

RANDOLPH COUNTY LODGING ORDINANCE

AN ORDINANCE ESTABLISHING AN ANNUAL LODGING ESTABLISHMENT LICENSE AND PERMIT

I. AUTHORITY

This ordinance is enacted pursuant to Section 192.300, RSMo, which provides, in part as follows: The county commission and the county health boards of the several counties may make and promulgate orders and ordinances or rules and regulation, respectively, as well tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but orders or ordinances and rules and regulations shall not be in conflict with any rules or regulations authorized and made by the Department of Health in accordance with this chapter or by the Department of Social Services under Chapter 198 RSMo.

II. SCOPE OF COVERAGE

The Moberly City Council and/or the Randolph County Commission hereby adopts the Missouri Revised Statutes Sections 315.005 to 315.065. establishing minimum construction standards and procedures for all Lodging Establishments with the following exceptions:

DEFINITIONS

“Regulatory authority” shall mean the Administrator of the Randolph County Health Department or his/her designee or local codes administrator/fire marshal, state fire marshal or his/her representative.

“Imminent health hazard” means a significant threat or danger to health that may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, pest infestation, onset of an apparent foodborne or environmental illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health or safety.

“Randolph County Environmental Advisory/Review Board” or Advisory Review Board shall mean a group of 5 persons, currently serving as the RCHD On-site Wastewater Advisory/Review Board.

PERMIT AND LICENSE REQUIRED

No person shall establish, maintain or operate a lodging establishment within Randolph County or the City of Moberly without having first obtained a) a permit from the Regulatory Authority, b) a City of Moberly Business License c) a Randolph County Business License, d) a Lodging License from Randolph County and e) a license from the Missouri Department of Health and Senior Services.

Any person who desires to establish, maintain or operate a lodging establishment shall file a written permit application with the Regulatory Authority. Said application must

contain such information as the Regulatory Authority may, by rule, prescribe. Valid permits and licenses shall be posted in every lodging establishment in a conspicuous location.

- a. A permit is valid from May 1st through April 30th unless suspended or revoked
- b. Pursuant to the authority of Section 192.300, the Randolph County Lodging license fee shall be in accordance with Section 315.015 as set by State Statute.
- c. Pursuant to the authority of Section 192.300, the yearly permit fee shall be as determined by the Randolph County Board of Trustees.

OPERATIONS

All lodging establishments shall be in accordance with 19 CSR 20-3.050 Sanitation and Safety Standards for Lodging Establishments.

COMPLIANCE PROCEDURES

- A. Prior to approval of lodging establishment permit, the Regulatory Authority shall inspect the proposed lodging establishment to determine compliance with the requirements of this Ordinance.
- B. An inspection of a lodging establishment shall be performed at least once every year by the Regulatory Authority.
- C. The Regulatory Authority, after proper identification, shall be permitted to enter any lodging establishment at any reasonable time for the purpose of making inspections to determine compliance with this Ordinance or for the purposes of investigating a complaint.

REMEDIES

The Regulatory Authority may enforce these regulations by any remedies provided by state statute, or the Regulatory Authority may institute lawsuits for injunction, mandamus, abatement, or any other appropriate actions or proceedings to remedy, prevent, enjoin, abate, or remove such violations. All regulatory enforcement actions shall require notification of such actions to the City Manager of Moberly and the Randolph County Commission within 2 business days.

SEVERABILITY

If any article, chapter, section, clause or phrase of this regulation is, for any reason, held to be invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this regulation. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the regulatory authority.

