

AN ORDINANCE PERTAINING TO HOMELESS SHELTERS

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 22 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 22

BUSINESSES

ARTICLE I. IN GENERAL

Sec. 22-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Shelter* means a charitable facility operated by either a not for profit corporation or a religious organization providing free temporary overnight housing in a dormitory style, barrack style, or per bed arrangement to homeless individuals.~~

ARTICLE II. LICENSES

Sec. 22-41. Duration of licenses; expiration date.

All licenses, except when otherwise provided, shall be for 12 months' duration and shall expire according to the following schedule:

Adult amusement device.....	June
Billiard and pool rooms.....	November
Bowling alley.....	April
Class A lounge.....	One year from date of issuance
Coin-operated amusement devices.....	June
Flammable liquid.....	June
Food service establishment.....	April
Group care facility.....	February
<u>Homeless Shelter.....</u>	<u>February</u>
Junk collectors.....	November
Lodging place operator.....	February

Mobile units.....	April
Motion picture theater.....	April
Pawnbroker.....	September
Peddler.....	April
Roller skating rink.....	April
Secondhand dealer.....	September
Special food handlers.....	April
Taxicabs.....	February

ARTICLE XVI. HOMELESS SHELTERS*

Sec. 22-451. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Homeless shelter means a homeless shelter as defined in the Appendix A of the Code of Ordinance, Zoning and Land Use Code.

Controlling Person means a Person who is (i) an officer, including executive director and manager of the homeless shelter, and (ii) ~~a member of the Board of Directors or Board of Managers, of the homeless shelter, and~~ (iii) an owner of more than ten (10) percent or more of the ownership interests an entity that is not a non-profit organization that manages or operates the homeless shelter.

Sec. 22-453. Application submission requirements.

(1) Applications, whether new or renewal, shall be made in writing using a form prepared by the city for the purpose.

(2) Each applicant for a homeless shelter license, as well as an applicant for a renewal of the license, shall submit to the city clerk the applicable license fee and 1 complete copy (12 complete copies for first time application) and a PDF to the city clerk consisting of: (i) the application on the form provided by the city clerk, (ii) the following support materials:

- 1) Attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the homeless shelter, except in the case of a renewal application the applicant need not submit this information unless there is an amendment from the original documents filed with the city.
- 2) ~~An~~ list affidavit that identifies every Controlling Persons of the Homeless Shelter, including the information as to their positions, such as executive

~~director chairman of the board; the city clerk shall use the affidavit as a basis to order State of Maine background checks.~~

3) Evidence of an adopted policy by the applicant whereby:

a. The homeless shelter undertakes background checks of all individuals who will be working on a compensatory or volunteer basis in the homeless shelter; signed verification by the applicant that this has been done during the past year and will be completed on all employees and volunteers during the coming license year.

8) i. Applicants requesting a license for a new shelter, or the addition of another shelter facility, must demonstrate financial capacity to develop said facility. This includes both renovations to an existing structure or the construction of a new structure.

ii. How the shelter will otherwise meet the performance standards and other requirements of this article to the extent not described above;

10) The physical address and location of homeless shelters that primarily serve survivors of domestic violence, human trafficking, and sexual exploitation shall be confidential.

Sec. 22-456. License term and renewal; meetings with city staff.

Quarterly meetings will be conducted at the shelter, held at the discretion of city staff, to allow the shelter operators and city staff representatives from the police department, fire department, planning and code enforcement department and city administration, the opportunity to discuss issues and concerns. The purpose of said meetings is to establish a good working relationship between the city and the owner and operators of the shelter. Shelters in existence prior to October 2022 shall be exempt from this requirement.

Sec. 22-458. Approval and operation requirements.

In order to obtain a license pursuant to this article, the licensee shall demonstrate to the licensing authority that the following requirements will be met. The licensee shall comply with all of these requirements during the term of the license:

9) *Demographics.* On an annual basis, a report must be provided by the licensee to the city clerk of the number of guests, their age range, familial and employment status, their last known municipality and state of residence, and the success rate of self- sufficiency and placement into permanent housing, as well as total number of individuals who were denied service. Said report received over the course of the license term shall be provided to the licensing authority with a renewal application. Homeless shelters that primarily serve survivors of domestic violence, human trafficking, and sexual exploitation are exempt from reporting the last known municipality and state of residence of their guests.

NOTE: Additions are underlined; deletions are ~~struck out~~.