

COMMISSIONERS' ORDINANCE NO. O-05-20

AN ORDINANCE CREATING CHAPTER 117 OF THE COVINGTON CODE OF ORDINANCES TO SET FORTH A UNIFORM SET OF STANDARDS FOR SHELTERS PROVIDING TEMPORARY HOUSING IN ORDER TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF CLIENTS, STAFF, AND THE COVINGTON COMMUNITY.

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WHEREAS, The City of Covington Board of Commissioners desire to improve the way homeless shelters serve the people who need them and are safe and compliant with requisite standards; and

WHEREAS, The City of Covington Board of Commissioners have identified a need for regulating shelters for the homeless in Covington; and

WHEREAS, Upon identification of the need, City staff researched potential solutions to: i) comply with local, state, and federal law; ii) continue to recognize and protect all citizens' constitutional rights; iii) ensure public safety; and iv) ensure shelter compliance with health and safety codes; and

WHEREAS, The shelter ordinance will help ensure the City complies with Federal and State law, and establishes the new policy concerning regulation of shelters for the homeless; and

WHEREAS, The shelter ordinance will further protect the compelling interests of the city and its citizens'; and

WHEREAS, The shelter ordinance reiterates current state law, establishing clear guidelines which enforcement officers can utilize in enforcing the policy in the best interests of the City; and

WHEREAS, The City Manager recommends that the Board of Commissioners adopt the following ordinance.

* * * *

NOW THEREFORE,
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

Chapter 117 of the City of Covington Code, 1984 edition, which reads as follows, is hereby created and added to the Covington Code of Ordinances:

HOMELESS SHELTERS AND TRANSITIONAL HOUSING

§ 117.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

ADDRESS. The physical location/address of a person or entity. It may not be a P.O. Box address.

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 includes recovery residences. This term does not apply to hotel, motel, extended stay lodging facilities, short-term rental facilities, nursing home rooms, or assisted living units.

CAMPUS. Shelters located on contiguous lots that are operated by the same operator.

CODE ENFORCEMENT OFFICER. Any employee of the city working under the direction of the Neighborhood Services Director and charged with the enforcement of the city's Nuisance Code, exclusive of clerical and administrative staff, as well as police and fire safety officers.

COUNSELING CENTER. A resource in the shelter that may direct residents to service providers that assist with alcohol and substance abuse treatment services, mental health services, health care, legal services, and alternative living arrangement services in the local community. This center in the shelter may provide help with job placement and educational opportunities.

CRIMINAL RECORD CHECK. A criminal record check performed by the Kentucky Administrative Office of the Courts for records of criminal actions in Kentucky.

DIRECTOR. Director of Neighborhood Services or other person designated by the city manager.

HEALTH DEPARTMENT. The Northern Kentucky District Health Department.

HOMELESS or HOMELESS INDIVIDUAL OR PERSON. An individual who lacks a fixed, regular, and adequate nighttime residence; and an individual who has a primary nighttime residence that is:

(1) A supervised publicly or privately operated homeless shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); or

(2) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

HOMELESS SHELTER. A facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed. No facility that is operated by the American Red Cross or other like entities to accommodate disaster victims who are left homeless due to events such as fires, flood, or hazardous materials releases that is operated under the Kenton County Emergency Operations Plan is included.

KENTUCKY HOMELESS MANAGEMENT INFORMATION SYSTEM (KYHMIS). The data system for agencies providing services for the homeless and maintained by the Kentucky Housing Corporation.

MANAGEMENT PLAN. A plan to implement the operating requirements and hours of operation sections of this ordinance that the shelter shall create.

MULTI-SERVICE SHELTER. A facility that provides meals, clothing, and other such services for persons who are not residents of the homeless shelter, in addition to operating a Homeless Shelter.

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

RESIDENT. A person properly registered or signed into a shelter for overnight occupancy that uses any or all of the services of a shelter.

RECOVERY RESIDENCE. A broad term describing a sober, safe and healthy living environment that promotes recovery from alcohol and other drug use and associated problems.

SHELTER. A homeless shelter or transitional housing or boarding and lodging house.

TRANSITIONAL HOUSING. A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home (as defined in the Land Development Code). These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).

§ 117.02 ANNUAL LICENSE REQUIRED; POSTING OF LICENSE.

(A) No person, firm, or corporation shall own or operate a shelter on any premises within the City of Covington unless an annual license for the operation of a shelter has been applied for and issued by the Director for the premises and the license remains in effect in conformity with the provisions of this chapter.

(B) Any license issued under this chapter shall be valid from the date of issuance until the next occurring September 1st, whether or not the next occurring September 1st is within the same calendar year as the grant of the license, unless the license has been suspended or revoked.

(C) Each owner or operator of a shelter licensed under this chapter shall post the operator's license, in a conspicuous place at or near the entrance to such shelter so that it may be easily read at any time.

(D) Application for renewal of a license shall be made at least ninety (90) days, but not before 210 days, before the expiration of the current license.

(E) If the renewal application and/or the annual fee are not tendered in a timely fashion, the Director shall serve notice to the operator that the failure to submit the renewal application and/or the annual fee within ten business days will be deemed an abandonment of the license as of the above-referenced renewal deadline. Service of the notice required by this section shall be deemed complete upon certified mailing, return receipt requested, or personal delivery.

(F) The services of the Multi-Service Shelter shall be subject to the requirements of this ordinance only for the programs and services related to the operation of the Homeless Shelter. Notwithstanding the foregoing, a Multi-Service Shelter must comply with Section 117.05(A)(18).

§ 117.03 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:

- (1) The name, address, and phone number of the applicant;
- (2) The organizational documents and by-laws of the organization showing its business address, email address and telephone number;
- (3) The names, addresses, email address and phone numbers of each member of the board of directors and key personnel responsible for the day-to-day operation of the facility if the applicant is a corporation;
- (4) The designation of a registered office and registered agent (who regularly works at the registered office) located in Kenton County, Kentucky which registered agent shall be its representative for the service of process or notice under this chapter;
- (5) The location for which the permit is desired; a zoning permit and a Certificate of Occupancy listing the maximum allowable occupancy.
- (6) If the applicant is not the owner of record of the real property on which the shelter is located or to be located, the application shall include the name and address of the owner of record of the real property, and a copy of lease or other agreement authorizing use of the property by applicant;
- (7) A management plan describing:
 - (a) Staffing: number, training and qualifications;
 - (b) Participation in the Kentucky Homelessness Management Information System (KYHMIS) on a monthly basis; and
 - (c) Shelter Policies required pursuant to “Duties of Operator”, Section 117.05, below.
- (8) The notarized statement of the executive director that all owners, officers, directors, and employees that have direct contact with a child at the shelter do not have a criminal record involving a felony violation of any crime against a minor, or an equivalent law of another jurisdiction within ten years next preceding the date of application, or any violation of this ordinance. Licensed shelters serving minors who are required to abide by KRS 17.165 may satisfy this standard by producing a current child caring or placing license.

(9) 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; and**
- (e) Proposed maximum stay for each resident.**

(10) This licensure requirement shall apply in addition to licensure of boarding and lodging house licensed by the Commonwealth of Kentucky under KRS 216B.305 et seq.

(B) A nonrefundable fee of \$100 shall accompany the application for a shelter. A nonrefundable fee of \$150 shall accompany the application for a campus.

(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 city 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.

- (a) A food establishment inspection shall not be required at the time of application for a shelter license if the Northern Kentucky District Health Department conducted such an inspection at the shelter location within the six months prior to the application, or if the shelter does not have cooking facilities. Northern Kentucky District Health Department will advise the Director in writing as to whether a food establishment inspection is required for the shelter license application.**

(D) A license to operate a shelter shall be issued to the applicant by the Director within ten business days after receipt of the inspection reports

required by subsection (C) above, if the application is fully and accurately completed and if the required inspections reveal that the shelter meets the zoning, health, sanitation, structural, fire, and safety requirements of any currently applicable federal, state and local laws as may be amended from time to time. However, no license shall be issued by the Director if any one of the following is found to be true:

- (1) The applicant or any of its owners, officers, directors, or employees that have direct contact with a child at the shelter has a felony violation of any crime against a minor, or an equivalent law of another jurisdiction within ten years next preceding the date of application, or any felony conviction for any crime involving physical abuse or sexual abuse, or any violation of this ordinance; or
- (2) An applicant is delinquent in the payment to the City of Covington of taxes, fees, fines or penalties assessed against or imposed upon the applicant in relation to a shelter; or
- (3) The license fee required by subsection (B) above has not been paid; or
- (4) The proposed shelter is located in a zoning district other than a district in which shelters are allowed to operate under the applicable zoning regulations of the City of Covington; or
- (5) The applicant's premises have been found by the Director to not be in compliance with laws or regulations of any applicable federal, state or local governments.

(E) In the event of denial, the Director shall notify the applicant in writing of the reasons for such denial. Said notice shall be mailed, certified mail, return receipt requested, within ten business days after the Director receives the inspection reports required by subsection (C) above.

(F) In the event the inspection required by this section is not completed within the time frame set forth in subsection (C) hereof or if the Director fails to notify the applicant in writing of the reasons for denial of the application in the manner prescribed in subsection (E) hereof, then the application will be deemed to be granted and the shelter authorized to operate until such time as all required inspections have been completed, the Director has received the required reports, and the applicant receives notice of the Director's decision on the application by certified mail, return receipt requested.

§ 117.04 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.

(A) Each separate shelter shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to:

- (1) The International Property Maintenance Code (IPMC) 2015, National Fire Protection Association (NFPA) Life Safety Code, National Fire Protection Association (NFPA) 1 Fire Code.**
- (2) The Covington Zoning Code.**
- (3) Occupancy limits established by the local building official and the Covington Fire Department.**
- (4) The provisions of KRS 17.545 unless the Shelter excludes registered sex offenders.**
- (5) Laws or regulations on nondiscrimination, zoning, building, safety, occupancy limits, property maintenance, food sanitation, health and sanitation, fire, electrical, plumbing, mechanical, reporting the dependency, abuse or neglect of minor children, and other applicable laws.**

§ 117.05 DUTIES OF OPERATOR.

(A) In addition to being in compliance with any currently applicable laws and regulations of the federal, state, or local governments required by § 117.04 of this chapter, it shall be the duty of the operator of a shelter licensed under this chapter to:

- (1) Maintain the health and safety standards set out herein or in any currently applicable laws or regulations of the federal, state, or local governments as may be amended from time to time;**
- (2) Have a criminal record check performed on all employees having direct contact with a child at the shelter prior to such employee's performing duties for the shelter, and annually thereafter;**
- (3) Have a criminal record check performed on all volunteers having direct contact with a child at the shelter within one week of the volunteer first volunteering for the shelter, and annually thereafter, or, if a licensed shelter serving minors, operator**

shall abide by state licensing requirements governing volunteers;

- (4) Provide and have available for review, by any employee, volunteer, or resident, educational materials regarding communicable diseases and precautions to be taken to protect the employee, volunteer, and shelter residents;
- (5) Maintain a written and posted first aid and cardiopulmonary resuscitation ("CPR") policy, including having:

 - (a) At least one person trained and currently certified in first aid and CPR on duty on each shift; and
 - (b) All certifications of employees or volunteers for first aid and CPR shall be kept on file for inspection by the Northern Kentucky District Health Department ; and
 - (c) Adequate and available medical supplies for first aid and CPR.
- (6) Provide written policies and procedures on the handling of prescription or over-the-counter drugs, including controls and/or limitations on access to prescription and over-the-counter drugs kept in the shelter;
- (7) Maintain sanitary conditions in the shelter;
- (8) Maintain all mattresses and box springs with a water resistant encasing protective cover that will resist tearing and can be wiped thoroughly with a disinfectant cleaner before use by any other residents;
- (9) Post a clearly marked evacuation plan that is approved by the appropriate Fire Department or Fire District official in areas available to both shelter staff and residents, and keep a copy of the plan on file;
- (10) Provide services to all individuals within the City of Covington free from discrimination because of race, color, religion, national origin, familial status, age, disability, sex, gender identity, or sexual orientation. Nothing contained herein shall be construed to prohibit any shelter from maintaining separate facilities for the different sexes or being a unisex facility;

- (11) Allow clients access to restrooms during shelter hours of operation; and
- (12) If required, have and maintain a Kentucky food establishment permit and have received a passing score on their most recent inspection.
- (13) Boarding and lodging houses shall not have any signage which identifies the use.
- (14) Boarding and lodging houses shall be located on or near a collector or arterial street with reasonable access to public transportation.
- (15) Boarding and lodging houses shall provide sufficient on-site parking as required by the Covington Zoning Code.
- (16) The new owner of a shelter, including a boarding and lodging house, must file the registration statement within ten days of a change of ownership and/or acquiring title to the shelter.
- (17) The Operator shall participate in and provide complete and accurate information for residents to the Kentucky Homeless Management Information System (KYHMIS) on a quarterly basis. The Operator shall grant the City of Covington complete access to all its data submitted to KYHMIS to the extent permitted by law.
- (18) The facility shall provide adequate waiting areas within the premises for clients and prospective clients to ensure that public sidewalks, streets and alleys are not used as queuing or waiting areas.
- (19) In the interest of infection control, the Operator shall maintain an accurate and complete list of the names of all residents housed in the Shelter.
- (20) The Operator shall maintain sufficient insurance coverage to protect against liability and foreseeable loss, and shall include the City of Covington as a named insured for any liability that may accrue to the City of Covington as a result of the operation of the Shelter.
- (21) The Operator shall have on premises adequately trained staff as to deal with the potential behavioral issues that will arise from the resident population without excessive reliance on the city's public safety agencies.

- (22) The Operator shall continuously monitor waiting areas to inform prospective residents whether they can be served in a reasonable time. If they cannot be served by the Operator because of time or resource constraints or occupancy limits, the monitor shall inform the prospective resident of alternative programs and locations where he or she may seek similar service.
- (23) The Operator shall provide for timely removal of litter attributable to clients within the vicinity of the facility every 24-hour period.
- (24) The service provider shall have a plan to minimize disruption or damage caused by clients' behavior on properties located within two blocks of the facility.
- (25) The Operator shall maintain good communication and have procedures in place to respond to operational issues which may arise from the neighborhood, City staff, or the general public.
- (26) The Operator shall implement other conditions and/or measures as determined by the City in consultation with other city agencies, necessary to ensure the management and /or residents of the establishment maintain the quiet enjoyment, safety and cleanliness of the Shelter and the vicinity of use.
- (27) The Operator shall establish standards for responding to emergencies and incidents involving the expelling of residents from the Shelter. Re-admittance policies for residents who have previously been expelled from the Shelter shall also be established.
- (28) The Operator shall establish re-admittance policies for residents whose behavior or conduct has required public safety agency intervention.
- (29) Alcohol and illegal drug use is prohibited on site. Service providers shall expel residents from the facility if found to be using alcohol or illegal drugs while on site, unless good cause is shown.
- (30) The facility shall be open 24 hours a day, seven days a week to provide, at a minimum, around the clock access to toilet and shower facilities for those eligible to be served by the facility.

(31) In order to encourage clients to pursue stable and permanent housing, the Operator shall limit the maximum stay for Residents to 150 days within a 365 day period, except for Residents participating in a Transitional Housing program as described in the management plan submitted as part of the licensing process; or for good cause shown.

(32) The operator shall not allow shopping carts or pets on the premises, except when the pets are registered as disability or emotional support pets.

(B) Notwithstanding the above requirements set forth in subsection (A), subsections (A)(17) through (A)(32) shall not apply to Boarding and Lodging Houses.

§ 117.06 RIGHT OF ENTRY TO INSPECT.

Any peace officer, Code Enforcement Officer, Fire Department or Fire District official and any other appropriate investigating officials of the City of Covington, 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.

§ 117.07 TRANSFER OF LICENSE.

(A) No shelter license shall be transferable except with the written approval of the Director. The application for such a transfer shall be in writing and shall contain the same information required for the initial application for such a license.

(B) The application procedure shall be the same as outlined in § 117.03 of this ordinance. A \$100 transfer fee shall be charged for each such license transfer.

(C) In the event of denial, notification and reasons for denial shall be given to the applicant in the manner provided by § 117.03 of this chapter. A denial of a transfer may be appealed in the same manner as the denial of an application for an original shelter license.

§ 117.08 DENIAL OF APPLICATION FOR A NEW LICENSE.

(A) In the event the Director denies an application for a new shelter, the Director shall advise the applicant of his or her decision, and the reasons

therefore, by certified letter, return receipt requested, sent to the most current address listed in the affected operator's file. Such denial of an application for a new shelter license shall include information regarding the right to appeal the decision. The applicant affected by the denial of a new permit shall have ten business days from the date of receipt of said notice to appeal the Director's decision by notifying him or her in writing of the basis for said appeal. The notice of appeal may be hand delivered to the Director or sent certified mail, return receipt requested. Unless a timely notice of appeal is received, the decision of the Director shall be final. When the Director denies an application for a new shelter, the applicant shall not operate as a shelter until either the Code Enforcement Board or a court of competent jurisdiction so orders. Notwithstanding the preceding sentence, all homeless shelters and transitional housing facilities in existence and in operation on the effective date of this chapter shall be issued an initial license for a term in accordance with § 117.02(B) of this chapter.

(B) When the Director receives a notice of an appeal, he or she shall schedule a time and date for the appeal to be heard before the Code Enforcement Board and such hearing shall be held within 30 calendar days of the date the Director receives the notice of appeal. The Director shall notify the appellant in writing of the hearing date and may send such notice by regular first class mail. The appellant may request an alternate hearing date but in no event shall it be more than 30 days after the originally scheduled date.

(C) At the hearing on the new license denial, the appellant shall have the right to counsel, present evidence and offer testimony by witnesses. The hearing shall be transcribed. The Board shall render written findings within 20 days of its oral decision. The Board's decision will be final unless appealed.

(D) Any party adversely affected by the Code Enforcement Board's decision may appeal it to the Kenton Circuit Court within 30 days of the date the Board issues its written findings. The party appealing the Board's decision will be responsible for the cost of preparing the transcript which, along with evidence presented and the written findings of the Board, shall constitute the record on appeal. The decision of the Board shall be effective during the pendency of the appeal unless stayed by a court of competent jurisdiction.

§ 117.09 REVOCATION, SUSPENSION, OR DENIAL OF THE TRANSFER OF A LICENSE.

(A) In the event the Director has reason to believe that a shelter is operating in violation of this chapter, or that the transfer of a license would create a violation of this chapter, the Director shall provide written notice to the operator that the shelter license is suspended, revoked, or denied a transfer.

The written notice shall include the reasons for the revocation, suspension, or denial of a transfer, and shall be sent by certified letter, return receipt requested, to the most current address listed in the affected operator's file. Such notice shall include information regarding the right to appeal the decision. Any decision by the Director to suspend, revoke, or deny the transfer of any license issued hereunder shall remain in abeyance until all appeals are exhausted or the time for filing the initial appeal from the Director's decision under subsection (B) hereof has expired.

(B) Upon receipt of a decision from the Director to suspend, revoke, or deny the transfer of a license, the operator affected thereby shall have ten business days from the date of receipt of said notice to appeal the Director's decision by notifying the Director in writing of the basis for said appeal. The notice of appeal may be hand delivered to the Director or sent certified mail, return receipt requested. Unless a timely notice of appeal is received, the decision of the Director shall be final.

(C) When the Director receives a notice of an appeal, the Director shall schedule a time and date for the appeal to be heard before the Code Enforcement Board and such hearing shall be held within 30 calendar days of the date the Director receives the notice of appeal. The Director shall notify the appellant in writing of the hearing date and may send such notice by regular first class mail. The appellant may request an alternate hearing date but in no event shall it be more than 30 days after the originally scheduled date.

(D) At the hearing on any license suspension, revocation, or denial of license transfer, the operator shall have the right to counsel, present evidence and offer testimony by witnesses. The hearing shall be transcribed. The Board shall render written findings within 20 days of its oral decision. The Board's decision will be final unless appealed.

(E) Any party adversely affected by the Code Enforcement Board's decision may appeal it to the Kenton Circuit Court within 30 days of the date the Board issues its written findings. The party appealing the Board's decision will be responsible for the cost of preparing the transcript which, along with evidence presented and the written findings of the Board, shall constitute the record on appeal. The decision of the Board shall be effective during the pendency of the appeal unless stayed by a court of competent jurisdiction.

§ 117.10 ENFORCEMENT.

(A) In addition to the penalties provided in § 117.99 of this chapter, the Director is authorized to enforce the provisions of this chapter through declaratory, injunctive and other civil actions filed in any court of competent jurisdiction.

(B) The Director has the authority to issue rules and regulations for the implementation of this chapter. Written notice of the issuance of any rules and/or regulations concerning the implementation of this chapter shall be sent by first class mail to all license holders ten days prior to the date they become effective. The rules and regulations shall be available to the public online through the City of Covington website.

§ 117.11 IMPLEMENTATION SCHEDULE.

(A) Elements of this ordinance requiring an existing shelter to invest \$50,000 or more in capital funds to become compliant shall be effective two years from the date of passage and publication of the ordinance. Shelters desiring such a delay shall submit a petition to the Director within 90 days after adoption of this ordinance.

(B) The Operators of existing facilities shall apply for the Permit and submit the required documentation within six (6) months after the date of passage and publication of the ordinance.

(C) All shelters occupied for the first time after January 1, 2020 shall comply fully with the requirements of the ordinance without delay.

§ 117.99 PENALTIES.

(A) Any person who operates a shelter without a license as provided in this ordinance shall be issued a citation by an enforcement officer designated by the Director, and ordered to cease operations until a valid license is obtained. Operating a shelter without a license shall constitute a civil offense and any person, firm, or corporation who operates a shelter without a license shall be subject to a civil fine of not less than \$500, nor more than \$1,000, per day for each day that a shelter is operated without a valid license. Citations and enforcement proceedings shall be pursued in accordance with Chapter 92 of this code. Each day of such violation(s) shall constitute a separate offense.

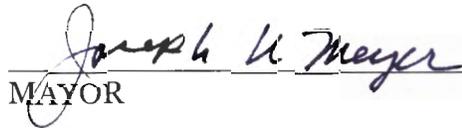
(B) Operating a licensed shelter in a manner that violates the provisions of this chapter shall constitute a civil offense and any person, firm, or corporation who operates a licensed shelter in a manner that violates the provisions of this chapter shall be subject to a civil fine of not less than \$100, nor more than \$1,000, per day for each day that a licensed shelter is operated in a manner that violates this code. Citations and enforcement proceedings shall be pursued in accordance with Chapter 92 of this code. Each day of such violation(s) shall constitute a separate offense.

(C) A person found to have committed a violation of this code shall be personally responsible for the amount of the civil fines assessed for the

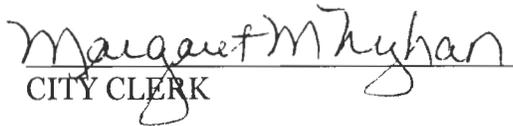
violation and for all charges, fees, and abatement costs incurred by the City in connection with the enforcement of the ordinance. The City may bring a civil action against the person and shall have the same remedies as provided for the recovery of a debt.

Section 2

That this ordinance shall take effect and be in full force when passed, published, and recorded according to law.


MAYOR

ATTEST:


CITY CLERK

Passed: 2-11-20 (Second Reading)

1-28-20 (First Reading)