

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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SENATE

NO. 176

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*In Senate, Feb. 13, 1917.*

*Referred to Committee on Public Health and fifteen hundred copies ordered printed. Sent down for concurrence.*

*W. E. LAWRY, Secretary.*

*Presented by Mr. Fulton of Aroostook.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND SEVENTEEN

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AN ACT relating to the inspection of hotels, inns and rooming  
houses.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. The state board of health shall use its influence  
2 so far as it can for the improvement and the main-  
3 tenance of the health conditions of the various places  
4 in the state to which visitors resort, and of the hotels  
5 and other buildings which are used for the reception or en-  
6 tertainment of transient or other guests. Under the super-  
7 vision and the authority of the state board of health, hotels,  
8 inns and rooming houses shall be inspected as is provided in

9 section seven of this act. The state board of health shall  
10 appoint an inspector or inspectors of hotels, and to said in-  
11 spectors or other duly authorized agents of the state board of  
12 health there is hereby granted police power to enter or have  
13 access to any hotel, inn, or rooming house at reasonable hours  
14 to determine whether the provisions of this act are being  
15 complied with. The secretary of the said board shall, by  
16 means of a complete set of books, or card catalog system,  
17 keep on record the conditions of each hotel, inn, and rooming  
18 house inspected, as regards sanitation, number of sleeping  
19 rooms, number and conditions of its fire escapes, together  
20 with the names of the owners, proprietors and managers  
21 thereof, and any other information for the betterment of the  
22 public service. He shall keep a true and accurate account of  
23 all expenses incurred in carrying out the provisions of this  
24 act, together with a true and accurate statement of all fees  
25 collected from applicants for hotel, inn, and rooming house  
26 licenses, and quarterly he shall file sworn and itemized state-  
27 ments of said expenses and fees with the state auditor. He  
28 shall have power and it shall be his duty to issue upon proper  
29 application all hotel, inn, and rooming house licenses pro-  
30 vided for in this act, to the applicant or applicants therefor.

Sect. 2. The provisions of this act shall apply to all  
2 buildings or collection of buildings or premises under the  
3 same management in the same town which are used, main-  
4 tained or held out to the public as places where eating and  
5 sleeping accommodations or where sleeping accommodations

6 alone are offered for pay to transient or other guests, and in  
7 which six or more rooms are in use or are available for the  
8 use of guests.

Sect. 3. Beginning on the tenth day of July, nineteen hun-  
2 dred and seventeen, and on the tenth day of each succeeding  
3 July, every individual or association of individuals, firm or  
4 corporation, now engaged in the business of maintaining or  
5 conducting such business, shall procure from the state board  
6 of health, for each hotel, inn, or rooming house, so conducted  
7 or proposed to be conducted, a hotel keeper's, innkeeper's, or  
8 rooming house keeper's license, as the case may be. Such  
9 license shall take the place of an innholder's license as pro-  
10 vided in chapter thirty-one, section one, of the revised  
11 statutes of Maine. Every such license shall be non-trans-  
12 ferable, shall expire on the tenth day of July next follow-  
13 ing its issuance, and shall be revoked for the maintenance  
14 of the licensee's premises in any way contrary to the pro-  
15 visions of this act, either by the licensee or his authorized  
16 agent. And no hotel, inn, or rooming house shall be main-  
17 tained or conducted after the tenth day of July nineteen  
18 hundred and seventeen, without a license as herein provided.

Sect. 4. The fee to be paid for a license to run a hotel, inn,  
2 or rooming house shall be at the rate of ten cents for each  
3 room for the accommodation of the public, but no license fee  
4 shall be less than one dollar nor more than five dollars. The  
5 license fee shall be paid to the secretary of the state board of  
6 health before said license is issued and the said secretary

7 shall on the first day of each month, pay into the state  
8 treasury all fees collected for licenses issued during the  
9 preceding month, and the money thus turned over to the  
10 state treasury shall constitute a permanent fund from which  
11 the salaries of the inspectors of the state board of health and  
12 the necessary and legitimate expenses incurred in carrying  
13 out the provisions of this act shall be paid.

Sect. 5. The state board of health shall, upon request  
2 therefor, furnish to every individual or association of indi-  
3 viduals, firm or corporation desiring to conduct a hotel, inn  
4 or rooming house, the necessary application blank for a  
5 license, which the applicant shall fill in, stating the full name  
6 and address of the owner, or agent and manager and pro-  
7 prietor of such hotel, inn or rooming house, with a full  
8 description of the building or buildings and premises to be  
9 used for such business, and such other facts as may be called  
10 for in the blank issued by said board, which application,  
11 upon its return to the state board of health, shall be accom-  
12 panied by the license fee which is provided in section four.  
13 Upon receipt of the proper applications in writing, together  
14 with legal license fees the state board of health shall issue  
15 the proper licenses to such applicants as shall have complied  
16 with all legal requirements.

Sect. 6. The state board of health is hereby authorized to  
2 make, alter, modify, or revoke rules and regulations which,  
3 in the opinion of the board, may be found necessary to in-  
4 sure cleanly, healthful and safe conditions in the buildings

5 and on the premises which shall be used as hotels, inns or  
6 rooming houses and to guard against the transmission of  
7 infection in such places. The rules and regulations made  
8 by the state board of health, under the provisions of this sec-  
9 tion, shall not become valid until they have been approved  
10 by the governor and council and then published in the state  
11 paper, as is provided in section twenty-three of chapter nine-  
12 teen of the revised statutes.

Sect. 7. The state board of health shall, so far as it is  
2 possible, have every hotel, inn and rooming house in-  
3 spected at least once each year and shall, furthermore,  
4 make a note of all complaints which may be received about  
5 the conditions in or around any hotels, inns or rooming  
6 houses, and shall, as far as practicable, investigate the  
7 grounds for such complaints; provided, that the work done  
8 by the state board of health and the inspectors of the said  
9 board shall not be more than that for which the expenses  
10 may be paid by the license fees provided in section five.  
11 Whenever, upon any inspection it shall be found that, in any  
12 hotel, inn or rooming house, the equipment and service are  
13 not cleanly, healthful and safe, the inspector of the state  
14 board of health shall thereupon notify the owner, agent or  
15 lessee of the building or buildings, or the proprietor or man-  
16 ager of the business conducted therein, either one or all of  
17 them as the case may require, of such changes as may be  
18 necessary to effect a complete compliance with the rules and  
19 regulations of the state board of health, setting forth in the

20 notice the number or numbers of the section or sections of  
21 the rules and regulations of the state board of health which  
22 are not complied with. It shall thereupon become the duty  
23 of such owner, agent or lessee and of such proprietor or  
24 manager, either one or both, to make such changes as may be  
25 necessary to effect a full compliance with the requirements  
26 of the state board of health; provided, however, that when-  
27 ever any structural changes are ordered a reasonable period  
28 of time, and in no case less than thirty days, shall be allowed  
29 for conforming with the requirements. Every individual or  
30 association of individuals, firm or corporation, failing or  
31 refusing to comply with the written orders of the state board  
32 of health given in accordance with the provisions of this act,  
33 shall be guilty of a misdemeanor and shall be subject to a  
34 fine of five dollars for each and every day of his refusal or  
35 failure to so comply.

Sect. 8. Any owner, agent, or lessee of any building used  
2 for a hotel, inn or rooming house, and any proprietor or  
3 manager of any hotel, inn or rooming house, or other person  
4 who conducts his business without procuring a license as is  
5 provided in section three, or who shall obstruct or hinder any  
6 inspector or agent of the state board of health in the proper  
7 discharge of his duties under this act, shall be guilty of a  
8 misdemeanor, and upon conviction thereof shall be fined not  
9 less than ten dollars nor more than one hundred dollars or  
10 shall be imprisoned in the county jail for not less than ten  
11 days, nor more than ninety days, or both.

Sect. 9. The service of all notices provided for in this act  
2 shall be made by the secretary of the state board of health  
3 or by a hotel inspector, either by personal delivery, or by  
4 registered letter to the owner, agent, or lessee of the building  
5 or buildings and premises, or to the proprietor or manager,  
6 either one or both, of such hotels, inns or rooming houses.

Sect. 10. All parts of chapter thirty-one of the revised  
2 statutes, which relate to innholders' and victualers' licenses,  
3 and all other acts or parts of acts inconsistent with this act  
4 are hereby repealed.