

**AN ORDINANCE PERTAINING TO THE DEFINITION OF TRANSITIONAL  
HOUSING AND HOMELESS SHELTERS**

**THE CITY OF LEWISTON HEREBY ORDAINS:**

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

**APPENDIX A  
ZONING AND LAND USE CODE  
ARTICLE II. DEFINITIONS**

**Sec. 2. Definitions.**

*Homeless Shelter* A facility, the primary purpose of which is to provide temporary overnight accommodations to homeless persons who are guests, free of monetary charge, in either a dormitory-style arrangement (i.e. bedrooms with no cooking facilities), or dwelling unit style, or any combination of such arrangements. Accommodations are provided on a temporary basis, meaning that the facility is intended to serve as a refuge and a bridge between homelessness and residency in a fixed location. Such facility may also provide accessory support services such as food, hygiene, laundry, and staff offices; as well as meeting rooms for counseling, job training, and referrals to state, local or other agencies and organizations. Homeless shelters shall maintain a policy whereby entry and service is denied to guests who do any of the following: (i) carry weapons or exhibit violent behavior, (ii) are in possession of alcohol, illegal substances, or drug paraphernalia, (iii) do not observe the shelter's safety rules, (iv) refuse to identify themselves, or (v) have a known outstanding warrant for their arrest. Homeless shelters that serve survivors of domestic violence, human trafficking, and sexual exploitation are exempt from items (iv) and (v) of this definition. The term homeless shelter includes transitional housing but shall not include any certified recovery house or program. The term homeless shelter does not include No Barrier Shelters, which are not permitted. The term does not include federal, state, or municipal subsidy of temporary accommodations using existing homes, apartments, hotels or motels or facilities when deemed a local emergency by City of Lewiston pursuant to Chapter 30 of the Code of Ordinances.

Recovery house means a recovery residence as the term is defined in 5 MRSA §20003-19D.

Transitional housing means transitional housing as the term is defined in 24 CFR § 578.3.

Note: Additions are underlined; deletions are ~~struck-out~~.

**REASON FOR PROPOSED AMENDMENT**

The proposed amendment adds the term "transitional housing" to the definition of *homeless shelter* and define transitional housing as referenced in the Code of Federal Regulations. Specifically, *transitional housing* means "housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer

period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.”

The proposed amendment also adds the term “recovery house” to the city’s definitions and defines recovery house as a *recovery residence* which means “a shared living residence for persons recovering from substance use disorder that is focused on peer support, provides to its residents an environment free of alcohol and illegal drugs and assists its residents by connecting the residents to support services or resources in the community that are available to persons recovering from substance use disorder.”