

LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)

SEMPORNA DISTRICT COUNCIL
(HOTELS AND LODGING HOUSES) BY-LAWS 1981
(G.N.L 9 of 1982)

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Semporna District Council has made the following by-laws:

1. Citation, application and commencement.

These by-laws may be cited as the Semporna District Council (Hotels and Lodging Houses) By-laws 1981, shall apply to the township of Semporna and shall come into operation on the 1st day of January 1982.

2. Interpretation.

A "lodging house" means a house or part thereof in which lodgers are accommodated for a payment; and

- (a) in which the sleeping accommodation may be occupied by two or more lodgers though strangers to one another; or
- (b) which may be occupied by four or more lodgers not of the same family:

Provided that nothing shall herein include any house provided by an employer for accommodation of his employees or any hotel.

3. Licence for hotel or lodging house.

No person shall use any building as a hotel or lodging house except in accordance with a licence from the Council.

4. Grant of licence.

The Council may, in its absolute discretion, grant or refuse a licence, or grant a licence subject to such conditions as it thinks fit.

5. Health certificate.

If the Council so requires, an applicant for a licence or for a renewal thereof shall forward a certificate of health from a Government Medical Officer or registered medical practitioner.

6. Duration of licence.

Every licence shall, subject to the provisions of these By-laws, expire on the 31st day of December of the year in which it is granted.

7. Fees.

The following monthly fees are payable for licences under these By-laws-

	RM <i>per month</i>
1st class hotel	100.00 per room based on occupancy
2nd class hotel	70.00 per room based on occupancy
3rd class hotel/lodging houses	20.00 per room

For the purpose of payment of the licence fee-

“1st class hotel” means a hotel with international standard of facilities and services as the Council deems fit to classify it under that class;

“2nd class hotel” means a hotel with reasonable standard of facilities and services as the Council deems fit to classify it under that class;

“3rd class hotel” means a hotel with minimum standard of facilities and services as the Council deems fit to classify it under that class.

8. Number of persons in bedrooms.

A licensee shall exhibit conspicuously a notice in each bedroom indicating the number of persons permitted by the Council to occupy the bedroom.

9. Cleanliness.

- (1) A licensee shall keep his hotel or lodging house and its surroundings in a clean and sanitary condition, and shall comply with such direction as may be given by an officer of the Council for the purpose of ensuring the health and safety of lodgers.
- (2) A licensee shall cause every room to be swept and cleaned daily before 11.00 a.m. where practicable.
- (3) A licensee shall cause every living room, kitchen and bathroom to be thoroughly scraped and whitewashed or painted once a year or more often as the Council may direct.

10. Hotel registers.

- (1) A licensee of a hotel shall keep a register in which shall be entered the name, sex, nationality, occupation, time and date of arrival and departure of every lodger.
- (2) Such entry shall be made at the time the lodger is accommodated in the hotel.

11. Lodging house registers.

- (1) A licensee of a lodging house shall keep a register in which shall be entered the name and sex of every lodger.

- (2) Such entry shall be made at the time the lodger is accommodated in the lodging house.
- (3) Hotel and lodging house registers shall be made available at all times for inspection by any police officer not below the rank of sergeant, or with the written authority of the Chairman of the Council, by the Health Officer and any Council Inspector who may take extracts therefrom.

12. Penalty.

Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of five hundred ringgit, and in the case of a continuing offence a fine of fifty ringgit for every day during which the offence is continued.

13. Cancellation of licence.

The Council may cancel or suspend a licence-

- (a) if the licensee or any assistant of the licensee-
 - (i) is convicted of any offence under these By-laws; or
 - (ii) is convicted of any offence under any written law relating to public health; or
- (b) if, on the certificate of a Government Medical Officer or registered medical practitioner, the licensee is suffering from a contagious or infectious disease.

Dated at Semporna this 23rd day of July 1981.

MOHD. ZULFIKAR B. MUZAFFAR,
Chairman,
Semporna District Council.

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 30th day of November 1981.

DATUK YAP PAK LEONG,
Minister of Town and Country Development.

September 2006