

**36-506. Rules and regulations establishing standards for lodging establishments.** (a) The secretary is hereby authorized and empowered to administer and enforce the provisions of the lodging inspection act, and rules and regulations adopted thereunder. The secretary shall adopt rules and regulations establishing minimum standards for the safe and sanitary operation of lodging establishments and the administration and enforcement thereof. Such rules and regulations shall relate to:

- (1) Water supply;
  - (2) heating;
  - (3) lighting;
  - (4) ventilation;
  - (5) toilet and other sanitary facilities;
  - (6) conditions increasing the hazards of fire, accidents or other calamities;
  - (7) bedding and furnishings;
  - (8) sewage disposal;
  - (9) such other minimum conditions which the secretary deems necessary for the operation and maintenance of a lodging establishment in a safe and sanitary manner; and
  - (10) licensure of lodging establishments and fees related to the licensure and inspection thereof.
- (b) The standards promulgated pursuant to the rules and regulations adopted hereunder shall be designed to ensure the health, comfort and safety of the guests in lodging establishments. Such standards may be based upon or incorporate by reference specific editions, or portions thereof, of nationally recognized codes establishing lodging standards. Such standards shall be applicable uniformly throughout the state, except that the secretary may establish different standards for each of the various classes of lodging establishments. Any provision of an ordinance or resolution of any municipality, prescribing safety and sanitation standards for lodging establishments, which does not conform to the minimum standards promulgated by the secretary pursuant to this section, shall be null and void; but nothing herein shall be construed as precluding any municipality from establishing by ordinance or resolution standards which are more stringent than those established by the secretary.

**History:** L. 1975, ch. 314, § 10; L. 2008, ch. 84, § 14; L. 2012, ch. 145, § 6; July 1.