

○Ordinance for Enforcement of the Hotel Business Act

October 22, 1957

Ordinance No. 63

Amendments Ordinance No. 66 of June 17, 1974

Ordinance No. 78 of July 18, 1980

Ordinance No. 50 of March 31, 1986

Ordinance No. 58 of March 14, 2003

Ordinance No. 61 of March 31, 2005

Ordinance No. 116 of October 12, 2007

Ordinance No. 48 of March 30, 2012

Ordinance No. 73 of June 27, 2018

Ordinance No. 78 of June 14, 2021

[Ordinance on Hygiene Measures Standards for Hotel Business Facilities] is hereby promulgated.

Ordinance for Enforcement of the Hotel Business Act

(Renamed by Ordinance No. 66 of 1974)

All of the Ordinance on Hygiene Measures Standards for Hotel Business Facilities (Tokyo Metropolitan Government Ordinance No. 109 of September 1948) is hereby amended.

(Outline)

Article 1 This ordinance is to specify standards for measures necessary for the hygiene of guests pursuant to the provisions of the Hotel Business Act (Act No. 138 of 1948; hereinafter referred to the “Act”) and other necessary matters.

(Totally amended by Ordinance No. 58 of 2003)

(Documents to be Attached to Application Form)

Article 1-2 Persons who intend to obtain a license pursuant to the provisions of Article 3, paragraph (1) of the Act must attach to the application form a certificate of registered information pertaining to land and buildings, a copy of the lease contract, and other documents specified by the Tokyo Metropolitan Government regulations (hereinafter referred to as the “Regulations”) as those showing that they have the necessary title to operate an hotel business.

(Added by Ordinance No. 73 of 2018)

(Social Education Facilities)

Article 2 (1) Facilities based on the provisions of Article 3, paragraph (3), item (iii) of the Act shall be as follows:

- (i) Miscellaneous category schools prescribed in Article 134, paragraph (1) of the School Education Act (Act No. 26 of 1947) whose curriculum corresponds to the curriculum of schools (excluding universities) prescribed in Article 1 of the same act;
- (ii) Libraries prescribed in Article 2, paragraph (1) of the Library Act (Act No. 118 of 1950); and
- (iii) In addition to the facilities listed in the preceding two items, museums, community centers, parks, sports facilities, and other similar facilities that are primarily used by children or used by many children, and which are particularly designated by the governor as deemed necessary

(2) When the governor designates a facility pursuant to the provisions of item

(iii) of the preceding paragraph, the governor must do so by public notice.

(Added by Ordinance No. 66 of 1974, and partially amended by Ordinance No. 61 of 2005 and Ordinance No.116 of 2007)

(Hearing of Opinions)

Article 3 The persons specified in the ordinance prescribed in Article 3, paragraph (4) of the Act shall be as follows:

- (i) If the facility is established by the national government, the head of the relevant facility;
- (ii) If the facility is established by a local government, the head of the local government or the board of education that has administrative jurisdiction over the relevant facility; and
- (iii) If the facility is established by a party other than the national or local government, the administrative authority that supervises the relevant facility; if there is no administrative authority that supervises the facility, the head of the municipality (excluding cities that have health centers) where the relevant facility is located

(Added by Ordinance No. 66 of 1974, and partially amended by Ordinance No. 78 of 1980 and Ordinance No. 48 of 2012)

(Standards for Measures Necessary for Hygiene of Guests)

Article 4 The standards for measures specified in the ordinance pursuant to the provisions of Article 4, paragraph (2) of the Act shall be as follows:

- (i) For business facilities, the following ventilation measures shall be taken:
  - (a) Openings provided for ventilation shall be kept open at all times; and
  - (b) If mechanical ventilation equipment is provided, adequate operation shall be ensured;

- (ii) Each area within the facility shall have the necessary illuminance for the health and safety of guests or for business purposes;
- (iii) The drainage equipment shall have good water flow at all times and have no problem with the drainage of rainwater and wastewater;
- (iv) Guest rooms, reception rooms, dining rooms, cooking areas, pantries, entrances, bathrooms, changing rooms, washrooms, restrooms, hallways, stairs, etc. shall be kept clean at all times;
- (v) For bedding, the following measures shall be taken:
  - (a) Clean sheets, duvet covers, pillowcases, etc. shall be used for duvets and pillows;
  - (b) Sheets, duvet covers, pillowcases, and nightwear shall be exchanged and washed for each guest; and
  - (c) Duvets and pillows shall be properly washed and managed.
- (vi) When installing gas equipment in a guest room, the following measures shall be taken:
  - (a) Notices regarding the opening/closing times of the main valve and how to use gas shall be displayed in a place easily visible to guests; and
  - (b) The main valve shall not be opened unless the safety of the guests in each guest room is confirmed;
- (vii) For bathrooms, the following measures shall be taken:
  - (a) Sufficient clean water and hot water shall be provided to water faucets and hot-water faucets;
  - (b) The water in the bathtub shall be changed and the bathtub cleaned at least once a day. However, if specified by Regulations, the water shall be changed and the

bathtub cleaned at least once a week;

(c) In communal bathrooms, the bathtub shall be kept filled with water or hot water at all times while in use;

(d) When using a hot water storage tank, the following measures shall be taken:

(1) The condition of dirt, etc. inside the hot water storage tank shall be inspected from time to time, and as prescribed by the Regulations, cleaning and disinfection shall be performed regularly to remove sliminess, etc.; and

(2) The hot water in the hot water storage tank shall be kept at a temperature higher than that specified by the Regulations. However, if this is difficult, the hot water shall be disinfected with a chlorine chemical;

(e) When circulating bath water using a filter, etc., the following measures shall be taken:

(1) The filter shall be regularly backwashed, etc. to remove biofilm and other dirt adhering to the filter media, as specified by the Regulations, and the inside shall be disinfected;

(2) The piping used to circulate bathtub water shall be disinfected regularly as specified by the Regulations;

(3) Hair catchers shall be cleaned regularly to remove hair, dirt, sliminess, etc., as specified by the Regulations;

(4) Bath water shall be disinfected with a chlorine chemical and the free residual chlorine concentration shall be maintained at 0.4 milligrams per liter or higher. However, if this is difficult, disinfection shall be carried out as specified by the Regulations to maintain water quality in which Legionella bacteria will not be detected; and

(5) The quality of bathtub water shall be regularly tested as specified by the Regulations;

(f) The implementation status of cleaning, disinfection, inspection, etc. pursuant to the provisions of (d) and (e) shall be recorded and retained for three years.

(viii) The hand-washing equipment of washrooms and restrooms shall be provided with a sufficient supply of clean water, and hot water; and soap, hand soap, etc. shall be available at all times;

(ix) If combs, cups, etc. are provided in guest rooms, changing rooms, etc., they shall be clean and changed for each guest;

(x) Washcloths, etc. provided in restrooms shall be clean and changed for each guest;

(xi) A person operating a hotel business (hereinafter referred to as a "business operator") shall, in principle, appoint a manager for each business facility in order to properly take the necessary measures for the hygiene of guests as prescribed in each of the preceding items. However, this does not apply to business facilities that are managed by business operators themselves; and

(xii) For facilities other than inns and hotels, a system shall be in place to enable quick response in the event of an accident or other emergency.

(Totally amended by Ordinance No. 58 of 2003, and partially amended by Ordinance No. 73 of 2018 and Ordinance No. 78 of 2021)

(Grounds on Which Accommodation May be Refused)

Article 5 The grounds specified in the ordinance pursuant to the provisions of Article 5, item (iii) of the Act are as follows:

(i) When a person seeking lodging is deemed to be inebriated or otherwise and is likely to cause a significant nuisance to other guests; or

(ii) When a guest engages in behavior that causes a significant nuisance to other guests.

(Partially amended by Ordinance No. 66 of 1974; former Article 12 moved down, and partially amended by Ordinance No. 58 of 2003; former Article 14 moved up)

(Matters to be Observed by Business Operators)

Article 6 A business operator must post the name of the business facility in a place that is easily visible to the public.

(Totally amended by Ordinance No. 73 of 2018)

(Standards for the Structure and Equipment of Inn/Hotel Business Facilities)

Article 7 The standards for the structure and equipment of inn/hotel business facilities pursuant to the provisions of Article 1, paragraph (1), item (viii) of the Enforcement Order of the Hotel Business Act (Cabinet Order No. 152 of 1957; hereinafter referred to as the "Cabinet Order") shall be as follows:

- (i) If an entrance counter is provided that is suitable for interviews with those seeking lodging, it shall be provided in a location that is easily accessible to those seeking lodging, and shall have a size suitable for administrative tasks such as reception;
- (ii) Guest rooms shall comply with the following standards:
  - (a) The total floor area of the structural parts specified in the Regulations for one guest room shall be greater than or equal to the area prescribed in Article 1, paragraph (1), item (i) of the Cabinet Order;
  - (b) Guest rooms shall have sufficient space according to the accommodation capacity, and be structured to allow for easy cleaning; and
  - (c) Rooms used for sleeping, resting, etc. shall be structured to allow for sufficient lighting from windows;
- (iii) A sufficient amount of bedding shall be provided to accommodate guests;

- (iv) Bathrooms shall comply with the following standards:
  - (a) Bathrooms shall be clean and structured to allow for easy cleaning without causing hygiene problems;
  - (b) Bathtubs and washing areas shall be provided with drainage outlets of appropriate size and at appropriate locations so as not to impede drainage;
  - (c) If a communal bathroom or shower room is provided, a dressing room of sufficient size shall be provided, taking into account the accommodation capacity and usage pattern; and
  - (d) When circulating bath water using a filter, etc., the following standards for structure and equipment shall be complied with:
    - (1) The filter shall have sufficient filtration capacity, and a hair catcher shall be installed upstream of the filter;
    - (2) The filter media of the filter shall be capable of sufficient backwashing. However, if this is difficult, the structure shall allow for appropriate replacement of the filter media;
    - (3) The structure shall not allow circulating bath water to be reused for streams of hot water, showers, etc.;
    - (4) The structure shall not allow water or hot water that overflows from the bathtub to be reused;
    - (5) The structure shall be designed to prevent accidents caused by bathers accidentally swallowing bath water, inhaling droplets, etc.;
    - (6) The structure of circulating water intake shall be designed to prevent inhalation accidents by bathers; and
    - (7) If a bubble generator, jet spray device, or other equipment that generates minute water droplets is installed, the structure shall allow for inspection, cleaning,

and drainage;

(v) If gas equipment is installed in guest rooms, the following standards shall be complied with:

(a) The gas equipment shall have a dedicated main valve; and

(b) Gas pipes shall be corrosion resistant, gas supply not easily interrupted, and connected in such a way that they cannot be easily removed;

(vi) Restrooms shall comply with the following standards:

(a) Restrooms shall have insect and odor control equipment as well as hand washing equipment;

(b) Restrooms shall be provided at a location that is easily accessible to guests, etc.;

(c) If communal restrooms are provided, they shall be provided in an appropriate number, separated by men's and women's; and

(d) Communal restrooms shall be provided on floors that have guest rooms without toilets; and

(vii) If communal washrooms are provided, the washroom equipment shall have an appropriate number of water tap faucets to meet the needs of guests.

(Added by Ordinance No. 58 of 2003, and partially amended by Ordinance No. 73 of 2018 and Ordinance No. 78 of 2021)

Article 8 Deleted

(Ordinance No. 73 of 2018)

(Standards for the Structures and Equipment of Facilities Operating Common Lodging Houses)

Article 9 (1) The standards for the structures and equipment of facilities operating common lodging houses pursuant to the provisions of Article 1, paragraph (2), item (vii) of the Cabinet Order shall be as follows:

(i) Guest rooms shall have sufficient space according to the accommodation capacity;

(ii) The total floor area of the structural parts of guest rooms specified in the Regulations shall be greater than or equal to the area prescribed in Article 1, paragraph (2), item (i) of the Cabinet Order; and

(iii) If a guest room is provided that is not shared by a large number of people, the total floor area of the guest room shall be less than one-half of the total floor area of the total guest rooms.

(2) The provisions of Article 7, item (ii), (b) and (c), and items (iii) to (vii) apply mutatis mutandis to facilities operating common lodging houses.

(Added by Ordinance No. 58 of 2003, and partially amended by Ordinance No. 73 of 2018)

(Standards for the Structures and Equipment of Facilities Operating Boarding Houses)

Article 10 (1) The standards for the structures and equipment of facilities operating boarding houses pursuant to the provisions of Article 1, paragraph (3), item (v) of the Cabinet Order shall be that the guest rooms are of sufficient size according to the accommodation capacity.

(2) The provisions of Article 7, item (ii), (b) and (c), and items (iv) to (vii) apply mutatis mutandis to facilities operating boarding houses.

(Added by Ordinance No. 58 of 2003, and partially amended by Ordinance No. 73 of 2018)

Article 11 Deleted

(Ordinance No. 73 of 2018)

(Exemption from Application of the Standards for Structures and Equipment)

Article 12 (1) Regarding facilities under Article 5, paragraph (1) of the Enforcement Regulation of the Hotel Business Act (Ministerial Order of the Ministry of Health and Welfare No. 28 of 1948), if the structure and equipment do not need to comply with the standards under Articles 7 and 9 or it is difficult to comply with these standards, and it is deemed that there is no problem in terms of public health, the standards listed in each of the following items may be exempted from application for the businesses listed in each of the relevant items:

- (i) Inn/hotel business Standards under Article 7, items (iii), (iv), (c), and (vi)
- (ii) Common lodging house business Standards under Article 7, items (iii), (iv), (c), and (vi) applied mutatis mutandis in Article 9, paragraph (1), item (iii) and paragraph (2) of the same Article

(2) In addition to the cases specified in the preceding paragraph, regarding inn/hotel businesses, common lodging house businesses, or boarding house businesses, if the structure and equipment do not need to comply with the standards under Articles 7, item (vi) (including cases where they apply mutatis mutandis to Article 9, paragraph (2) and Article 10, paragraph (2)) or it is difficult to comply with these standards, and it is deemed that there is no problem in terms of public health, the standards may be exempted from application.

(Added by Ordinance No. 58 of 2003, and partially amended by Ordinance No. 73 of 2018)

(Delegation)

Article 13 In addition to what is specified in this ordinance, matters necessary for the enforcement of this ordinance shall be specified by the Regulations.

(Partially amended by Ordinance No. 66 of 1974; former Article 15 moved down, and partially amended by Ordinance No. 58 of 2003; former Article 17 moved up)

#### Supplementary Provisions

This ordinance comes into effect as of the date of promulgation.

#### Supplementary Provisions (Ordinance No. 66 of 1974)

This ordinance comes into effect as of the day on which six months have passed from the date of promulgation.

#### Supplementary Provisions (Ordinance No. 78 of 1980)

This ordinance comes into effect as of the date of promulgation.

#### Supplementary Provisions (Ordinance No. 50 of 1986)

This ordinance comes into effect as of June 24, 1986.

#### Supplementary Provisions (Ordinance No. 58 of 2003)

(1) This ordinance comes into effect as of April 1, 2003.

(2) At the time of enforcement of this ordinance, regarding business facilities that have actually obtained a license to operate pursuant to, and facilities that have actually applied for the relevant license pursuant to, the provisions of Article 3, paragraph (1) of the Act, the provisions of Article 7, item (vii), (d), (1) and (4) of the Ordinance for Enforcement of the Hotel Business Act following the amendment by this ordinance (including cases where they apply mutatis mutandis to Article 8, paragraph (3), Article 9, paragraph (3), and Article 10, paragraph (3)) do not apply. However, this does not apply if the bathroom of a business facility is extended or renovated or undergoes large-scale repairs on or after the enforcement date of this ordinance.

#### Supplementary Provisions (Ordinance No. 61 of 2005)

This ordinance comes into effect as of April 1, 2005.

Supplementary Provisions (Ordinance No. 116 of 2007)

This ordinance comes into effect as of the effective date of the Act Partially Amending the School Education Act (Act No. 96 of 2007).

(Effective date = December 26, 2007)

Supplementary Provisions (Ordinance No. 48 of 2012)

- (1) This ordinance comes into effect as of April 1, 2012.
- (2) Pursuant to the provisions of Article 19 of the Supplementary Provisions of the Act on the Development of Related Laws to Promote Reforms to Increase Local Autonomy and Self-Reliance (Act No. 105 of 2011), regarding the application of the provisions of Article 3, item (iii) of the Ordinance for Enforcement of the Hotel Business Act following the amendment by this ordinance in cases where a special ward or a city that has a health center is deemed to be a facility specified by the ordinance, "municipalities (excluding cities with health centers)" in the same item shall be replaced with "special wards or municipalities."

Supplementary Provisions (Ordinance No. 73 of 2018)

This ordinance comes into effect as of the date of promulgation. However, the provisions adding an Article following Article 1 and the provisions that amend Article 6 come into effect as of October 1, 2018.

Supplementary Provisions (Ordinance No. 78 of 2021)

- (1) This ordinance comes into effect as of January 1, 2022. However, the provisions that add the following to Article 7, item (iv), (d), and the provisions in the following paragraph come into effect as of October 1, 2021.
- (2) At the time of enforcement of the amended provisions prescribed in the proviso to the preceding paragraph, regarding business facilities that have actually obtained a license to operate pursuant to, and facilities that have actually applied for the relevant

license pursuant to, the provisions of Article 3, paragraph (1) of the Hotel Business Act (Act No. 138 of 1948), the provisions of Article 7, item (iv), (d), (7) of the Ordinance for Enforcement of the Hotel Business Act following the amendments by this ordinance do not apply. However, this does not apply if the bathroom of a business facility is extended or renovated, or undergoes large-scale repairs on or after the date prescribed in the proviso to the preceding paragraph.