ORDINANCE NO. 410

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING A LODGING HOUSE, ROOM-ING HOUSE AND/OR HOTEL, PROVIDING FOR THE APPLICATION FOR AND ISSUANCE OF LICENSE THEREFOR, PROVIDING FOR CERTAIN DIMENSIONS AND OTHER REQUIREMENTS FOR SLEEPING ROOMS AND TOILET FACILITIES, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA:

For the purposes of this ordinance, a lodging

SECTION 1: house, rooming house, or hotel, is hereby

defined as any building used for housing purposes

in which there are more than three (3) beds for the use of

lodgers, roomers, or boarders, or in which more than six (6)

persons, paying guests of said lodging house, rooming house, or

hotel, are allowed to sleep.

No suc h lodging house, rooming house, or hotel

SECTION 2: as above defined shall be conducted, maintained or operated in the City of Miami Beach without a permit or license therefor, issued by the City of Miami Beach.

Each owner or operator of a lodging house, rooming
SECTION 3: house, or hotel, as herein defined, shall file with
the City of Miami Beach, a written application,
signed byhimself, and setting forth the following:

- (a) Full name and address of proprietor or operator of lodging house, rooming house or hotel, and of the owner of the premises.
- (b) Location of the lodging house, rooming house, or hotel.
- (c) The portions of the building intended to be used as a lodging house, rooming house, or hotel.

Before a permit or license shallbe issued to the SECTION 4: operator of such lodging house, rooming house,

or hotel, the Fire Department of the City of Miami
Beach shall issue a certificate to the effect that the premises
for which a permit is desired complies with all fire laws, ordinances
and regulations of the City of Miami Beach.

LEAST DIMENSIONS FOR SLEEPING ROOMS. Every sleep-

SECTION 5: ing room in the City of Miami Beach, Florida, shall-have a clear height between floor and ceiling of not less than eight (8) feet, its least horizontal dimension shall be not less than seven (7) feet and it shall have no smaller floor area than seventy (70) square feet.

SECTION 6: sleeping room shall be of sufficient size to afford at least four hundred (400) cubic feet of air space for each occupant over twelve years of age, and two hundred (200) cubic feet for each occupant under twelve years of age. No greater number of occupants than thus established shall be permitted to sleep in any one room.

SLEEPING ROOM AND VENTILATION. No room shall be

SECTION 7. used for a sleeping room which does not open to
the outside of the building, on highway, street

or alley side or to a yard or court, and each sleeping room shall
have at least one window and one door, and in all hotels, rooming
houses and lodging houses, all sleeping rooms shall have a transom
as wide as the door with sash not less than twelve inches (12")
high. The total area of windows to be not less than ten per cent
of the floor area of the room, including the area of every
recess or alcove. Each window to be constructed to permit at
least fifty per cent (50%) of its full area to be opened either
at top or bottom or side. The tops of all such windows to be not
more than two (2) feet below the ceiling.

TRANSOM REQUIREMENTS. Transoms may be placed

SECTION 8: either above or beside the doors, and hinged at

bottom to open in. They must be screened outside

of a room. Louvred upper panels in doors of equal area, and screened as required for transoms may be used in lieu thereof. Sash

may have solid panels or opague glass.

It shall be unlawful for any landlord, proprietor,

SECTION 9. keeper, manager, or clerk of any lodging house,

rooming house, or hotel, to permit any room in

such lodging house, rooming house, or hotel to be used for sleeping purposes which does not contain four hundred (400) cubic

=

feet or more of air space for each person sleeping therein at the same time; and in every room in any lodging house, rooming house, or hotel, containing more than one (1) bed, the beds shall be so arranged as to leave a passageway of not less than two feet horizontally on all sides of each bed, and all beds shall be so arranged that under each of them the air shall freely circulate, and there shall be adequate ventilation.

In every lodging house, rooming house, or hotel

SECTION 10. there shall be provided toilets and baths in the ratio of at least one toilet and one bath to every four (4) beds or fraction thereof.

In every lodging house, rooming house, or hotel,

SECTION 11. there shall be provided was rooms with running

water, containing wash basins, said wash hasins

or any other washing apparatus shall be satisfactory in character

to the sanitary inspector of the City of Miami Beach, Florida.

Any landlord, proprietor, keeper, manager, clerk,

SECTION 12. employee or other person connected with any
lodging house, rooming house or hotel, violating

any of the provisions of this section shall be guiltyyof a mis
demeanor, and upon conviction shall be punished by a fine of not

exceeding One Hundred Dollars (\$100.00) nor less than Twenty-five Dollars (\$25.00).

All ordinances and parts of ordinances in conflict SECTION 13. herewith are hereby repealed, but such repeal sahll apply only to that part of the ordinance in conflict herewith where only a part conflicts, but shall apply to the whole of any ordinance if the whole thereof is in conflict herewith.

If any section, part of section, paragraph or SECTION 14. clause of this ordinance shall be held to be unconstitutional or void, the remaining provisions of this ordinance shall nevertheless remain in full force and effect.

Whereas the health and-or welfare of the City
SECTION 15. of Miami Beach is in peril, and this ordinance

is deemed necessary for the protection of the citizens of said City, this ordinance may be given three readings at any meeting of the City Council, and uponapproval thereof by the Mayor shall be thenceforth in full force and effect.

PASSED AND ADOPTED this 4th day of December,

A. D. 1935.

APPROVED by me this 4th day of December

A. D. 1935.

lst, 2nd and 3rd Readings, December 4th, 1935. Posted - December 5th, 1935.

STATE OF FLORIDA)
COUNTY OF DADE)

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 410 entitled "AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING A LODGING HOUSE, ROOMING HOUSE AND/OR HOTEL, PROVIDING FOR THE APPLICATION FOR THE ISSUANCE OF LICENSE THEREFOR, PROVIDING FOR CERTAIN DIMENSIONS AND OTHER REQUIREMENTS FOR SLEEPING ROOMS AND TOILET FACILITIES, AND PROVIDING PENALTIES FOR VIOLATION THEREOF", having been duly passed and adopted by the City Council of the City of Miami Beach, Florida, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 5th day of December, A. D., 1935, and that said Ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Miami Beach, Florida, on this the 26th day of January A. D., 1936.

City Clerk

