



Department of Commerce

Division of State Fire Marshal
John R. Kasich, Governor
Jacqueline T. Williams, Director

Operation Safe Stay Detailed Summary of Program



In order to qualify as an Ohio Safe Stay Hotel, the hotel must do all of the following:

1. For a period of 24 consecutive months:
 - a. Maintain a valid license to operate a hotel
 - b. Timely submit its license to operate a hotel renewal application – on or before October 1 of each calendar year
 - c. Maintain compliance with all applicable Ohio Revised Code requirements, except as noted below – see “Minor Violations”
 - d. Maintain compliance with all applicable Ohio Fire Code requirements, except as noted below – see “Minor Violations”
2. For a period of 60 consecutive months:
 - a. No finding of nuisance against the owner/operator/responsible person or against the property
 - b. No conviction for lewdness, assignation or prostitution, or felony drug activity against the owner/operator/responsible person of the facility at any facility that is subject to hotel licensure rules
 - c. No finding or conviction for lewdness, assignation or prostitution, or felony drug activity against any person for conduct that occurred on the premises of the hotel.

Minor violations

Minor violations are, for the purposes of the Operation Safe Stay program, violations that do not pose an immediate threat to life or property and that can be and are corrected during the course of the inspection.

If a facility does have only minor violations during the course of an inspection and does correct those violations during the course of the inspection, they may qualify for the Operation Safe Stay designation.

Violations that are not ‘minor’

If the facility has violations that are not minor, they will not qualify for the Operation Safe Stay program or for designation as an “Ohio Safe Stay Hotel.” Any designation that has

previously been issued will be revoked or not renewed. Generally, this will be for non-compliance with applicable Ohio Fire Code (OFC) or sanitary standards (other than minor violations). They will be disqualified for participation in the program until such time as they have been in compliance for a period of 24 consecutive months and have met all other Safe Stay qualifications.

Nuisance, lewdness, assignation or prostitution, or felony drug activity

If there has been a finding of nuisance activity (by a court of competent jurisdiction) against the hotel, the hotel owner, operator, or responsible person, or against the property, the hotel may be disqualified from participation in the program until such time as it has been free of such activity for a period of 60 consecutive months.

If a hotel's owner, operator, or responsible person is convicted (by a court of competent jurisdiction) of felony drug or prostitution activity and if the underlying conduct occurred at any facility subject to licensure under R.C. 3731, the hotel may be disqualified from participation in the program until such time as it has been free of such activity for a period of 60 consecutive months.

If any person has been convicted of felony drug or prostitution activity and the conduct that led to the conviction occurred at a hotel facility, that hotel may be disqualified from participation in the program until such time as it has been free of such activity for a period of 60 consecutive months.

Qualifying Hotels

Hotels that do qualify for the program will receive an "Ohio Safe Stay Hotel" designation from the State Fire Marshal and will be issued a decal. This will be in conjunction with their annual license renewal process.

Hotels will be able to reproduce the decal for use in print and digital advertising campaigns. Hotels may display the decal in their facility, on their literature, on their website and on any other media campaigns (such as accounts on travel websites, etc) they may have.

All qualifying hotels will be listed as qualifying participants in the Operation Safe Stay program on the State Fire Marshal's website. The State Fire Marshal will publish and maintain a current list on its website that will indicate which hotels in the State of Ohio are designated as Ohio Safe Stay hotels. The site will also set forth the requirements for such qualification.

Disqualification

Disqualification can happen in 2 ways:

1. Revocation
2. Non-renewal

Reasons for disqualification:

1. Non-compliance with above parameters (not meeting relevant qualifications for the requisite periods of time)
2. An alteration or modification of the hotel that is not approved and/or permitted in conformance with OFC or Ohio Building Code
3. Misuse of the Safe Stay logo, decal, or designation

Procedure:

1. If the hotel's designation as an Ohio Safe Stay hotel is denied, or not-renewed upon submission of a renewal application for a license to operate a hotel
 - a. The State Fire Marshal will notify the hotel owner, operator and/or responsible person in writing via a letter, informing them that the hotel's designation has been revoked or not-renewed
 - b. The letter will set forth the reasons the hotel's designation has been revoked or not-renewed
 - c. Upon receipt of the letter, the facility shall immediately cease the use of the Safe Stay hotel logo, decal and designation in any and all manners in which the facility has used the logo, decal or designation, including but not limited to all advertising formats
 - d. The State Fire Marshal will update its website listing of qualifying hotels accordingly

2. If the hotel's designation as a Safe Stay hotel is revoked pursuant to a complaint or an inspection that results in the issuance of a citation for violations of or non-compliance with applicable OFC and Rev. Code provisions
 - a. A citation will be issued to the hotel owner, operator and/or responsible person
 - i. Issuance of the citation will constitute notice to the facility that its qualification for participation in the Operation Safe Stay program has been revoked
 - b. Upon revocation of the designation by the State Fire Marshal, the facility shall immediately cease the use of the Safe Stay hotel logo, decal and designation in any and all manners in which the facility has used the logo, decal or designation, including but not limited to all advertising formats
 - c. The State Fire Marshal will update its website listing of qualifying hotels accordingly

If a facility thereafter achieves compliance with the above requirements and maintains such compliance for the requisite time periods, it can thereafter re-qualify for Safe Stay designation.