

(5) **Furniture, upholstery, etc.** – Furniture, upholstery, draperies, shades, venetian doors, blinds, and other provided furnishings in lobbies, lounges, parlors and bedrooms shall be kept clean, and be renovated or replaced as needed. All rugs and floor coverings must be kept clean and in good condition, free from holes and rips. Non-perforated metal, plastic, or plastic lined wastebaskets shall be provided for all bedrooms.

(6) **Linen rooms, service sinks and closets** – Linen rooms, service sinks and closets shall be kept clean, neat and orderly. All linens including towels and bed linens must be stored in such a manner as to protect them from contamination or soilage such as dust, dirt, vermin, sewage or toxic materials. All linens must be stored separately from or above all cleaning products, chemicals, pest control products, maintenance equipment and toxics. Linens may not be stored underneath sewer or plumbing lines. Maintenance and cleaning equipment such as brooms, mops, vacuum cleaners and similar tools shall be stored and maintained in a way that does not contaminate bed linens, towels, single service articles, glassware, or other guest room articles.

(7) **Premises** – The yards, alleys, driveways, sidewalks, and other exterior portions of the licensed premises shall be kept clean, free of debris, free of objectionable odors, and properly drained, maintained and mowed. All unused and discarded equipment and materials shall be removed from the premises, except when placed in a designated storage area.

(8) **Employee areas** – Employee locker rooms, rest rooms or quarters and their furnishings shall be kept clean and in good condition.

(9) **Ice** – Ice making machines shall utilize water from an approved source pursuant to Chapters 62-550 and 62-555, FAC, and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice. Ice obtained from outside the establishment shall be from a source approved in accordance with the provisions of Chapter 500, FS. Canvas containers shall not be used unless provided with a sanitary single-service liner so as to completely protect the ice from contamination. Ice buckets, other containers and scoops, shall be of a smooth, nonabsorbent, impervious material and designed to facilitate cleaning. They shall be kept clean and shall be stored and handled in a sanitary manner. Ice buckets must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily. Ice for consumer use shall be dispensed only with scoops, tongs or other ice-dispensing utensils or through automatic self-

service, ice-dispensing equipment. Ice-dispensing utensils shall be stored on a clean surface, attached to a nonoxidizing chain or tether and stored inside the ice bin or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer receptacles shall be stored in a way that protects the utensils from contamination. Ice storage bins shall be drained through an air gap in accordance with the provisions of the plumbing authority having jurisdiction.

(10) **Locks** – An approved locking device for the purposes of section 509.211, FS, is a locking device that meets the requirements of National Fire Protection Association 101 (NFPA 101), Life Safety Code. Public lodging establishments as defined in rule 61C-1.002(4)(a), FAC, shall have at least one approved locking device which does not include a “sliding chain” or “hook and eye” type device, on all outside and connecting doors which cannot be opened by a non-master guest room key.

(11) **Balcony Inspection.**

(a) As provided in section 509.2112, FS, every public lodging establishment which is 3 or more stories in height, or which has a vertical distance of 17 feet or more from the lowest grade level to any balcony must submit to the division a certificate stating that any and all balconies, stairways, and railways have been inspected by a person who, through education and experience, is competent to inspect multi-story buildings and found by such person to be safe, secure, and free of defects. The term “balcony” is defined as a landing or porch that is accessible to or used by the public and shall include those portions of a building which are unenclosed, except by a railing, guardrail system, balustrade, or parapet. It shall also include those portions of a building which are enclosed by screening, or other non-permanent building material.

(b) It is the responsibility of the operator to verify the facts and credentials establishing the competency of the multi-story balcony inspector. Such verification shall be clearly stated on the applicable form.

(c) Certification of inspection shall be submitted on BPR form 22-030, CERTIFICATE OF BALCONY INSPECTION, incorporated herein by reference and effective 9-25-96. Copies of this form may be obtained from any division office.

(d) The certificate shall be received by the division and the applicable local governmental agency or office from hotels and motels on or before January 1 of every third year and from other public lodging

establishments on or before October 1 of every third year.

(e) The operator shall keep a copy of the Certificate of Balcony Inspection, stamped with the date it was received by the district, available for inspection upon request.

(f) Upon change of ownership, a new certificate of balcony inspection shall be filed.

(12) Resort condominiums, nontransient apartments and resort dwellings are exempt from subsections (1), (2) and (3) of this rule. Establishments opting to provide any of the services listed in subsections (2) and (3) of this rule shall comply with the requirements described herein.

Specific Authority 509.032(6) FS. Law Implemented 509.211, 509.2112, 509.221 FS. History--Amended 1-20-63, Revised 2-4-71, Amended 9-19-84, Formerly 7C-3.01, Amended 12-31-90, Formerly 7C-3.001, Amended 3-31-94, 9-25-96, 1-1-98.

61C-3.002 Consumer Protection Requirements.

(1) **Filing** – The rates to be charged for each room in every public lodging establishment shall be filed with the division on BPR form 22-004, ROOM RATE SCHEDULE, incorporated herein by reference and effective 9-25-96, which form shall be provided by the division. Copies of this form may be obtained from any division office. A photocopy of the room rate schedule, stamped with the date it was received by the district, shall be kept available for inspection at all times. Where the number of rooms is 100 or more a supplementary report (such as the housekeeper's report) may be attached to BPR form 22-004 provided that BPR form 22-004 lists the total number of rooms, is signed and indicates attachment of the supplemental report. Supplemental reports shall also include:

(a) Every room number in the establishment and the rates charged for each, while also showing both the single and double rate.

(b) The charge for each additional person in room. The charge for the additional persons shall include bedding accommodations.

(c) All additional charges such as telephone surcharge, television, air-conditioning, kitchenettes, safes, etc.

(d) Statement as to whether the rates are daily or weekly.

(2) **Posting** – The rates and additional charges filed with the division shall be posted in a conspicuous place in each guest room or unit on BPR form 22-018, NOTICE TO GUESTS, incorporated herein by reference and effective 9-25-96, or in a form incorporating the language there on. Copies of this form may be obtained from any division office. Such rates shall be the actual maximum rates charged during any given rate period and shall not be a fictitious rate.

Department of Business and Professional Regulation
Division of Hotels and Restaurants Certificate of
Balcony Inspection
1940 N Monroe St
Tallahassee, FL 32303

This applies to any type of advertisement including signs, billboards, banners, electronic displays, pamphlets, flyers, coupons, magazines, newspapers or other similar publications and displays.

(b) **Signs** – The actual rates for public lodging establishments rented by the day or week displayed on any static display or electronic sign or signs visible from a public highway or street shall not exceed the maximum rate schedules posted in each guest unit and filed with the division. At a minimum, any sign or signs as described above, displaying any room rate information shall include:

1. The number of rooms available at each rate;
2. The rate for single occupancy;
3. The extra person charge if, applicable; and
4. The effective dates of such rates, in accordance with section 509.201, FS.

(c) No more than 1 percent variance in the size and prominence of letters and figures shall be allowed on signs containing room rate information.

(4) The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include:

(a) Imposition of a charge separate and apart from, or in addition to, the room rate, that is not disclosed in writing to the guest at the time of check-in;