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1 twelve-month period. Any hotel or motel that has been found in violation of the
2 Nuisance Abatement Ordinance, §11-1-1-1 et seq. on one or more occasions in
3 the previous 12 months, may be subject to this ordinance.

4 (B) In the instance that a hotel or motel subject to the enhanced operational
5 requirements in § 9-15-5 changes ownership, all new owners and operators of
6 the property will remain subject to the requirements until the Compliance
7 Period has ended.

8 § 9-15-5 ENHANCED OPERATIONAL REQUIREMENTS. Hotels and motels
9 subject to this ordinance shall comply with the following regulations during
10 the Compliance Period:

11 (A) Guest Identification:

- 12 i. A valid, government-issued photo identification (ID) must be
13 presented by all guests upon check-in.
- 14 ii. If payment is with a debit or credit card, the following information
15 shall be retained for 45 days:
 - 16 (i) The name on the card; and
 - 17 (ii) The card brand; and
 - 18 (iii) The last four digits of the card.
- 19 iii. A copy of the guest's photo ID must be retained for a minimum of 45
20 days and made available to the City upon request in accordance with
21 applicable laws.
- 22 iv. If a guest will be parking a vehicle on the property during any portion
23 of their stay, the guest must provide the make, model, and license
24 plate number(s) for any such vehicle(s).
- 25 v. A record of the license plate number of all guests' vehicles must be
26 retained for a minimum of 45 days and made available to the City
27 upon request in accordance with applicable laws.

28 (B) Guest Logbook:

- 29 i. Maintain a secure, digital or physical logbook of all guest check-ins,
30 including the name, address, phone number, and license plate(s) of
31 all vehicles for the guest, along with the room number and duration
32 of stay. Records must be retained for a minimum of 1 year.

33 (C) Lodgers' Tax:

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1 i. Provide the City with documentation on the first of each month
2 regarding the amount of Lodgers' Tax collected by the establishment
3 and proof of remittance to the City.

4 § 9-15-6 PENALTY. Noncompliance of this section shall constitute a
5 separate violation for each and every day or portion thereof that the violation
6 is continued, committed or permitted.

7 (A) The Mayor or their designee may impose a civil fine of \$500 per day for
8 each violation of this ordinance. This fine may be assessed as a lien against
9 the property involved, or a personal obligation of the property owner.

10 (1) A civil fine assessed pursuant to this ordinance may be appealed
11 pursuant to the procedures established in the IHO Ordinance, Sections 2-7-8-1
12 to -10.

13 (2) Notice of such civil fine shall be mailed by certified mail, return receipt
14 requested, to the owner(s) of the real property.

15 i. The mailing of the notice shall be deemed sufficient if mailed to the
16 owner(s) of the real property at the address(es) shown on the records
17 of the Bernalillo County Clerk and/or the Bernalillo County Assessor's
18 Office.

19 ii. The notice shall state:
20 a. The property is in violation of this ordinance;
21 b. The conditions, actions, or deficiencies that resulted in such
22 violation(s);
23 c. A civil penalty has been assessed against the owner(s) of the
24 property and specify the amount of the civil penalty;
25 d. The civil penalty must be paid within thirty (30) days from the
26 date of the notice;
27 e. That a lien will be filed against the property for the amount of
28 the civil penalty plus the cost of fees associated with filing a
29 lien with Bernalillo County if the civil penalty is not timely paid;
30 and
31 f. That the civil penalty can be appealed pursuant to the
32 procedures established in the IHO Ordinance, Sections 2-7-8-1
33 to -10.

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1 **(3) Transfer of property ownership shall not terminate any order issued**
2 **pursuant to this section. An individual acquiring a property that is or was in**
3 **violation of this section shall be responsible for compliance with any order or**
4 **pending enforcement action taken pursuant to this section.**

5 **(B) The Mayor or their designee may, for any violation of this article, take**
6 **one or more of the following actions:**

7 **(1) Prevent the occupancy of the building, structure, or land on which the**
8 **business is located; or**

9 **(2) Assess a civil fine.**

10 **(C) In addition to the remedies provided above, this article may be enforced**
11 **by the City by suit in district court.]**

12 SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause, word
13 or phrase of this Ordinance is for any reason held to be invalid or
14 unenforceable by any court of competent jurisdiction, such decision shall not
15 affect the validity of the remaining provisions of this Ordinance. The hereby
16 declares that it would have passed this Ordinance and each section,
17 paragraph, sentence, clause, word or phrase thereof irrespective of any
18 provision being declared unconstitutional or otherwise invalid.

19 SECTION 3. COMPILATION. Section ‘1’ of this Ordinance amends, is
20 incorporated in, and is to be complied as part of the Revised Ordinances of
21 Albuquerque, New Mexico, 1994.

22 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days after
23 publication by title and summary.

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
CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

February 20th, 2025

TO: Brook Bassan, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: The Hotel/Motel Accountability Ordinance

Attached for your consideration is the Hotel/Motel Accountability Ordinance. This ordinance proposes to establish enhanced operational requirements for hotels and motels in Albuquerque that have been found in violation of any City ordinance three or more times within a twelve-month period **or** in violation of the nuisance abatement ordinance one or more times within a twelve-month period. The ordinance aims to improve public safety and reduce criminal activity associated with certain lodging establishments by requiring them to implement stricter guest documentation practices. Specifically, affected hotels and motels must collect and retain guest identification, payment details, and vehicle information for at least 45 days, as well as maintain a secure logbook of all guest check-ins for one year. Additionally, these establishments must submit monthly documentation to the City regarding the collection and remittance of Lodgers' Tax to ensure accountability. If a property subject to these requirements changes ownership, the new owners remain responsible for compliance until the mandated twelve-month compliance period ends.

To enforce these provisions, the ordinance establishes penalties for noncompliance, including a civil fine of \$500 per day for each violation, which may be imposed as a lien against the property or a personal obligation of the owner. The City may also take actions such as prohibiting occupancy of a noncompliant hotel or pursuing enforcement through district court. Violations and fines are subject to appeal under existing procedures outlined in the Independent Office of Hearings ordinance. The ordinance ensures that problematic lodging establishments are held accountable while allowing the City to address persistent issues related to safety and code compliance.


The Hotel/Motel Accountability Ordinance

Approved:

Approved as to Legal Form:

 2/24/25

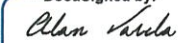
Samantha Sengel, EdD
Chief Administrative Officer

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 2/21/2025 | 9:35 AM MST
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Date
Lauren Keefe, City Attorney

Recommended:

Initial


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Date
Alan Varela, Director

Cover Analysis

1. What is it?

An ordinance.

2. What will this piece of legislation do?

This ordinance proposes enhanced guest identification and record-keeping, requires monthly reporting of Lodgers' Tax, and imposes fines or occupancy restrictions on noncompliant hotel or motel properties.

3. Why is this project needed?

Some hotels and motels have been linked to recurring criminal activity and ordinance violations, and this legislation ensures they implement better oversight to protect public safety.

4. How much will it cost and what is the funding source?

The implementation of this ordinance can be accomplished within existing code enforcement and nuisance property budgets within the department.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

N/A

6. What will happen if the project is not approved?

Problematic hotels and motels may continue to operate without accountability, potentially contributing to ongoing crime and public safety concerns.

7. Is this service already provided by another entity?

No, the City will continue to use tools such as the ADAPT program, the Nuisance Abatement Ordinance, and other ordinances that seek to regulate building safety. This bill creates a tailored program for hotels and motels that is specific to their operations and the unique health, safety, and welfare concerns associated with problematic hotel/motel properties.

FISCAL IMPACT ANALYSIS

TITLE: The Hotel/Motel Accountability Ordinance

R: O:
 FUND:
 DEPT: Planning

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2025	Fiscal Years 2026	2027	Total
Base Salary/Wages				-
Fringe Benefits at				-
Subtotal Personnel	-	-	-	-
Operating Expenses				-
Property				-
Indirect Costs	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input checked="" type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Revenue from program				0
Amount of Grant		-	-	
City Cash Match				
City Inkind Match				
City IDOH	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.
 * Range if not easily quantifiable.

Number of Positions created

COMMENTS: Implementation of this ordinance will occur within existing appropriations.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

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