

ORDINANCE NO. 052, SERIES 2015

AN ORDINANCE AMENDING SECTIONS 115.001 THROUGH 115.006 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES (LMCO) RELATING TO HOMELESS SHELTERS, AND TRANSITIONAL HOUSING TO INCLUDE AND BOARDING AND LODGING HOUSES. (AS AMENDED)

Sponsored By: Council Member Cheri Bryant Hamilton

WHEREAS, Metro Louisville has a growing number of boarding and lodging houses; and non-owner occupied properties; and

WHEREAS, requiring licensure of boarding and lodging houses will prevent substandard living standards and depreciation of surrounding property values and will help protect neighborhoods.

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: Section 115.001 of the Louisville Metro Code of Ordinances is hereby amended by the addition of the following definition:

§ 115.001 DEFINITIONS.

BOARDING AND LODGING HOUSE. A dwelling unit where for compensation and by prearrangement rooms are provided for no more than eight people, meals may or may not be provided, but there exists one common kitchen facility. This term does not apply to hotel, motel, extended stay lodging facilities, short-term rental facilities, nursing home rooms, or assisted living units.

SECTION II: The Section 115.001 definitions of Operator and Shelter are hereby amended as follows:

**OPERATOR.** The person or group that runs transitional housing or a homeless shelter or boarding and lodging house.

**SHELTER.** Transitional housing or a homeless shelter or boarding and lodging house.

**SECTION III:** Section 115.003 of the Louisville Metro Code of Ordinances is hereby amended by the addition of the following requirements for applications for boarding and lodging houses:

**§ 115.003 ANNUAL APPLICATION FOR LICENSE; INVESTIGATION; FEE.**

(A) Each annual application to the Director for a license to operate a shelter shall be in writing, notarized, and shall be in the form prescribed by the Director. The application, at a minimum, shall set forth:

(10) Boarding and lodging house applications shall provide the following additional information:

- a) Resident/client profile (population to be served);
- b) Site plan and floor plans;
- c) Rules of conduct and business management plan;
- d) Support services to be provided and projected staffing level, if any.
- e) Proposed maximum stay for each resident

**SECTION IV:** Section 115.003 (C) (2) is hereby amended as follows:

(C) (1) An annual application for a license must be made for each separate shelter or campus.

(2) When an application is received by the Director, the Director shall refer a copy of the application to the appropriate Metro Government agencies, which shall within ten business days of their receipt of the license application cause the facilities to be inspected to determine if the facilities meet the zoning, health, sanitation, structural, fire, property maintenance and fire safety requirements set out in any applicable state and local laws, and report such information to the Director within ten business days of such inspection.

**SECTION V:** Section 115.005 is hereby amended with respect to boarding and lodging as follows:

**§ 115.005 DUTIES OF OPERATOR.**

(19) Boarding and lodging houses shall not have any signage which identifies the use.

(20) Boarding and lodging houses shall be located on or near a collector or arterial street with reasonable access to public transportation.

(21) Boarding and lodging houses shall provide sufficient on-site parking as required by the Land Development Code.

(22) A new owner of a shelter, including boarding and lodging house must file the registration statement within ten (10) days of a change of ownership and/or acquiring title to the shelter.

**SECTION VI:** Section 115.005 of the Louisville Metro Code of Ordinances is hereby amended by the addition of a new subsection (19) as follows:

(19) Subsections (4) through (7) and (9) through (12) of Section 115.005 shall not apply to boarding and lodging houses.

**SECTION VII:** Section 115.006 is hereby amended as follows:


**§ 115.006 RIGHT OF ENTRY TO INSPECT.**


Any peace officer, Code Enforcement Officer, Fire Department or Fire District official, the Department of Public Health and Wellness, and any other appropriate investigating officials of the Metro Government, shall have the right to enter any portion of a shelter's premises during regular business hours where shelter residents and employees are permitted for the purpose of making reasonable inspections and determining compliance with zoning, health, sanitation, structural, electrical, plumbing, fire, property maintenance and safety regulations, as well as all other provisions of law or regulations.


**SECTION VIII:** This licensure requirement shall apply in addition to licensure of boarding and lodging house licensed by the Commonwealth of Kentucky under KRS 21B.305 et seq.

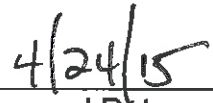
**SECTION IX:** This Ordinance shall take effect upon its passage and approval.

**SECTION X:** Existing boarding and lodging houses shall have ninety (90) days from the effective date of this Ordinance to comply with the requirements of LMCO 115 as revised herein.

  
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H. Stephen Ott  
Metro Council Clerk

  
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David W. Tandy  
President of the Council

  
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Greg Fischer  
Mayor

  
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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney



BY:   
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