CHAPTER 5

Safety Regulations

**SECTION 45‑5‑10.** Definitions.

A “hotel” as used in this chapter is an inn or public lodginghouse of more than ten bedrooms where transient guests are fed or lodged for pay in this State.

The term “restaurant” as used in this chapter shall include lunch counters and cafes.

The term “transient guests” as used in this chapter shall mean one who puts up for less than one week at such a hotel.

The term “standing water” as used in this chapter shall mean that which remains for ten days or more in a cistern, tank or other receptacle.

HISTORY: 1962 Code Section 35‑101; 1952 Code Section 35‑101; 1942 Code Sections 5097, 5105; 1932 Code Sections 5097, 5105; Civ. C. ‘22 Sections 2366, 2374; 1920 (31) 860.

CROSS REFERENCES

Hotel and motel rooms and other accommodations to be furnished with certain security devices, see Section 45‑1‑90.

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Provision to effect that the definition of “hotel” which appears in this section is applicable to statute requiring hotels to post their rates, see Section 45‑1‑10.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 2, Background.

S.C. Jur. Hotels, Motels and Other Lodgings Section 4, Hotel.

S.C. Jur. Hotels, Motels and Other Lodgings Section 8, Guest, Boarder and Lodger.

S.C. Jur. Hotels, Motels and Other Lodgings Section 14, Statutory Provisions.

**SECTION 45‑5‑20.** Applicability to private residences.

Nothing in this chapter shall apply to private residences at which lodgers are not received for hire.

HISTORY: 1962 Code Section 35‑102; 1952 Code Section 35‑102; 1942 Code Section 5100; 1932 Code Section 5100; Civ. C. ‘22 Section 2369; 1920 (31) 860.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Library References

Innkeepers 3.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Sections 1 to 5.

**SECTION 45‑5‑30.** Fire extinguishers required on each floor.

Every hotel shall provide each floor with one or more fire extinguishers of a type approved by the National Board of Fire Underwriters, which shall be kept in good working order at all times, with plain instructions thereon.

HISTORY: 1962 Code Section 35‑111; 1952 Code Section 35‑111; 1942 Code Section 5099; 1932 Code Section 5099; Civ. C. ‘22 Section 2368; 1920 (31) 860.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Library References

Innkeepers 10.28.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 37.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑5‑40.** Stairways.

All hotels constructed in this State after March 6, 1920 over two stories in height and over one hundred feet in length shall be constructed so that there shall be at least two stairs for the use of guests leading from the ground floor to the uppermost story and for larger buildings such number as the State Fire Marshal of South Carolina shall designate.

HISTORY: 1962 Code Section 35‑112; 1952 Code Section 35‑112; 1942 Code Section 5100; 1932 Code Section 5100; Civ. C. ‘22 Section 2369; 1920 (31) 860; 1960 (51) 1646.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Transfer to State Fire Marshal of powers and duties vested in the Chief Insurance Commissioner by Sections 38‑57‑10 to 38‑57‑100, 45‑5‑40 and 45‑5‑50, see Section 23‑9‑20.

Library References

Innkeepers 10.25.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 44.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑5‑50.** Fire escapes.

Every hotel in this State over two stories in height shall be provided with permanent iron balconies with iron stairs leading from one balcony to the other, above the ground floor, and with a stairway or ladder extending to the ground, in case such hotel is over one hundred and fifty feet in length and in other cases such number as may be directed by the State Fire Marshal of South Carolina or his agent. But when hotels were built prior to March 6, 1920 and are, in the opinion of the State Fire Marshal of South Carolina or his agent, provided with sufficient inner stairways, so located as to furnish sufficient egress in case of fire, the State Fire Marshal may waive the requirement for outside iron balconies and stairs. Such balconies and iron stairs shall be constructed at the expense of the owner of the hotel. This section shall not apply to hotels built prior to March 6, 1920 where fire escapes are located so as to go through any room.

HISTORY: 1962 Code Section 35‑113; 1952 Code Section 35‑113; 1942 Code Section 5100; 1932 Code Section 5100; Civ. C. ‘22 Section 2369; 1920 (31) 860; 1960 (51) 1646.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Transfer to State Fire Marshal of powers and duties vested in the Chief Insurance Commissioner by Sections 38‑57‑10 to 38‑57‑100, 45‑5‑40 and 45‑5‑50, see Section 23‑9‑20.

Library References

Innkeepers 10.28.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 37.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑5‑60.** Directions for reaching fire escapes.

In every hotel having fire escapes directions for reaching the fire escapes shall be kept posted at the entrance of each stairway and elevator shaft and in each bedroom above the ground floor. From eight o’clock in the evening until six o’clock in the morning the location and direction of the fire escapes shall be indicated by red lights.

HISTORY: 1962 Code Section 35‑114; 1952 Code Section 35‑114; 1942 Code Section 5101; 1932 Code Section 5101; Civ. C. ‘22 Section 2370; 1920 (31) 860.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Library References

Innkeepers 10.28.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 37.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑5‑70.** Exits from inside courts or light wells.

The proprietor, manager or other person in charge of every hotel constructed with an inside court or light well enclosed on all sides and with sleeping rooms or lodging apartments the only windows of which open upon or into such court or light well shall provide escape from such inside court or light well through a room or rooms, or otherwise, on a level with the lowest floor to which the light well extends.

HISTORY: 1962 Code Section 35‑115; 1952 Code Section 35‑115; 1942 Code Section 5102; 1932 Code Section 5102; Civ. C. ‘22 Section 2371; 1920 (31) 860.

CROSS REFERENCES

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Library References

Innkeepers 5, 10.28.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Sections 13, 37.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 2, Background.

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑5‑80.** Hotels not required to have fire sprinkler system; posting of notice; penalties.

(A) All hotels in this State that are not required by law to have a fire sprinkler system in the building shall post a notice in a conspicuous place at or near the guest registration desk no later than July 1, 2006. The posting must be on an eight and one‑half inches by eleven inches sign with letters no less than three quarters of an inch in size and must state the following: “This building meets local fire and building codes and is not required by law to have a fire sprinkler system.”

(B) A hotel that violates the provisions of this section shall be fined up to two hundred dollars for each violation. Each day constitutes a separate violation.

HISTORY: 2005 Act No. 148, Section 2, eff upon approval (became law without the Governor’s signature on June 9, 2005).

Library References

Innkeepers 10.28.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 37.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 16, Public Safety.