approved March 27, A. D. 1909.

CHAPTER 169.

PREVENTION OF DISEASE AMONG BEES AND INSPECTION THEREOF.

H. F. 408.

AN ACT to prevent disease among bees and to provide for inspection thereof. [Additional to title twelve (XII) of the code, relating to the police of the state.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Inspector of bees—term—deputies. The governor is hereby authorized to appoint a competent man as inspector of bees, who shall hold his office for a term of two years, or until his successor is appointed and qualified; and said inspector shall have the power to appoint deputies.

SEC. 2. Powers and duties. It shall be the duty of such inspector, when notified in writing, by at least three beekeepers of any locality, of the existence, or supposed existence, of the disease known as "foul brood" among the apiaries of such locality, to at once thoroughly examine such apiaries as are reported to be diseased, and all other apiaries in the same locality, and thus ascertain whether such disease exists. If the bees in any apiary are in such place or condition as to prevent a thorough examination by the inspector, he may order the same to be put into proper place or condition for such examination. If such order is not complied with, and the inspector has reason to believe such bees to be diseased, he may cause them to be destroyed. If upon examination the inspector is satisfied of such disease, he shall give the owner or person in charge of such apiary full instructions as to the manner of treating the same. Within reasonable time after such examination the inspector shall, without other notice, make further examination of such apiaries, and if the condition of any of them is such as in his judgment renders it necessary, he may burn, or cause to be burned, all the infected colonies of bees in any apiary, together with all the combs and hives, in order to prevent the further spread of the disease.

SEC. 3. Annual report. The inspector shall make a yearly report to the governor, stating the number of apiaries visited, the number of those diseased and treated and the number of colonies of bees destroyed. Such report shall also show the expenses incurred by the inspector while in the discharge of his duties under the provisions of this act.

SEC. 4. Sale or removal of diseased colony of bees—penalty. Any one who knowingly sells, barbers or gives away, moves, or allows to be moved, a diseased colony or colonies of bees, be they queen or workers, or infected appliances or who exposes any infected honey to the bees without the consent of the inspector, shall be deemed guilty of misdemeanor and be liable on conviction before any justice of the county, to a fine of not less than twenty-five [dollars]