

CHAPTER 35-19 INNKEEPER'S LIEN

35-19-01. Innkeeper's lien authorized.

The keeper of any inn or hotel or of any tourist camp, whether an individual, a partnership, a corporation, or a limited liability company, has a lien on the baggage and other property in and about such inn, hotel, or tourist camp belonging to or under the control of guests or boarders for the proper charges due from such guests for accommodation, board, and lodging, and for all money paid for or advanced to them not to exceed the sum of two hundred dollars, and for such other extras as are furnished at their request. The innkeeper, hotelkeeper, or tourist camp keeper has the right to detain the baggage and other property until the amount of such charges is paid, and such baggage and other property is exempt from attachment or execution until such innkeeper's lien and the cost of satisfying it are paid.

35-19-02. Sale of property subject to innkeeper's lien.

The innkeeper, hotelkeeper, or tourist camp keeper shall retain any baggage and other property upon which the person has a lien for a period of ninety days, at the expiration of which time, if such lien is not satisfied, the person may sell such baggage and other property at public auction after giving ten days' notice of the time and place of the sale in a newspaper of general circulation in the county where the inn, hotel, or tourist camp is situated, and by mailing a copy of such notice addressed to the guest or boarder at the place of residence registered by the guest or boarder in the register of the inn, hotel, or tourist camp.

35-19-03. Disposal of money remaining after foreclosure.

After satisfying the lien and any costs that may accrue, any residue remaining must be paid to the guest or boarder on demand. If a demand is not made within six months from the date of the sale, such residue must be deposited by the innkeeper, hotelkeeper, or tourist camp keeper with the treasurer of the county in which the inn, hotel, or tourist camp is situated, together with a statement of the innkeeper's claim and the cost of enforcing the same, a copy of the published notice, and a statement of the amounts received for the goods sold at said sale. The county treasurer shall credit the residue to the general revenue fund of the county subject to the right of the guest or boarder, or the guest's or boarder's representative, to reclaim it at any time within three years after the date of deposit thereof.