

1 **ARTICLE VI**

2 **MOTELS, HOTELS AND EXTENDED-STAY HOTELS.**

3 **Sec. 22-11. Purpose.**

4 (a) The purpose of this ordinance is to ensure the continued availability of quality transient
5 lodging within the City, proper maintenance of hotels, motels, and extended-stay hotels
6 and to protect the health, safety and welfare of hotel, motel, and extended-stay hotel
7 inhabitants.

8 (b) Unless otherwise stated in this ordinance, the requirements of this ordinance apply to
9 those who occupy, visit, patronize, frequent, operate, keep, conduct, or own a hotel,
10 motel, or extended-stay hotel within the City, regardless of the date of the hotel, motel,
11 or extended-stay hotel’s construction.

12 (c) This ordinance is essential to the public’s interest, safety, health, and welfare and this
13 ordinance shall be liberally construed to effectuate its purposes.

14 **Sec. 22-12. Definitions.**

15 “Bona fide employee” shall mean a person who works in the service of the hotel, motel,
16 or extended stay hotel (i.e. the employer) under a contract of hire, whether express or implied,
17 where the employer has the power or right to control or direct the details of what work is to be
18 performed and the manner in which that work is to be performed.

19 “Electronic records” shall mean the identifying information for all patrons and their
20 guests contained in the electronic guest registration system as listed in Section 22-16 of this
21 ordinance, which is recorded at the time of registration and maintained for a period of no less
22 than one hundred eighty (180) days after the rental agreement’s termination.

23 "Extended-stay hotel" shall, for the purpose of this article, mean any structure
24 consisting of one or more buildings, with more than five dwelling units with provisions for
25 living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained,
26 advertised, and held out to the public to be a place where temporary residence is offered for
27 pay (a) to persons for non-transient extended-stays and/or stays longer than thirty (30) days,
28 regardless of the presence of rentals or leases for shorter periods of time; or (b) for stays longer

29 than fifteen (15) days in rooms equipped with kitchen facilities. Or, where more than five
30 percent (5%) of the guest rooms therein contain fixed cooking appliances.

31 “Fixed cooking appliances” shall mean a stove top burner; a hotplate that does not serve
32 as an integral part of an appliance designed solely to produce coffee; a conventional oven; a
33 convection oven; or any oven producing heat using resistance heating elements, induction
34 heating, or infrared heating sources.

35 “Guest” shall mean a person who is not a patron who is present on the premises of a
36 hotel, motel or extended-stay hotel with the express permission of (a) a guest or patron of the
37 hotel, motel or extended-stay hotel and (b) the owner, operator, keeper or proprietor of the
38 hotel, motel or extended-stay hotel.

39 “Hotel” or “motel” shall, for the purpose of this article, mean any structure consisting of
40 one or more buildings, with more than five dwelling units with provisions for transient living,
41 sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and
42 held out to the public to be a place where temporary lodging of thirty (30) days or less is
43 offered for pay to guests, is not intended for long-term occupancy, and does not otherwise
44 meet the definition of an extended-stay hotel as defined in this section. This shall include
45 boutique hotels.

46 “Housekeeping” shall mean the cleaning of guest rooms, guest bathrooms, public area,
47 changing of linen and removal of trash from guest rooms and common areas.

48 “Kitchen facilities” shall mean kitchen amenities including, but not limited to,
49 refrigerators, stoves, ovens, and kitchen-type sink. Amenities limited to a microwave, mini-
50 refrigerator, and/or an appliance designed to produce coffee or tea do not constitute “kitchen
51 facilities” for purposes of this definition.

52 “Loitering” is defined and regulated in Article III of Chapter 38 of this Code.

53 “Manual records” shall mean the identifying information for all patrons and their guests
54 contained in the form of a paper record or reservation book as listed in Sec. 22-19(e) of this
55 ordinance, which is recorded at the time of registration and maintained for a period of no less
56 than one hundred eighty (180) days after the rental agreement’s termination.

57 “Patron” shall mean a person who pays a fee to the owner, operator, keeper or
58 proprietor of the hotel, motel or extended-stay hotel.

59 “Public nuisance” shall mean a condition, obstruction or use of property allowed or
60 continued by any person, legal entity or agent, that interferes with the comfortable enjoyment
61 of life and property by the neighborhood, community, or members of the public; or which can
62 cause hurt, damage, inconvenience or affect or offend an ordinary, reasonable person.

63 “STR Chain Scales Report” means a report produced by Smith Travel Research, a leading
64 lodging industry data and benchmarking firm, which is updated on an annual basis to reflect
65 equivalent Average Daily Rates (ADR) across lodging chains within a particular market or
66 geography.

67 “Vehicle” is any car, truck, trailer, motorcycle, or other machinery used for transporting
68 people or goods and is normally required to be registered with a state in order to be legally
69 operated or towed on a public roadway.

70 “Video Surveillance System” (VSS) means a continuous digital surveillance system
71 including cameras, cabling, monitors, and digital video recorders (DVR).

72 “Visitor” shall mean a person, who is not a patron or guest, who is on the premises of a
73 hotel, motel or extended-stay hotel at the invitation of a patron or guest, but without the
74 express permission of the owner, operator, keeper or proprietor of the hotel, motel or
75 extended-stay hotel.

76 **Sec. 22-13. Provisions applicable to hotels, motels and extended-stay hotels.**

77 (a) Hotels, motels, or extended-stay hotels shall be classified as one of the following chain
78 segments to operate in the city: Economy; Midscale; Upper Midscale; Upscale; Upper
79 Upscale; or Luxury as classified by the STR Chain Scales Report. No hotel, motel, or
80 extended-stay hotel shall be constructed or thereafter be operated unless classified in one
81 of the applicable segments.

82 (b) No hotel, motel or extended-stay hotel is to be converted to or used as an apartment or
83 condominium without zoning and Special Use Permit approval of the Mayor and Council.

84 **Sec. 22-14. Provisions applicable to hotels and motels.**

- 85 (a) No more than five percent (5%) of a hotel or motel's guest rooms shall have Fixed Cooking
86 Appliances located therein. If more than five percent (5%) of a hotel or motel's guest
87 rooms contain Fixed Cooking Appliances, such hotel or motel is considered an extended-
88 stay hotel and subject to the regulations for extended-stay hotels.
- 89 (b) No hotel or motel may be converted to be, and operated as an extended-stay hotel unless
90 in full compliance with each of the provisions for extended-stay hotels.

91 **Sec. 22-15. Provisions applicable to extended-stay hotels.**

- 92 (a) No extended-stay hotel shall be initially constructed or thereafter operated unless in full
93 compliance with each of the provisions for extended-stay hotels.
- 94 (b) All extended-stay facilities shall have a minimum density of sixty (60) guestrooms per
95 gross acre of development.
- 96 (c) The minimum square footage per guest room of an extended-stay hotel shall be three-
97 hundred (300) square feet and limited to two adults per room. An additional adult is
98 allowed per each additional seventy-five (75) square feet of floor area up to and including
99 a maximum of four (4) adults.
- 100 (d) The extended-stay hotel shall be no less than three (3) stories in height.
- 101 (e) All extended-stay hotels must provide a minimum of seven-hundred-fifty (750) square
102 feet for recreational use by guests. In computing the seven-hundred-fifty (750) square
103 feet requirement, swimming pools, fitness or recreation centers and other recreational
104 facilities may be used in determining the square footage required by this subsection. An
105 extended-stay hotel is considered constructed only once a certificate of occupancy is
106 issued.
- 107 (f) Maid service shall be included within the standard room rate of an extended-stay hotel.
108 Maid service shall be provided no less frequently than once every seven (7) days. Rooms
109 must be cleaned before each new guest checks in.
- 110 (g) Each guest room having a fixed cooking appliance shall be required to also include a
111 maximum sixty (60) minute automatic power-off timer for each such unit.
- 112 (h) No guestrooms shall have connecting doors between the rooms.

- 113 (i) Exterior security cameras shall be mounted to the outside of the building to provide
114 camera coverage of the entire parking area and all guest entrances and exits.
- 115 (j) The City may re-evaluate the chain scale classification report every twelve (12) months to
116 reflect current market conditions.
- 117 (k) The common areas and unoccupied rooms of an extended-stay hotel are subject to
118 inspection by the City of Snellville Police Department, City of Snellville Code Enforcement,
119 Gwinnett County Fire Department and/or the Gwinnett County Health Department if
120 there is suspicion that the extended-stay hotel is being used for criminal activity, housing
121 of last resort, or in violation of the zoning ordinance or conditions of zoning.

122 **Sec. 22-16. Responsibilities and access requirements.**

- 123 (a) No owner, operator, keeper or proprietor of a hotel, motel, or extended-stay hotel shall
124 provide lodging at an hourly rate.
- 125 (b) For any hotel, motel, or extended stay hotel permitted for construction after April 22,
126 2019, any public-facing entry points to the premises must require a magnetic or electronic
127 keycard/locking device for access. Public-facing entry points shall be locked between the
128 hours of 9:00 p.m. and 6:00 a.m. and shall be equipped with an alarm or other device that
129 will alert hotel, motel or extended-stay hotel security or other employees that the door
130 has been opened. These requirements are not applicable to entry points that enter
131 directly into the lobby of the hotel, motel, or extended stay hotel as long as the lobby is
132 manned by a bona fide employee twenty-four (24) hours a day. These requirements are
133 also not applicable to entry points that enter directly into a banquet hall, conference
134 room, or other facility utilized for a special event or meeting hosted by a hotel, motel, or
135 extended-stay hotel as long as there is a bona fide employee staffing the banquet hall,
136 conference room, or other facility utilized for the duration of that event.
- 137 (c) Notwithstanding Sec. 22-17(a) and Sec. 22-18(a), an owner, operator, keeper or
138 proprietor of a hotel, motel, or extended-stay hotel may designate no more than three
139 rooms for the purpose of allowing any number of bona-fide employees and their family to
140 reside on the premises. Rooms designated for employee residences must be clearly
141 marked as distinct from rooms held out for rent and, where practical, must be located

142 adjacent to other rooms designated for employee residences. Rooms designated for
143 employee residences may not be held out for rent to the public.

144 **Sec. 22-17. Maximum Length of Occupancy (Hotels and Motels).**

145 (a) No hotel or motel located within the City shall allow any person to occupy such hotel or
146 motel for more than thirty (30) consecutive days, nor more than sixty (60) days during a
147 one hundred eighty (180) day period. No guest residing for more than thirty (30)
148 consecutive days shall begin a new rental agreement with the hotel or motel without a
149 two (2) day vacancy between stays.

150 **Sec. 22-18. Maximum Length of Occupancy (Extended-Stay Hotels).**

151 (a) No extended-stay hotel located within the City shall allow more than ten (10) percent of
152 individual guest rooms to be occupied by any person for more than one hundred and
153 eighty (180) consecutive days unless otherwise permitted in this section. No guest
154 residing for more than one hundred and eighty (180) consecutive days shall begin a new
155 rental agreement with the extended stay hotel without at least a two (2) day vacancy
156 between stays.

157 (b) Notwithstanding subsection (a) of this section, a stay in excess of one hundred and eighty
158 (180) consecutive days may occur in the following situations:

159 (1) Where there is a written contract or documented agreement between an extended-
160 stay hotel and a business, corporation, firm or governmental agency to house
161 employees or individuals on valid work orders;

162 (2) Where there is documentation, consistent with HIPPA privacy rules, that a hotel guest
163 is considered family or is providing care for a patient who is admitted at local hospital;
164 or

165 (3) When an insurance company or federal, state or local agency has provided
166 documentation that a hotel guest has been displaced from their home by a natural
167 disaster or fire.

168 **Sec. 22-19. Responsibilities, access, and registration requirements.**

169 (a) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel
170 shall, without delay, report violations of law to the City of Snellville Police Department

171 that were either witnessed or made known to them by an employee, patron, guest, visitor
172 or other person on the premises.

173 (b) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel
174 shall, at all times during which the premises accommodates patrons, guests or visitors
175 maintain on duty a responsible front desk clerk capable of assisting, communicating, and
176 cooperating with the police or other law enforcement officials in maintaining the public
177 health, welfare, and safety.

178 (c) All information required to be procured and kept pursuant to this ordinance shall be kept
179 strictly confidential in accordance with state and federal law and shall not be provided to
180 any person except to a federal or state law enforcement officer or to any officer
181 empowered to enforce this ordinance.

182 (d) All information required to be procured and kept pursuant to this ordinance shall be
183 provided to any federal, state or local sworn law enforcement officer having the lawful
184 power to arrest, upon demand of the officer and a representation by said officer that a
185 reasonable suspicion exists that such information is relevant to a then-pending inquiry or
186 investigation. Nothing in this requirement shall be construed as giving any such officer any
187 greater right or license to enter a room or invade privacy than the officer shall otherwise
188 possess as a matter of law, probable cause, constitutional law, statutory right, or warrant.

189 (e) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel
190 shall keep a record of all rental agreements between the hotel, motel, or extended-stay
191 hotel and all patrons and their guests, and make these records available to the City within
192 a reasonable time upon request. For the purposes of this section, the term "record" shall
193 mean the hotel, motel, or extended-stay hotel's electronic guest registration system
194 which stores guest identifying information. In the event the hotel, motel, or extended-stay
195 hotel does not have an electronic guest registration system, the hotel, motel, or
196 extended-stay hotel shall record the guest, patron and their guest's information in a paper
197 record or reservation book. The following information, at a minimum, must be recorded
198 at the time of registration and maintained for a period of no less than one hundred eighty
199 (180) days after the rental agreement's termination:

- 200 (1) The full name, phone number, and home address of each patron and overnight guest.
201 If the patron is a tourism company or other business, only the patron shall be required
202 to provide this information;
- 203 (2) The total number of occupants (patrons and guests) registered in each room;
204 (3) The room number assigned to each patron and guest;
205 (4) The day, month, year and time of arrival of each patron and guest;
206 (5) The day, month, year each patron and each guest is scheduled to depart;
207 (6) Upon departure, record of departure day, month, and year for each patron and guest;
208 (7) The rate charged and amount collected for rental of the room;
209 (8) The method of payment for each room;
210 (9) The make, model, year, color, license plate number, and license plate state of the
211 patron and guest's vehicle if the vehicle will be parked on the premises; and
212 (10) Documentation used to verify a stay in excess of one hundred and eighty (180)
213 consecutive days as stated in Sec. 22-18(b).
- 214 (f) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel
215 shall require each patron to provide proper identification prior to renting a room when
216 registering in person. Proper identification is defined as a current and valid government
217 issued photo identification card such as a driver's license, military identification card, state
218 identification card, or passport. A record of the provided identification shall be kept on file
219 for the duration of the occupancy and for one hundred eighty (180) days thereafter.
- 220 (g) Annually, the City shall provide every owner, operator, keeper or proprietor of any hotel,
221 motel, or extended-stay hotel with a list of crimes and ordinance violations that occurred
222 on the property in the previous year.
- 223 (h) No person shall procure or provide lodging in any hotel, motel, or extended-stay hotel, or
224 any services therefrom, through misrepresentation or production of false identification, or
225 identification which misrepresents the identity of the person procuring or sharing in such
226 lodging or service.
- 227 (i) Change of location or name.

228 (1) No applicant shall operate, conduct, manage, engage in, or carry on a hotel, motel, or
229 extended-stay motel/hotel under any name other than his name and the name of the
230 business as specified on the occupation tax certificate.

231 (2) Any application for an extension or expansion of a building or other place of business
232 where a hotel, motel, or extended-stay motel/hotel is located shall require inspection
233 and shall comply with all applicable codes and regulations.

234 **Sec. 22-20. Vehicles, Parking, and Registration.**

235 (a) All handicap parking must be in compliance with state and local laws.

236 (b) All vehicles must be parked in designated parking spaces. All vehicles must be parked
237 nose-in (backed in parking is not permitted) such that the vehicle's rear license plate is
238 visible. This section does not apply to oversized vehicles or trailers. Every owner,
239 operator, keeper or proprietor of a hotel, motel, and extended-stay hotel must provide
240 patrons and guests who have registered oversized vehicles or trailers a separate
241 designated parking area for their vehicles.

242 (c) All vehicles parked on any premises must be in good working order.

243 (d) Vehicle maintenance in parking lots is prohibited.

244 (e) No outside storage or permanent parking of equipment or vehicles shall be allowed.

245 (f) All patrons and guests who wish to park a vehicle on the premises must register said
246 vehicle with the hotel, motel, or extended-stay operator upon initial registration, during
247 any future re-registration, or at any time after registration when they begin parking a
248 vehicle on the premises. Hotel, motel, extended-stay operators must record the vehicle's
249 information in accordance with Sec. 22-19(e)(10).

250 (g) Every owner, operator, keeper or proprietor of a hotel, motel, and extended-stay hotel
251 must provide patrons and guests registering a vehicle with a standardized placard that
252 must at all times be hung from the vehicle's rear view mirror, placed on the vehicle's front
253 dash, or affixed to the vehicle in a way that can be easily seen from outside the vehicle.
254 At a minimum, the placard will contain the following information: hotel, motel, and
255 extended-stay name, vehicle registration number and state, and date of check-out. Any

256 hotel, motel, or extended hotel with gated and controlled access parking accessible only
257 to registered guests and employees are exempt from this subsection (e).

258 **Sec. 22-21. Room requirements, equipment and services.**

259 (a) Every operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel
260 shall keep and maintain in each and every rental unit, a telephone equipped to place a
261 direct call to 911.

262 (b) No operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel
263 shall rent or provide a room for any number of persons greater than the sleeping
264 accommodations provided within the particular rental unit or temporary sleeping
265 accommodations provided by the hotel, motel, or extended-stay hotel.

266 (c) No operator, owner, keeper, or proprietor, patron, visitor or guest of any hotel, motel, or
267 extended-stay hotel shall be allowed to congregate within any room or single rental unit a
268 number of persons which is greater than two (2) times the number of persons for whom
269 sleeping accommodations are provided within the single room or rental unit except when
270 temporarily designated as a hospitality suite by the hotel, motel, or extended-stay hotel.

271 (d) Daily housekeeping shall be included within the standard room rate of any hotel, motel,
272 or extended stay hotel. At a minimum, rooms must be cleaned before each new guest
273 checks in and no less frequently than once every seven (7) days. Each hotel, motel, and
274 extended-stay hotel must maintain a log that documents when each room is cleaned. The
275 log must be maintained for one hundred and twenty (120) days for extended-stay hotels
276 and must be maintained for thirty (30) days for hotels and motels. Any hotel, motel, or
277 extended-stay hotel must make these records available to the County within a reasonable
278 time upon request.

279 (e) The utilization of clothes-lines or other clothes-drying equipment or facilities outside of a
280 room that are located on or are visible from the outside of a room are prohibited.
281 Balconies and railings are not to be used for hanging towels, personal items or any other
282 articles of clothing.

283 (f) No occupational tax certificate shall be issued for the purpose of conducting business
284 from a guest room of a hotel, motel, or extended-stay hotel, and no home occupation
285 shall be conducted from such room.

286 (g) Each new and existing guest room of a hotel, motel, or extended-stay hotel shall be
287 equipped with a hard wired smoke detector or smoke alarms whose device housing is
288 tamper-resistant and is powered by a non-replaceable, non-removable energy source
289 capable of powering the alarm for a minimum of ten years from the manufacture's date
290 on the device.

291 (h) All new hotels, motels and extended stay hotels must have in place Laundry facilities
292 consisting of washer and dryer machines which shall be made available to patrons for a
293 fee. This equipment shall be maintained and in good repair at all times. Laundry supplies
294 (detergent, softener, etc.) may also be made available to patrons for a fee. A minimum of
295 three (3) washers and three (3) dryers shall be provided. For existing hotels, motels and
296 extended-stay hotels, Laundry equipment must be installed and in working conditions
297 within 180 days after the effective date of this ordinance.

298 **Sec. 22-22. Common area requirements and parking illumination.**

299 (a) Exterior doors (other than lobby doors) shall be locked between the hours of 9:00 p.m.
300 and 6:00 a.m. and shall be equipped with an alarm or other device that will alert hotel,
301 motel, or extended-stay hotel security or other employees the door has been opened.

302 (b) The open parking area and all areas surrounding any building or proposed building being a
303 hotel, motel, or extended-stay hotel shall have an average maintained foot-candle
304 intensity of at least one (1) foot-candle with a minimum allowable intensity of three-
305 tenths of a foot-candle. The covered parking area of any hotel, motel, or extended-stay
306 hotel shall have an average maintained foot-candle intensity of five-tenths of a foot-
307 candle.

308 (c) Any hotel, motel, or extended-stay hotel must provide and maintain security in its parking
309 area. This may include the following: live patrol guard, security fencing that is decorative
310 and consistent with the zoning code, or other security measure approved in writing by the
311 chief of police.

312 (d) Graffiti and markings or insignia that may indicate the presence or associate of a street
313 gang shall be removed within twenty-four (24) hours.

314 **Sec. 22-23. Smoking.**

315 (a) Smoking is prohibited in all hotel, motel, or extended-stay hotel spaces with the exception
316 of designated smoking rooms. Designated smoking rooms rented by guests shall not
317 comprise more than twenty-five percent (25%) of the total number of rooms available for
318 rent.

319 (b) Smoking is prohibited in all areas except in designated smoking areas. Smoking is
320 expressly prohibited in exterior breezeways, stairwells, or within twenty (25) feet of any
321 guest room.

322 **Sec. 22-24. Video Surveillance Systems.**

323 (a) Every owner, operator, keeper or proprietor of any new or existing hotel, motel, or
324 extended-stay hotel is required to install a Video Surveillance System (VSS) within one
325 year of the effective date of ordinance. All hotels, motels, and extended-stay hotels,
326 which have installed a VSS prior to the effective date of this ordinance, shall ensure said
327 systems are in full compliance with this section and request an approval assessment from
328 the chief of police within thirty (30) days of the effective date of this ordinance.

329 (b) All VSS shall be maintained in proper working order at all times, be kept in continuous
330 operation twenty-four (24) hours a day, seven (7) days a week, and meet the minimum
331 technological standards established in this section. The hotel, motel, or extended-stay
332 hotel shall retain the continuous digital images recorded by this system for no less than
333 twenty-one (21) days.

334 (c) All VSS shall have no less than one camera dedicated to each register or check-out stand,
335 entrance/exit, interior hallway and lobby, swimming pool area, exercise facility, loading
336 dock, and parking lots or areas designated for customer and/or employee parking use.
337 The placement of cameras included in VSS required under this section must be approved
338 by the chief of police. The chief of police will conduct an assessment of each site required
339 to install a VSS prior to installation of said system, and upon approval will issue an
340 approval notice which will be placed in plain view inside the common area of the hotel,

341 motel, or extended-stay hotel. This approval notice will also inform customers and
342 employees of the presence of the VSS. Existing VSS at any hotel, motel, or extended-stay
343 hotel as of the effective date of this ordinance will be evaluated to ensure full compliance
344 with this section.

345 (e) The VSS shall be subject to regular inspection by the chief of police, who is authorized to
346 inspect any such System, at reasonable times to determine whether it conforms to this
347 section. If the VSS does not conform, the hotel, motel, or extended-stay hotel, in question,
348 shall take immediate steps to bring the system back into compliance.

349 (f) The City of Snellville Police Department will develop and maintain VSS Standards that
350 provide the minimum standards for VSS equipment, installation, and maintenance.

351 **Sec. 22-25. Loitering.**

352 (a) All hotel, motel, or extended-stay hotel operators will advise patrons and guests verbally,
353 upon registration, and through posted signage that loitering is prohibited.

354 (b) No person(s) shall loiter in or upon any hotel, motel, or extended-stay hotel parking lot,
355 public parking structure or in or around any building to include breezeways, stairwells or
356 hotel, motel, or extended-stay hotel rooms either on foot or in or upon any conveyance
357 being driven or parked thereon, without the permission of the owner, operator, keeper or
358 proprietor or the hotel, motel, or extended-stay hotel.

359 **Sec. 22-26. Violations and penalties.**

360 (a) Any violation of the provisions of this article shall be punishable under Sec. 1-11 of this
361 code. Any person or entity violating the provisions of this article shall be guilty of a
362 separate offense for each and every day during which any violation of any provision of this
363 article is committed, continued, or permitted by that person and shall be punished
364 accordingly.

365 (b) The violation of the provisions of this article may be abated as a nuisance.

366 (c) The violation of all provisions of this article by any person may be enjoined by instituting
367 appropriate proceedings for injunction in any court of competent jurisdiction. Such
368 actions may be maintained notwithstanding that other adequate remedies of law exist.
369 Such actions may be instituted in the name of The City of Snellville, Georgia.

- 370 (d) If a person is convicted of a violation of this article, the court shall impose a fine in
371 accordance with the following schedule:
- 372 (1) First conviction in a calendar year: a minimum of \$250;
 - 373 (2) Second conviction in a twelve (12) month period measured from the date of the first
374 conviction: a minimum of \$500;
 - 375 (3) Third conviction in a twelve (12) month period measured from the date of the first
376 conviction: a minimum of \$750; and
 - 377 (4) Fourth conviction in a twelve (12) month period measured from the date of the first
378 conviction: a minimum of \$1,000.

379 **Sec. 22-27. Responsibility for enforcement.**

- 380 (a) City employees, including employees or agents of the City of Snellville Police Department,
381 City of Snellville Code Enforcement, Gwinnett County Fire Department, and Gwinnett
382 County Board of Health shall have the responsibility for the enforcement of this section.
383 Sworn officers of the City of Snellville Police Department, City of Snellville Code
384 Enforcement, Gwinnett County Fire Department, Gwinnett County Board of Health, and
385 designated civilian employees shall have the authority to inspect establishments governed
386 under this section during the hours in which the premises are open for business.
- 387 (b) These inspections shall be made for the purpose of verifying compliance with the
388 requirements of this section and state law.

389 **Sec. 22-28. Right of Entry.**

- 390 (a) When there is probable cause to make an inspection to enforce the provisions of this
391 article, or whenever there is reasonable cause to believe that there exists a condition in
392 violation of this code, personnel identified in Sec. 22-27 of this code are authorized to
393 enter the structure or premises, including individual rooms, at reasonable times to inspect
394 or perform the duties imposed by this Code.
- 395 (b) If such structure or premises is occupied, City/County personnel shall present credentials
396 to the occupant and request entry. If entry is refused by occupant, City/County personnel
397 shall have recourse to the remedies provided by law to secure entry. If such structure or
398 premises is unoccupied, City/County personnel shall first make a reasonable effort to

399 locate the owner or other person having charge or control of the structure or premises
400 and request entry. If entry is refused by the owner or other person having charge or
401 control of the structure refuses entry, City/County employees shall have recourse to all
402 methods of entry allowed by law, and the owner and responsible party shall be in
403 violation of this article and subject to punishment under Sec. 1-11 of this Code.

404 **Sec. 22-29. Unlawful operation declared nuisance.**

405 Any hotel, motel, or extended-stay hotel operated, conducted or maintained contrary to the
406 provisions of this article may be declared to be unlawful and a public nuisance. The City may, in
407 addition, or in lieu of all other remedies, commence actions or proceedings for abatement,
408 removal or enjoinder thereof, in the manner provided by state law and this Code.

409

DRAFT