

CHAPTER 131.

INNKEEPERS.

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131.01 Their liability. No innkeeper or hotelkeeper, whether individual, partnership or corporation, who shall constantly have in his inn, or hotel an iron safe or vault in good order and suitable for the safe custody of money, jewelry, articles of gold or silver manufacture, precious stones, personal ornaments, negotiable or valuable papers and bullion and who keeps on the doors of his sleeping rooms used by guests available locks or bolts, and who shall keep a copy of this and the next succeeding section printed together in large, plain English type and framed, constantly and conspicuously suspended and posted in the office, and in five other conspicuous places in his inn or hotel, and also a copy printed together in ordinary size, plain English type, posted in a conspicuous place in each public sleeping room of his inn or hotel, shall be liable for the loss of any such articles aforesaid suffered by any guest unless such guest shall have first offered to deliver such property lost by him to such innkeeper or hotelkeeper for custody in such iron safe or vault and such innkeeper or hotelkeeper shall have refused or omitted to take it and deposit it in such safe or vault for its custody and give such guest a receipt therefor; provided, however, that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars, and shall not be liable for any excess of such property, with the exception that such innkeeper or hotelkeeper may, by special arrangement with a guest, receive for deposit in such safe or vault any property upon such terms as may be mutually agreed to in writing, but every innkeeper or hotelkeeper, upon production of such receipt and demand by the owner thereof, shall be liable for any loss of the above-enumerated articles, the property of a guest in his inn or hotel, after said articles have been accepted for deposit.

131.02 Innkeeper's liability limited. It shall be the duty of every guest and of everyone intending to be a guest of any hotel in this state, upon delivering to the proprietor of such hotel, or to his servants, any baggage or other articles of property of such guests for safe-keeping (elsewhere than to the room assigned to such guest), to demand, and of such hotel proprietor to give, a check or receipt therefor in such case, to evidence the fact of such delivery; and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of his guest, unless the same shall have been actually delivered by such guest to such hotel proprietor or his servants for safe-keeping, or unless such loss or injury shall have occurred through the negligence of such hotel proprietor, or by his servants or employes in such hotel.

131.03 Loss by fire or theft. No innkeeper or hotelkeeper shall be liable for the loss of any baggage or other property of his guest caused by fire, not intentional, produced by the innkeeper, hotelkeeper or any of his servants; but every innkeeper or hotelkeeper shall be liable for any loss of any baggage or other property of any guest in his inn or hotel caused by theft or gross negligence of such innkeeper, hotelkeeper or any of his servants; provided, however, that in no case shall such liability exceed the sum of two hundred dollars for each trunk and its contents, seventy-five dollars for each valise and its contents, and ten dollars for each box, bundle, or package and contents, so placed under his care, and all other miscellaneous effects including wearing apparel and personal belongings, fifty dollars, unless he shall have consented in writing with such guest to assume a greater liability. And provided further, whenever any person shall suffer his baggage or property to remain in any inn or hotel, after leaving the same as a guest, and after the relation of innkeeper and guest between such guest and the proprietor of such inn or hotel has ceased, or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel, such innkeeper or hotelkeeper shall hold such baggage or property at the risk of such owner.

131.04 Who shall not be guest; penalty. No person shall be entitled to entertainment at any inn or hotel in this state who is suffering from a contagious disease, as enumerated in section 143.02, nor shall one who has been suffering from any such contagious disease be entitled to such entertainment until all danger of spreading contagion therefrom is past; provided, however, that nothing contained in this section shall authorize

compulsory removal or refusal of shelter to any such person then receiving entertainment at any such inn or hotel, if such removal would specially endanger life or health. Any person who shall knowingly and wilfully solicit or receive entertainment in violation of the provisions of this section shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding six months.

131.05 Individual towels prescribed. (1) All towels for the use of guests in any hotel, whether in their private rooms or the public wash room, and all towels in such places or buildings, whether publicly or privately owned, as the state board of public health may find the use of the common towel therein to be inimical to the public health, shall be individual towels and when used and discarded by the individual, shall not be again used until thoroughly washed and dried.

(2) Any person, partnership or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

131.06 Hotel rates to be posted. (1) Every innkeeper shall keep posted in a conspicuous place in each sleeping room in his hotel, in type not smaller than twelve point, the rates charged per day for each single individual occupying such room. Such posted rates shall not be changed until notice to that effect shall have been posted, in a similar manner, for ten days previous to each proposed change. A schedule of the rates of all rooms used for sleeping purposes with the number of each room and the price charged for each of them per day for single individuals shall be displayed in the lobby of the hotel.

(2) Any innkeeper who fails to have rates posted, as prescribed in subsection (1), who shall charge, demand, collect or receive for such accommodation any sum different from the said posted rates shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, for each offense. Provided, that it shall not be deemed a violation of this section to permit a room to be occupied at the rate fixed for a lower priced room after all of such lower priced rooms have been taken and until such time as one of them shall become unoccupied. Nothing herein contained shall be construed as prohibiting the making of special rates other than the posted rates for the use of such sleeping rooms, either by the week, month or for longer periods, or as prohibiting the making of special rates other than the posted rates for the use of such rooms by families or other collective groups or individuals, firms or corporations.

(3) The state board of health or its representatives shall have power to enforce the posting of rates as provided in subsection (1) of section 131.06.