September 12, 2019

Detroit City Council
1340 Coleman A. Young
Municipal Center
Detroit, Michigan 48226

RE: Proposed ordinance to amend Chapter 36 of the 2019 Detroit City Code

Honorable City Council:

Council Castañeda-López has requested that the Law Department prepare an ordinance to amend Chapter 36, Public Lodging, Article I, Public Accommodations, of the 2019 Detroit City Code to provide a definition of the term “hostel”, to provide for requirements specific to hostels in the City of Detroit, and to relocate and amend the licensing for the article to Division 4, Licenses. A copy of the ordinance which has been approved as to form is attached for your consideration.

SEP 19 2019 — MTF SB (3o)

Respectfully submitted,

[Signature]
Tonia R. Long
Supervising Assistant Corporation Counsel
Municipal Section

Enclosure

cc: Stephanie Washington, Mayor’s Liaison
BY COUNCIL MEMBER Castaneda-Lopez:

AN ORDINANCE to amend Chapter 36 of the 2019 Detroit City Code, Public Lodging, Article I, Public Accommodations, Division 1, Generally, by amending Section 36-1-1 to add a definition of "hostel"; to add substitute Division 3, Hostels, to provide for requirements specific to hostels in the City; and to relocate and amend the licensing provisions for the Article to Division 4, Licenses, and to include hostels in the licensing requirements of public accommodations.

IT IS HEREBY ORDEIGNED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 36 of the 2019 Detroit City Code, Public Lodging, Article I, Public Accommodations, Division 1, Section 36-1-1; Division 3, Section 36-1-41; and Division 4, 36-1-51 to read as follows:

Chapter 36. PUBLIC LODGING

ARTICLE I. PUBLIC ACCOMMODATIONS

DIVISION 1. GENERALLY

Sec. 36-1-1. Definitions.

For purposes of this article, the following terms shall have the meanings respectively ascribed to them by this section:

Bed and breakfast inn means, as likewise defined in Section 4b of the Stille-DeRosett-Hale Single State Construction Code Act, being MCL 25.1504b, and Section 50-16-131 of this Code, a single-family dwelling that meets both of the following criteria:

(1) Has ten or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper, one or more of which are available for rent to transient tenants; and

(2) Serves breakfast at no extra cost to its transient residents.
Dwelling means, as likewise defined in Section 50-16-172 of this Code, any building, or part thereof, that is designed for or occupied, in whole or in part, as the home, residence, or sleeping place of one or more persons, either continuously, permanently, temporarily, or transiently.

Dwelling Unit means, as likewise defined in Section 50-16-172 of this Code, a building or part thereof, that is it designed and used for residential occupancy by a single "family" and that includes exclusive sleeping, cooking, eating and sanitation facilities.

Hostel means, as likewise defined in Section 50-16-462 of this Code, an overnight lodging facility, in a building originally constructed for other than use as a single-family dwelling or two-family dwelling, offering temporary lodging and services related to hostelling that is operated, managed, or maintained under sponsorship of a nonprofit or for-profit organization, providing beds for rent on a daily basis in individual rooms or dormitories, and typically characterized by low cost, shared use of a self-service kitchen, common areas, sleeping rooms, and bathroom facilities. This use does not include emergency shelters, boarding houses, single-room-occupancy housing, pre-release adjustment centers, or halfway houses.

Hotel means, as likewise defined in Section 50-16-243 of this Code, a building, or part of a building, or group of buildings, on a single zoning lot, designed for or primarily occupied by transients that contains more than ten rooms or dwelling units, and in which fewer than 25 percent of said units are independently accessible from the outside without the necessity of passing through the main lobby of the building, that is designated by the operator as a motor lodge, motor inn, or any other title intended for identification as providing lodging for compensation, and that is with or without a general kitchen and public dining room for the use of the occupants.

Licensee means any individual, partnership, corporation, association, or other legal entity licensed pursuant to this article.
Motel means, as likewise defined in Section 50-16-303 of this Code, a building, or part of a building, or group of buildings, on a single zoning lot, designed for or primarily occupied by transients that contains more than ten rooming or dwelling units, where 25 percent or more of said units are independently accessible from the outside without the necessity of passing through the main lobby of the building, that is designated by the operator as a motor lodge, motor inn, or any other title intended for identification as providing lodging for compensation, and that is with or without a general kitchen and public dining room for the use of the occupants.

Nonprofit single room occupancy housing means, as likewise defined in Section 50-16-383 of this Code, service-enhanced, single-room housing, provided by an entity recognized by the Internal Revenue Service as holding non-profit, tax-exempt status, which housing is primarily for individuals residing without children, such individuals being capable of independent living; whose dwellings units may or may not provide separate sanitary and food-preparation facilities; and sometimes operates as a hotel although permanent residency is an anticipated feature of the housing but does not mean a public lodging house or a rooming house.

Public lodging house means, as likewise defined in Section 50-16-284 of this Code, a commercial establishment or place in which five or more members of the public, whether travelers or not, are charged for or pay for sleeping quarters in the form of cots or beds in the same room.

Rooming house means, as likewise defined in Section 50-16-363 of this Code, a dwelling that is occupied by the owner, or the owner’s agent, consisting of:

1. Not more than two dwelling units; and
2. Not more than ten rooming units without cooking or kitchen accommodations for individual leasing or renting rooms.

Rooming unit means, as likewise defined in Section 50-1-363 of this Code, a room rented as sleeping and living quarters but without cooking facilities and with or without an individual
bathroom, provided, that in a suite of rooms without cooking facilities, each room which provides
sleeping accommodations shall be counted as one rooming unit for purposes of this article.

**DIVISION 2. PUBLIC LODGING HOUSES**

Secs. 36-1-34 – 36-1-50. Reserved.

Secs. 36-1-34 - - 36-1-40. Reserved.

**DIVISION 3. HOSTELS**

Sec. 36-1-41. Requirements specific to hostels.

Hostels shall be subject to the following provisions:

1. A hostel shall provide 24-hour management staffing when occupied.

2. A hostel shall provide common interior space for residents, which may consist of a

   community kitchen, dining area, sitting area, or lobby.

3. A hostel shall provide individual lockers or locked luggage rooms.

4. Each sleeping room shall have a separate smoke alarm as required in the Michigan

   Building Code.

5. A fire escape plan shall be developed and geographically displayed in each guest

   room.

6. The use of a hostel is limited to a maximum of 17 consecutive days. There shall be

   a minimum of 21 days between stays for repeat visitors.

7. A hostel shall provide a minimum of one lavatory, one shower, and one

   handwashing facility per 15 sleeping spaces. Lavatories, showers, and

   handwashing facilities must either be designed for the private use of a single user

   or divided into male and female facilities that are physically separate and distinct

   for the purpose of maintaining lodger privacy. Lavatories and bathing facilities

   shall be available to all persons using the premises.
(8) All prospective lodgers shall provide a government issued identification or driver's license, passport, municipal identification, or an international student identification card as a condition of lodging.

(9) Lodging by minors under the age of 18 without a parent, legal guardian or an adult leader of an organized group shall not be permitted.

(10) Management shall adopt, inform lodgers of, and strictly enforce rules of conduct of its guests to ensure the operation of the hostel is not detrimental to the health, safety, peace or welfare of the neighborhood. All rules for the hostel shall be conspicuously displayed at locations throughout the premises and shall be printed in multiple languages to accommodate foreign travelers. These rules shall include, but not be limited to, the following:

a. Specific times for check-in, check-out; day time lock-out (for cleaning purposes) and a nighttime curfew, where applicable;

b. No animals may be kept on the premises with the exception of service animals as defined in MCL 287.291; and

c. No amplified music is allowed in any sleeping area.

(11) A hostel shall not exceed building occupancy limits established by the Buildings, Safety Engineering, and Environmental Department.

(12) The owner(s) or management of the hostel shall comply with all provisions and guidelines of Title VIII of the Fair Housing Act of 1968.

(13) A hostel shall provide clean bedding for each lodger.

(14) For lodgers staying longer than seven days, management shall provide laundry facilities or service. To maintain sanitary conditions, management may require bedding to be washed at least once per week.
DIVISION 4. LICENSE

Sec. 36-1-51. Required.

It shall be unlawful to conduct or to maintain any bed and breakfast inn, hotel, motel, non-profit single-room occupancy housing, public lodging house, or rooming house, or hostel in the City without first having obtained a license from the Buildings, Safety Engineering, and Environmental Department Business License Center to operate such business.

Section 2. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 3. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. In the event that this ordinance is passed by a two-thirds (2/3) majority of the City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118 of the Charter. Where this ordinance is passed by less than two-thirds (2/3) majority of the City Council Members serving, it shall become effective no later than thirty (30) days after enactment in accordance with Section 4-118 of the Charter.

Section 5. This ordinance shall not take effect unless the ordinance to amend Chapter 50, Zoning, Article XII, Use Regulations, Division 2, General Use Standards, by repealing Section 50-12-322 is enacted.

Approved as to form:

[Signature]
Lawrence T. García
Corporation Counsel
ADOPTED AS FOLLOWS
COUNCIL MEMBERS

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