

CHAPTER 327

HOTELS AND PUBLIC RESORTS

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327.01 INNKEEPER'S LIABILITY TO GUEST LIMITED IF SAFE IS PROVIDED. No inn or hotel keeper who has constantly in his or its inn or hotel a metal safe or suitable vault in good order and fit for the custody of money, bank notes, jewelry, articles of gold and silver manufacture, precious stones, personal ornaments, railway mileage books or tickets, negotiable or valuable papers, and bullion, and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and suitable fastenings on the transoms and windows of the rooms, and who keeps a copy of this section, printed in distinct type, constantly and conspicuously posted in the office and on the inside of the entrance door of every bedroom and of every parlor and other public room in the building, shall be liable for the loss of or injury to property suffered by any guest unless such guest has offered to deliver the same to such innkeeper or hotel keeper for custody in such metal safe or vault, and such innkeeper or hotel keeper has omitted or refused to take the same and deposit it in such safe or vault for custody and to give such guest a receipt therefor. The keeper of any such inn or hotel shall not be liable for the loss, destruction, or injury of or to any property hereinbefore described for more than the sum of \$300 unless the same shall be lost, destroyed, or injured through theft or negligence of such innkeeper or hotel keeper. No keeper of any inn or hotel shall be required to accept for safe-keeping, as aforesaid, property in excess of the value of \$500 unless such acceptance thereof is in writing.

[1919 c. 511 s. 1; 1921 c. 479 s. 1] (7312)

327.02 LOSS OR INJURY TO BAGGAGE; LIMITATION OF INNKEEPER'S LIABILITY. For the loss of or injury to the kind of baggage or property enumerated in this section, when actually delivered to the hotel proprietor or innkeeper for safe-keeping elsewhere than in the room assigned to such guest, the hotel proprietor or innkeeper shall not be liable unless such hotel proprietor or innkeeper shall have given the guest a check or receipt therefor to evidence such delivery; and when so received and checked the liability shall be limited to the following amounts:

- \$150 for each trunk and its contents;
- \$ 50 for each valise or traveling-case and its contents;
- \$ 10 for each box, parcel, or package and its contents; and
- \$ 50 for wearing apparel.

If any such property of a guest when not so delivered for safe-keeping shall be lost or injured in such hotel or inn through the negligence of such hotel proprietor or innkeeper, such hotel proprietor or innkeeper shall be liable for the actual value thereof.

[1919 c. 511 s. 2] (7313)

327.03 LIABILITY OF HOTEL AND INNKEEPER. The liability of the keeper of a hotel or inn for loss, injury, or damage to the personal property of a guest of the character described in section 327.02, while contained in the room assigned to such guest, shall be that of a bailee for hire, and such liability shall not exceed for any one guest on account of such property the sum of \$500, provided, that such loss or damage to such property shall not have resulted from the fault or negligence of such hotel or innkeeper.

[1921 c. 479 s. 2] (7314)

327.04 LOSS OR INJURY TO OTHER RECEPTACLES AND APPAREL. For the loss of or injury to baggage or property of a guest not enumerated in sections 327.01 or 327.02, such as trunks, valises, traveling-cases, or other receptacles not suitable to be placed in the safe, containing property of special or unusual value delivered to the hotel proprietor or innkeeper for safe-keeping or other purpose, the hotel proprietor or innkeeper shall not be liable unless the owner or person delivering such property shall at the time of such delivery acquaint the hotel proprietor or innkeeper with the approximate value thereof, and, if demanded, with the nature of the contents thereof, and such hotel proprietor or innkeeper shall receive such property and give a check or receipt therefor; and, in such case, the liability shall not exceed the actual value of such receptacle and contents lost or the amount of the actual injury thereto.

When any person shall suffer his baggage or property to remain in any hotel after leaving such hotel as a guest, and after the relation of innkeeper and guest has ceased, or shall forward the same to such hotel before becoming a guest, and the same shall be received into such hotel, such hotel proprietor, after the lapse of ten days, may, at his or its option, hold such baggage or property at the risk of such owner, or he shall have the right to deposit such baggage or property in a storage warehouse, in which event he shall take from the proprietor of such storage warehouse a receipt for the same, in the name of the owner thereof, and hold the same for such owner; and such hotel proprietor, after he shall have so deposited such baggage or property in such storage warehouse, shall not be responsible for the loss thereof to such owner, provided he shall deliver to the owner of such baggage or property the storage warehouse receipt upon demand. Proof, on behalf of the guest, of the bringing of his property to the hotel or inn under the foregoing provisions, the loss thereof, and ordinary care on his part, shall be proof prima facie of negligence on the part of the hotel keeper or innkeeper.

[1919 c. 511 s. 3] (7315)

327.05 LIEN OF INNKEEPER. Every innkeeper, hotel keeper, and keeper of a boarding house or lodging house, whether individual, copartnership, or corporation, shall have a lien upon and may retain the possession of all the baggage and other effects brought into his or its inn, hotel, boarding house, or lodging house by any guest, boarder, or lodger, whether the same is the individual property of such guest, boarder, or lodger or under his control, or the property of any other person for whose board, lodging, or other accommodation the person contracting for such board and lodging is liable for the proper charges owing such innkeeper, hotel keeper, or keeper of a boarding house or lodging house for any board, lodging, or other accommodation furnished to or for such guest, boarder, or lodger, and for all money paid out for or advanced to any such guest, boarder, or lodger, not to exceed the sum of \$200, and for such extras as are furnished at the written request signed by such guest, boarder, or lodger until the amount of such charges is paid, and any execution, attachment, or other process levied upon such baggage or effects shall be subject to such innkeeper's lien and the cost of satisfying it.

[1919 c. 511 s. 4] (7316)

327.06 RETENTION OF BAGGAGE. The innkeeper or hotel keeper may retain such baggage and other property upon which he has a lien for goods, board, or lodging furnished to the owner thereof, for a period of 90 days, at the expiration of which time, if such lien is not satisfied, such baggage and other property may be sold at public auction to satisfy the lien and the costs of sale. The sale shall be made by a sheriff or constable upon the notice and in the manner provided for in the case of sale under execution from justice courts.

[1919 c. 511 s. 5] (7317)

327.07 VIOLATION A MISDEMEANOR. Any person who shall obtain food, lodging, or other accommodations at any hotel, lodging house, inn, boarding or eating house, without paying therefor, with intent to defraud the owner or manager thereof, or who obtains credit at any hotel, lodging house, inn, boarding or eating house by or through any false pretense, or by or through the aid, assistance, or influence of any baggage or effects in his possession and control, but not actually belonging to such person, shall be guilty of a misdemeanor; and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment in the county jail for not more than 90 days.

[1919 c. 511 s. 6] (7318)

327.08 PROOF OF FRAUD. Proof that food, lodging, or other accommodations was obtained by false pretense or by false or fictitious show or pretense of baggage or other property, or proof that the person refused or neglected to pay for such food, lodging, or other accommodations on demand, or that he gave in payment of such food, lodging, or other accommodations negotiable paper on which payment was refused, or that he absconded without offering to pay for such food, lodging, or other accommodations, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section 327.07; but sections 327.01 to 327.08 shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days.

[1919 c. 511 s. 7] (7319)

327.09 EQUAL RIGHTS IN HOTELS. No person shall be excluded, on account of race, color, national origin, or religion from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, barber shops, saloons, restaurants, or other places of refreshments, entertainment, or accommodations. Every person who violates any provision of this section, or aids or incites another to do so, shall be guilty of a gross misdemeanor, and, in addition to the penalty therefor, shall be liable in a civil action to the person aggrieved for damages not exceeding \$500.

[R. L. s. 2812; 1943 c. 579 s. 1] (7321)

327.10 TOURIST CAMP OPERATOR SHALL REGISTER NAME, ADDRESS, AND VEHICLE NUMBER OF GUEST. Every person operating within this state a tourist camp, cabin camp, or other resort furnishing sleeping or over-night stopping accommodations for transient guests, shall provide and keep thereat a suitable guest register for the registration of all guests provided with sleeping accommodations or other over-night stopping accommodations at such camp or resort; and every such guest shall be registered therein. Upon the arrival of every such guest, the operator of such camp or resort shall require him to enter in such register, or enter for him therein, in separate columns provided in such register, the name and home address of the guest and every person, if any, with him as a member of his party; and, if traveling by motor vehicle, the make of such vehicle, registration number, and other identifying letters or characters appearing on the official number plate carried thereon, including the name of the state issuing such official plate.

[1937 c. 186 s. 1] (10536-5)

327.11 GUEST SHALL REGISTER UPON ARRIVAL. Every person, upon arriving at any tourist camp, cabin camp, or other resort described in sections 327.10 to 327.13 and applying for guest accommodations therein of the character described in section 327.10, shall furnish to the operator or other attendant in charge of such camp or resort the registration information necessary to complete his registration in accordance with the requirements of section 327.10, and shall not be provided with accommodations unless and until such information shall be so furnished.

[1937 c. 186 s. 2] (10536-6)

327.12 REGISTRATION RECORDS OPEN FOR INSPECTION OF OFFICERS. The registration records provided for in sections 327.10 to 327.13 shall be open to the inspection of all law enforcement officers of the state and its subdivisions.

[1937 c. 186 s. 3] (10536-7)

327.13 VIOLATION A MISDEMEANOR. Every person who shall violate any of the provisions of sections 327.10 to 327.12 shall be guilty of a misdemeanor.

[1937 c. 186 s. 4] (10536-8)