



CITY OF POMONA COUNCIL REPORT

October 19, 2020

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Michael Ellis, Chief of Police

Subject: INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADDING SECTION 34-222 TO ARTICLE V CHAPTER 34 OF THE POMONA MUNICIPAL CODE PROHIBITING THE HOURLY RENTALS OF HOTELS AND MOTELS WITHIN CITY LIMITS

RECOMMENDATION:

It is recommended that the City Council introduce, waive further and give first reading to the following ordinance:

ORDINANCE NO. 4293 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADDING SECTION 34-222 TO ARTICLE V CHAPTER 34 OF THE POMONA MUNICIPAL CODE PROHIBITING THE HOURLY RENTALS OF HOTELS AND MOTELS WITHIN CITY LIMITS

EXECUTIVE SUMMARY:

The purpose of this proposed ordinance is to prohibit the usage of hotels and motels on an hourly rental basis.

FISCAL IMPACT:

The proposed ordinance, could incur expenses associated with enforcing the ordinance against any noncompliant hotels and motels, although some of those expenses could be recovered following successful enforcement. Otherwise, no fiscal impacts are anticipated.

DISCUSSION:

A number of cities within California prohibit the rental of motels on an hourly basis. These ordinances are usually called “hourly” rental prohibitions, but they usually are more specifically defined to prohibit multiple rentals of the same hotel room within a single day. For example, rentals for two- and three-hour periods are prohibited, as well as rentals for one-hour periods.

Recently, the Los Angeles County District Attorney’s Office won a settlement against a Pomona motel. As part of the settlement agreement the motel owner agreed to install security cameras at the motel, stop renting rooms by the hour and post Human Trafficking Awareness notice, as required by law. The lawsuit stemmed from an undercover investigation by District Attorney Investigators and Pomona Police personnel. The Pomona Police Department had received numerous complaints about illicit activity at the motel.

The proposed ordinance would enact an hourly rental ban for any hotels, motels, or lodging establishments within City limits. Again, the ordinance technically does not just prohibit rental periods that are truly for one hour (no more than 60 minutes), it prohibits rentals that last fewer than 12 hours. In addition, it prohibits the same room from being rented more than two times in any 24-hour period.

This drafting has been selected to avoid imposing unintended consequences on hotel operators. The wording of the proposed ordinance is intended to avoid a situation in which a hotel is not allowed to rent a room on a particular day because a person had checked into that same room very late, for instance at 12:30 a.m., and left before the usual departure time (e.g., 10:00 a.m.). Technically, if the hotel were to rent the same room out later that day (e.g., at 5:00 p.m.), there would be two rentals on the same calendar day. The wording of the proposed ordinance makes clear this would not constitute an hourly rental.

Prepared by:

Michael Ellis
Chief of Police

ATTACHMENT(S):

Attachment: Ordinance No. 4293