

As Introduced

**127th General Assembly
Regular Session
2007-2008**

S. B. No. 237

Senator Schaffer

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A BILL

To amend sections 3731.01 and 3731.04 and to enact 1
section 3731.17 of the Revised Code to allow 2
transient hotels to permit guests to stay longer 3
than thirty days and to allow extended stay hotels 4
to permit guests to stay longer than one year. 6

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

Section 1. That sections 3731.01 and 3731.04 be amended and 7
section 3731.17 of the Revised Code be enacted to read as follows: 9

Sec. 3731.01. (A) As used in this chapter: 10

(1) "Hotel" means a transient hotel, extended stay hotel, or 11
residential hotel. 12

"Hotel" includes any structure consisting of one or more 13
buildings containing any combination of more than five guestrooms 14
that are each approved by the building code official having 15
jurisdiction and the fire marshal as meeting the requirements for 16
transient sleeping rooms or extended stay temporary residence 17
dwelling units, or as having features of such sleeping rooms and 18
dwelling units within the same room, and such structure is 19
specifically constructed, kept, used, maintained, advertised, and 20
held out to the public to be a place where transient sleeping 21
accommodations or temporary residence is offered for pay to 22

persons, but such structure does not otherwise meet the definition 23
of a transient hotel or an extended stay hotel as defined in this 24
section. "Hotel" does not include agricultural labor camps, 25
apartment houses, apartments or other similar places of permanent 26
personal residence, lodging houses, rooming houses, or hospital or 27
college dormitories. 28

(2) "Transient hotel" means any structure consisting of one 29
or more buildings, with more than five sleeping rooms, that is 30
specifically constructed, kept, used, maintained, advertised, or 31
held out to the public to be a place where sleeping accommodations 32
are offered for pay to ~~transient guests for a period of thirty~~ 33
~~days or less~~ whose stay is primarily transient in nature, 34
including, but not limited to, such a structure denoted as a 35
hotel, motel, motor hotel, lodge, motor lodge, bed and breakfast, 36
or inn. 37

(3) "Extended stay hotel" means any structure consisting of 38
one or more buildings, with more than five dwelling units with 39
provisions for living, eating, cooking, sanitation, and sleeping, 40
that is specifically constructed, kept, used, maintained, 41
advertised, and held out to the public to be a place where 42
temporary residence is offered for pay to persons ~~for a minimum~~ 43
~~stay of more than thirty days and a maximum stay of one year~~ 44
~~within the dwelling units at the structure,~~ that is approved 45
pursuant to a valid certificate of occupancy issued by the 46
building official having jurisdiction as having all of the 47
required dwelling unit features, and for which such valid 48
certificate of occupancy indicates the specific rooms within the 49
structure that can be used as dwelling units, and that is approved 50
by the fire marshal for extended stay temporary residence 51
purposes. 52

(4) "Residential hotel" means any structure or structures 53
consisting of one or more buildings, with more than five dwelling 54

units, that are specifically constructed and approved through a 55
valid certificate of occupancy issued by the building official 56
having jurisdiction, as having both dwelling unit features for 57
non-transient residence purposes and all of the transient 58
residential occupancy features of a transient hotel in accordance 59
with the residential group R-1 use and occupancy classification 60
adopted by the board of building standards pursuant to Chapter 61
3781. of the Revised Code, and that are kept, used, maintained, 62
advertised, operated as, or held out to the public to be a place 63
where non-transient dwelling units are offered for pay to persons 64
for a minimum stay of more than thirty days. 65

(5) "Temporary residence" means a dwelling unit accommodation 66
room within a hotel that is used by its occupants ~~for a minimum~~ 67
~~period of thirty one days and a maximum period of one year~~ but is 68
not used as the permanent or principal residence of its occupants. 69

(6) "Transient" means ~~not more~~ less than thirty days. 70

(7) "Dwelling unit" means an accommodation room within a 71
hotel that contains independent provisions for living, eating, 72
cooking, sleeping, and sanitation. 73

(8) "SRO facility" means a facility with more than five 74
sleeping rooms that is kept, used, maintained, advertised, or held 75
out to the public as a place where sleeping rooms are offered on a 76
single room occupancy (SRO) basis and that is intended for use as 77
a primary residence for residential guests for a period of more 78
than thirty days. 79

"SRO facility" does not include agricultural labor camps, 80
apartment houses, lodging houses, rooming houses, or hospital or 81
college dormitories. 82

(9) "Single room occupancy (SRO) basis" means one occupant 83
per room. 84

(B) This chapter does not apply to apartment buildings and 85

other structures in which all of the units are residential 86
premises. 87

Sec. 3731.04. (A)(1) Transient hotels may offer sleeping 88
accommodations for pay to guests whose stay is primarily transient 89
in nature, and also allow guests to stay in not more than 90
thirty-three per cent of the transient sleeping rooms in the hotel 91
for thirty days or more. In addition, transient hotels may offer 92
extended stay temporary residence guest accommodations within any 93
dwelling units or transient sleeping room with dwelling unit 94
features within the structure if such units or sleeping rooms are 95
specifically constructed and approved as also being dwelling units 96
with provisions for living, eating, cooking, sanitation, and 97
sleeping. A transient or extended stay guestroom shall be approved 98
through a valid certificate of occupancy issued by the building 99
official having jurisdiction. The certificate shall indicate the 100
specific guestrooms within the structure that can be used as 101
dwelling units and such dwelling units shall be approved by the 102
fire marshal for extended stay temporary residence purposes. 104

(2) Notwithstanding division (A)(1) of this section, the 105
legislative authority of a municipal corporation may adopt an 106
ordinance or resolution, or a board of township trustees may adopt 107
a resolution, that prohibits a guest from staying for thirty days 108
or more in a transient sleeping room that does not have dwelling 109
unit features included in a transient hotel. 110

(B) Extended stay hotels may offer transient guest 111
accommodations for less than thirty days within any dwelling units 112
or other rooms within the structure if such dwelling units or 113
rooms are specifically constructed and approved as also being 114
transient sleeping rooms. Such transient sleeping rooms shall be 115
approved, through a valid certificate of occupancy issued by the 116
building official having jurisdiction, that indicates the specific 117

rooms within the structure that can be used as transient sleeping 118
rooms and such transient sleeping rooms shall be approved by the 119
fire marshal for transient stay purposes. 120

(C) All of the requirements for the construction and 121
operation of transient hotels and extended stay hotels, including 122
the provisions applicable to transient sleeping rooms and 123
temporary residence dwelling units, apply to hotels as defined in 124
division (A)(1) of section 3731.01 of the Revised Code with a 125
total number of guestrooms, including transient sleeping rooms or 126
extended stay dwelling units, that is greater than five, but do 127
not apply to residential hotels as defined in division (A)(4) of 129
that section.

Sec. 3731.17. An owner or manager of a hotel shall maintain a 130
daily register listing each guest and describing the length of 131
each guest's stay. An owner or manager shall maintain the register 132
in a manner so that it can be used to determine the number of 133
consecutive days each guest stays in a room in the hotel. The 134
owner or manager shall make the register available to the fire 135
marshal during any inspection of the hotel conducted by the fire 136
marshal. The owner or manager shall maintain each register for a 137
period of one year beginning on the first date listed in the 138
register. At the expiration of that one-year period, the owner or 139
manager shall begin and maintain a new daily register that 140
satisfies the requirements described in this section. 141

Section 2. That existing sections 3731.01 and 3731.04 of the 142
Revised Code are hereby repealed. 143