

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 115

In Senate, Feb. 17, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Portland Delegation.

Committee on Reference.

Presented by Mr. Murphy of Cumberland.

STATE OF MAINE

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

AN ACT to Regulate Hotels, Lodging-houses and Eating-
houses in the City of Portland.

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

Section 1. No person shall conduct, or cause to be con-
2 ducted, within the corporate limits of the City of Portland,
3 any hotel, lodging-house, cafe, restaurant or eating-house
4 of any kind, without first having obtained a license from
5 the board of mayor and aldermen of said Portland empow-
6 ering him so to do, and having given his bond as hereinafter
7 provided. For the purposes of this act the word "person"
8 shall mean and include any natural person, or any co-part-
9 nership, corporation or association; and the word "lodging-

10 house" shall be deemed to mean and include only such house,
11 building, tenement, apartment or suite as is used wholly or in
12 part for the business of renting or letting rooms therein for
13 hire, and in which the total number of all rooms available
14 for renting or letting by the lodging-house keeper shall be
15 greater than five.

Sect. 2. The board of mayor and aldermen of the City of
2 Portland at any meeting of said board, provided application
3 has been made therefor and notice given thereof as herein-
4 after provided, may issue licenses hereunder, under such
5 rules and regulations as it may from time to time establish,
6 to conduct hotels, lodging-houses and eating-houses in
7 said city until the first Monday of January of the year fol-
8 lowing the granting of said licenses, and in such houses or
9 other buildings as the applications therefor designate. At
10 any meeting of said board, notice and opportunity to be
11 heard having first been given to the licensee, it may revoke
12 any license so granted whenever in its opinion there is suffi-
13 cient cause.

Sect. 3. No license shall be granted under this act until
2 notice of the application therefor shall have been printed in
3 a daily newspaper published in said Portland at least three
4 times previous to the date of the meeting at which said ap-
5 plication is acted upon, stating the name of the applicant,
6 the kind of business he proposes to conduct, whether a ho-
7 tel, lodging-house or eating-house, and the street and num-

ber of the building in which said business is to be conducted;
 nor unless said applicant is satisfactory to said board.

Sect. 4. The licensing committee of said board shall examine into and investigate the character and qualifications of any applicant for a license under this act, and report to said board its recommendations as to whether or not a license should be issued; and in every case the applicant shall present himself in person to said licensing committee, and to said board if it so determines, at such time as may be fixed by said committee or said board respectively, and present satisfactory proof of the good moral character of said applicant. When application is made by or in behalf of a partnership, corporation or association, such proof and such application shall be made by the manager, officer or agent who would have the charge of such hotel, lodging-house or eating-house.

Sect. 5. No person shall receive his license until he has given his bond to the treasurer of the City of Portland in the penal sum of three hundred dollars (\$300) with one or more sureties, and said bond has been approved by said board of mayor and aldermen, which said bond shall be in substance as follows:

Know all men that we,
 as principal, and as sureties,
 are holden and stand firmly bound to
 Treasurer of the City of Portland, in the sum of three hundred dollars (\$300), to be paid to him, or his successors in

12 office; to the payment whereof we bind ourselves, our heirs,
 13 executors and administrators, jointly and severally by these
 14 presents.

Sealed with our seals. Dated the day of
 16, in the year 19 .

The condition of this obligation is such that whereas the
 18 above bounden has been duly
 19 licensed to conduct a within the
 20 said City of Portland until the day succeeding the first Mon-
 21 day of January next; now if in all respects he shall conform
 22 to the provisions of law relating to the business for which
 23 he is licensed, and to the rules and regulations, as provided
 24 by the board of mayor and aldermen of the City of Port-
 25 land in reference thereto, and shall not violate any law of
 26 the state relating to intoxicating liquors, then this obligation
 27 shall be void, otherwise shall remain in full force.

Sect. 6. Every person so licensed shall pay annually to
 2 the Treasurer of the City of Portland, for the use of said
 3 city, such sum as a license fee as said board may determine;
 4 but said fee shall be uniform and shall not exceed
 5 dollars per annum.

Sect. 7. The city clerk shall issue under his hand all li-
 2 censes, and shall keep an indexed record of the same and
 3 of the bonds filed, together with a record of the convictions
 4 for violation of the provisions of this act.

Sect. 8. When the principal named in any such bond shall
 2 have been convicted twice for violating this act, such second

3 conviction shall *ipso facto* work a forfeiture of his bond and
4 revoke his license; but this section shall not be interpreted
5 to interfere with the right of said board to revoke a license
6 at any time for cause as provided in section 2 of this act.

Sect. 9. No person to whom a license shall have been is-
2 sued under the provisions of this act shall sell, or knowing-
3 ly allow to be sold in or upon the premises designated in
4 such license any intoxicating liquor; nor shall he knowingly
5 suffer or permit any portion of said premises to be used as
6 a house of ill fame, or place of assignation for the purpose
7 of prostitution, fornication or lewdness, or knowingly suf-
8 fer or permit any lascivious cohabitation, adultery, fornica-
9 tion or other immoral practice to be carried on therein.

Sect. 10. Every person conducting in the City of Port-
2 land any hotel or lodging-house as defined and designated
3 in this act shall at all times keep and maintain, or cause to
4 be kept and maintained therein, a standard hotel register
5 in which shall be inscribed with ink or indelible pencil the
6 name of each and every guest or person renting or occupy-
7 ing a room or rooms therein. Such register shall be signed
8 by the person renting such room or rooms, or by some one
9 under his or her direction; and the proprietor of such hotel
10 or lodging-house, or his, her or their agent, shall thereupon
11 write opposite such name or names so registered the num-
12 ber of each room assigned to and occupied by each such
13 guest, together with the time such room is rented; and until
14 all of the aforesaid entries have been duly made in such

15 register, no guest shall be suffered or permitted to occupy
16 privately any room in such hotel or house. When the occu-
17 pant or occupants of each room so rented shall quit and sur-
18 render the same, it shall be the further duty of the proprietor
19 of such hotel or house, or his, her or their agent, to enter the
20 time thereof in such register opposite the name of such occu-
21 pant or occupants. Such register shall be kept open at all
22 times to the inspection of the guests of such hotel or house,
23 and to the inspection of any executive or police officer of
24 the City of Portland. It shall be unlawful for any person
25 knowingly to write, or cause to be written, or knowingly to
26 permit to be written in any such register any other or differ-
27 ent name or designation than the true name of the person
28 registering therein, or than the name by which such person
29 is generally known.

Sect. 11. The person to whom a license shall have been
2 issued to conduct a hotel or lodging-house shall cause each
3 sleeping-room and apartment therein to be numbered in a
4 plain and conspicuous manner by placing such number on
5 the outside door of such room or apartment, and no two
6 such doors shall have the same number.

Sect. 12. It shall be unlawful for any two persons of op-
2 posite sex, except husband and wife, or parent and minor
3 child, to occupy jointly and privately a room in any hotel or
4 lodging-house in the City of Portland; and it shall be unlaw-
5 ful for the proprietor, manager or other person in charge
6 of any hotel or lodging-house whatsoever, as defined in this

7 act, in the City of Portland, knowingly to rent or assign any
8 room or rooms therein to, or to knowingly suffer or per-
9 mit to be rented or assigned to, or privately occupied jointly
10 by, persons of opposite sex, except husband and wife, or
11 parent and minor child; and when any persons of opposite
12 sex making application for a room or rooms are unknown
13 to such proprietor, manager or other person in charge of
14 such hotel or lodging-house, it shall be unlawful for the
15 latter to rent any room or rooms to such applicants unless
16 they have bona fide baggage or are vouched for as husband
17 and wife, or parent and minor child, by some reputable resi-
18 dent of the City of Portland.

Sect. 13. No person to whom a license shall have been
2 issued to conduct a hotel or lodging-house shall rent or let
3 any room to be used for a sleeping-room or for lodging pur-
4 poses in such hotel or lodging-house more than once be-
5 tween the hours of six o'clock in the afternoon and six
6 o'clock in the morning of the next day, except to bona fide
7 travelers with baggage.

Sect. 14. Any person violating any of the provisions of
2 this act shall, upon conviction thereof, be punished by a fine
3 of not more than one hundred dollars (\$100) or by im-
4 prisonment in the county jail for a period of not more than
5 six (6) months, or by both fine and imprisonment in the
6 discretion of the court.

Sect. 15. The Municipal Court of the City of Portland
2 shall have exclusive jurisdiction of all offenses against this

3 act, and the judge of said court shall certify forthwith to
4 the city clerk any and all convictions for violation of the
5 provisions hereof.

Sect. 16. This act shall not be construed to apply to any
2 eleemosynary, religious, benevolent or charitable corporation
3 or association; nor to any private hospital or any incorpo-
4 rated social club which may let rooms solely to its mem-
5 bers or their guests.

Sect. 17. Chapter 167 of the special laws of 1905 and all
2 other acts and parts of acts conflicting with this act are here-
3 by repealed.