

Innkeeper Laws

Hotels, motels, and other establishments that provide lodging for pay are subject to regulation by both state and federal law.

North Carolina State Law

Hotels and motels are governed by 4 main areas of NC state law: G.S. Chapter 72- Innkeepers; Article 8 of G.S. Chapter 130A – Regulation of Food and Lodging Facilities; G. S. Chapter 18B - Alcoholic Beverage Control; and the State Building Code.

Chapter 72 – Innkeeper Laws

These statutes provide basic standards regulating the following:

- A written statement setting forth the time period during which a guest may occupy an assigned room, signed or initialed by the guest, is deemed a valid contract.
- Innkeepers are not liable for loss or damage to the property of their guests except in case such loss or damage results from the failure of the innkeeper to exercise ordinary, proper, and reasonable care.
- Upon the request of any guest, the innkeeper has a duty to receive and safely keep money, jewelry, and valuables to an amount not exceeding \$500. No innkeeper is required to receive and take care of any valuables of an amount greater than \$500. No innkeeper is liable for the loss, damage, or destruction of any money or jewels not so deposited.
- Innkeepers may permit pets in rooms. Innkeepers allowing pets must post a sign at registration area measuring not less than five inches by seven inches informing guests that pets are permitted in sleeping rooms and in adjoining rooms. If certain pets are permitted or prohibited, the sign must state so. If any pets are permitted, the innkeeper must maintain a minimum of 10% of the sleeping rooms in the inn or hotel as rooms where pets are not permitted, and the sign must also state that such rooms are available.
- Every innkeeper must keep posted in every room of the house occupied by guests, and in the office, a printed copy of NC General Statute Chapter 72 Article 1 and of all regulations relating to the conduct of guests.
- A diagram depicting two evacuation routes must be posted on or immediately adjacent to every required egress door from each hotel or motel or dormitory guestroom. Innkeepers may contact the NC Office of the State Fire Marshal for more information regarding evacuation postings at (800) 634-7854 or visit <http://www.ncdoi.com/OSFM/>.
- A hotel has a duty to receive guests, but the duty is not absolute and is subject to lawful exceptions. Hotels may generally deny accommodations to a prospective guest for the following reasons:
 - If the person is unwilling or unable to pay for a room or other establishment privileges
 - If the person is under the influence of alcohol or drugs or creating a public nuisance
 - If the person's use of a room or accommodation would violate the facility's maximum capacity
 - If the innkeeper reasonably believes the person will use the room or facility for an unlawful purpose
 - If the innkeeper reasonably believes the person will bring in something that would create an unreasonable danger or risk to others

- A hotel has the right to remove a guest for generally the same reasons as its right to deny accommodations stated above. If the guest does not leave voluntarily, the hotel may contact local law enforcement, advise that the guest is trespassing, and request enforcement of trespass laws.
- A hotel has an affirmative duty, stemming from a guest's rights of privacy and peaceful possession, not to allow unregistered and unauthorized third parties to gain access to its guests' rooms. However, it is understood that the hotel will have access for routine housekeeping and in the case of emergencies.
- A hotel is entitled to a lien upon all baggage and other personal property brought on premises by a guest in order to satisfy unpaid charges for the room, accommodations, and other items or services furnished at the request of the guest (NCGS 44A-2 (b)).

Chapter 130A, Article 8 – Food and Lodging Facilities

Lodging establishments in North Carolina must obtain an annual permit from the State Health Department. Hotels and motels are subject to health and sanitation standards adopted by the NC Public Health Commission. These standards are enforced by inspections conducted by the local county health department.

Whenever an inspection of a lodging establishment is made, a grade card is issued. The owner or operator is responsible for keeping the grade card posted and readily visible.

The sanitation grading of all lodging establishments is based on the following scoring system: all establishments receiving a score of at least 90 percent are awarded Grade A; all establishments receiving a score of at least 80 percent and less than 90 percent are awarded Grade B; all establishments receiving a score of at least 70 percent and less than 80 percent are awarded Grade C. No establishment receiving a score of less than 70 percent, or Grade C, may operate.

Swimming Pools

A hotel that operates a swimming pool for its guests must obtain an operation permit from the State Health Department. Requirements for a permit include plan review and approval, water supply, design details, chemicals, filters, maintenance, and fences. For more information, please contact your local health department.

Chapter 18B - ABC Commission – Permits and Rules

The ABC Commission issues permits for sale of beer, wine, and mixed beverages, and for other related alcohol service. Hotels are authorized to apply for the following permits:

- On-premises malt beverage
- Off-premises malt beverage
- On-premises unfortified wine
- On-premises fortified wine
- Mixed beverages
- Brown bagging
- Special occasion
- Culinary
- Mixed beverage catering

- Wine-tasting
- Malt beverage tasting
- Guest room cabinet

Brown bagging – To qualify as a hotel for a brown bagging or a mixed beverages permit, or a malt beverage permit in areas approving on-premises malt beverages, an establishment must have on or closely associated with its premises a full-service restaurant providing at least 36 seats. The restaurant may or may not be owned by the same person who owns the hotel.

Guest Room Cabinet Permits – A guest room cabinet permit authorizes a hotel to sell malt beverages, unfortified wine, fortified wine, and spirituous liquor to its room guests from securely locked cabinets. The hotel must designate and maintain at least 10% of the permittee's guest rooms as rooms that do not have a guest room cabinet. A permittee may dispense alcoholic beverages from a guest room cabinet only in accordance with written policies and procedures filed with and approved by the Commission.

Managers' Receptions – Hotels operating lodging, restaurant, and lounge facilities under one set of ABC permits may offer lodging guests up to two alcoholic beverages per guest per day in the price of the room package under the following conditions:

- The reception or social hour is held on the licensed premises of the hotel
- The hotel issues a voucher or other proof of guest registration for the beverages that can be used by the guest to obtain the beverage of choice
- Nonalcoholic beverages must also be offered to lodging guests during the function
- The hotel must account for the beverages by an internal accounting procedure to ensure that the price of each beverage included in the room rate package is the same price as is being charged other patrons in the lounge or restaurant for the same beverage. This procedure must be acceptable to the ABC Commission.