

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 6-8-10

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Department of Law
For reading: May 25, 2010

ANCHORAGE, ALASKA
AO No. 2010-46

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 16 TO**
2 **ENACT A NEW CHAPTER REGARDING THE COLD WEATHER PLAN FOR**
3 **HOMELESS PERSONS.**
4

5
6 **THE ANCHORAGE ASSEMBLY ORDAINS:**
7

8 **Section 1.** The Anchorage Municipal Code title 16 is hereby amended to add a new
9 chapter 16.120 to read as follows:
10

11
12 **Chapter 16.120 COLD WEATHER PLAN FOR HOMELESS**
13 **PERSONS.**
14

15
16 **16.120.010 Plan purpose and objective.**
17

- 18 A. The Cold Weather Plan for Homeless Persons implements measures to
19 coordinate public and private resources when outside temperatures pose an
20 immediate danger to the life and health of unsheltered people within the
21 municipality. The plan objective is to safeguard the lives of vulnerable
22 homeless individuals by providing shelter during inclement weather conditions.
23
24 B. The department shall take reasonable and necessary actions to implement the
25 requirements of this chapter.
26

27 **16.120.020 Cold weather plan activation and deactivation.**
28

- 29 A. The Cold Weather Plan shall be activated when the outside temperature drops
30 to 32 [15] degrees Fahrenheit or below, by ambient or wind-chill measures.
31 The plan is automatically in effect, with no further action required by the
32 municipality or by designated temporary cold weather shelters, to provide
33 shelter services under this chapter.
34
35 B. The Cold Weather Plan shall be deactivated when the outside temperature rises
36 to 33 [16] degrees Fahrenheit or above. Notwithstanding deactivation due to

1 temperature increases, no person sheltered overnight at a temporary cold
2 weather shelter under this chapter shall be asked or required to leave before
3 8:00 a.m. without good cause.
4

- 5 C. Temperature readings, for the purposes in this section, shall be according to the
6 National Weather Service (NWS), Merrill Field Airport station, Anchorage. In
7 the event the Merrill Field Airport station is offline, temperature readings from
8 the NWS Lake Hood, Elmendorf, or Ted Stevens International Airport stations
9 may be utilized.
10

11 **16.120.030 Cold weather plan protocols.**
12

- 13 A. When the Plan is in effect, and for the duration of the plan, the following
14 provisions shall apply:
15

16 1. Uses or use of structures, as defined in section 21.35.020, are
17 permitted, notwithstanding any use prohibition in chapter 21.40:
18

19 a. Churches designated as temporary cold weather shelters under
20 this chapter may provide overnight shelter to homeless families
21 and individuals who are not under the influence of alcohol or
22 controlled substances not prescribed to the individual.
23

24 b. Social service facilities designated as temporary cold weather
25 shelters under this chapter may provide overnight shelter to
26 homeless persons.
27

28 c. Inebriate reception centers shall not ask or require any person
29 admitted after 8:00 p.m. to leave the center before 8:00 a.m. the
30 following day without good cause, regardless of intoxication or
31 incapacitation level. Persons may leave voluntarily if otherwise
32 released by the center.
33

34 2. Other facilities designated as cold weather shelters under this chapter
35 may provide overnight shelter for homeless persons in accordance with
36 the conditions and requirements established by the department.
37

38 **16.120.040 Designation of temporary cold weather shelters.**
39

- 40 A. The department shall develop and maintain a database of approved designated
41 temporary cold weather shelters.
42

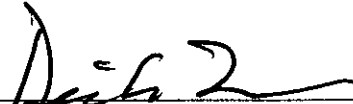
- 43 B. The department may designate social service facilities, churches, and other
44 structures as temporary cold weather shelters. Designation is a discretionary
45 decision of the department; nothing in this chapter shall require designation,
regardless of an applicant's satisfaction of all requirements set forth herein. To

1 qualify, a social service facility, church, or other facility shall apply to the
2 department director or a designee and satisfy the following requirements:

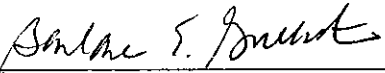
- 3
- 4 1. The facilities shall be certified by the Anchorage Fire Department as
5 adequate for a cold weather shelter.
6
 - 7 2. Staff shall be adequately trained as determined by the department.
8
 - 9 3. The applicant shall submit a written plan and protocols consistent with
10 the cold weather plan of the municipality and approved by the
11 department. The plan and protocols shall include provisions indicating
12 cooperation with other cold weather and emergency shelter providers
13 identified by the department, and point of entry protocols.
14
15 a. A church applicant's plan and protocols shall include
16 provisions limiting use of its facilities as a temporary cold
17 weather shelter to homeless families and individuals who are
18 not under the influence of alcohol or controlled substances not
19 prescribed to the individual.
20
 - 21 4. The applicant shall enter a written agreement with the municipality
22 relevant to its operations as a temporary cold weather shelter.
23
 - 24 5. Meet other requirements deemed necessary by the department.
25

26 **Section 2.** This ordinance shall become effective immediately upon its passage and
27 approval by the Assembly.
28

29
30 PASSED AND APPROVED by the Anchorage Assembly this 8th day of
31 June, 2010.
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36 
37 _____
38 Chair of the Assembly

39 ATTEST:

40
41 
42 _____
43 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2010-46

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 16
 TO ENACT A NEW CHAPTER REGARDING THE COLD WEATHER PLAN
 FOR HOMELESS PERSONS.

Sponsor: MAYOR
 Preparing Agency: Department of Health & Human Services
 Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)				
	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:					
CAPITAL:	\$ -	\$ -	\$ -	\$ -	\$ -
POSITIONS: FT/PT and Temp					
PUBLIC SECTOR ECONOMIC EFFECTS: No					

PRIVATE SECTOR ECONOMIC EFFECTS: No

Prepared by: Darrel Hess, Homeless Coordinator, DHHS
 Approved by: Diane Ingle, Director, DHHS

Telephone: 343-4698

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 304-2010

Meeting Date: May 25, 2010

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **TITLE 16 TO ENACT A NEW CHAPTER REGARDING THE COLD**
5 **WEATHER PLAN FOR HOMELESS PERSONS.**
6

7
8 August 31, 2009, Mayor Sullivan released The Mayor's Strategic Action Plan for Chronic
9 Public Inebriates and Related Issues of Homelessness. To assist with this effort the
10 Mayor's Homeless Leadership Team (HLT) was established. Subsequently the HLT
11 formed into five work groups that were tasked with reviewing current programs and
12 services within specific areas of Anchorage's Continuum of Care (COC), and making
13 recommendations regarding improvements and additions to programs and services, as well
14 as identifying possible funding streams.
15

16 While the focus of the Mayor's Strategic Action Plan is on those vulnerable residents of
17 Anchorage who are chronically homeless due to substance abuse and/or mental health
18 issues, several recommendations of the HLT and work groups also affect Anchorage's
19 efforts to deal with the larger issues of homelessness, especially families with children.
20

21 HLT Work Group 2 recommended implementation of a cold weather plan for the
22 Municipality of Anchorage, which would allow churches, designated by the Director of the
23 Department of Health and Human Services (DHHS), or their designee, to act as temporary
24 cold weather shelters for families and individuals who are not under the influence of
25 intoxicants, Title 21 notwithstanding.
26

27 For much of the winter of 2009/2010, Anchorage's family shelters were at capacity with
28 wait lists. Recognizing a need, Anchorage's Faith Based Community has expressed a
29 desire to partner with the municipality and provider organizations to help eliminate winter
30 wait lists for family shelters in the future.
31

32 The Cold Weather Plan for Homeless Persons (The Plan) coordinates public and private
33 resources when outside temperatures (15 degrees Fahrenheit or below) pose an immediate
34 danger to the life and health of unsheltered people within the Municipality of Anchorage.
35

36 DHHS will develop policies and procedures for implementation of The Plan. These
37 policies and procedures will incorporate the requirements listed in 16.120.040 of the
38 ordinance, as well as additional requirements deemed necessary by DHHS.

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**THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE
AMENDING ANCHORAGE MUNICIPAL CODE TITLE 16 TO ENACT A NEW
CHAPTER REGARDING THE COLD WEATHER PLAN FOR HOMELESS
PERSONS.**

Prepared by: Darrel W. Hess, Homeless Coordinator, Department of
Health & Human Services
Approved by: Diane Ingle, Director, Department of Health & Human
Services
Concur: Dennis A. Wheeler, Municipal Attorney
George J. Vakalis, Municipal Manager
Respectfully submitted: Daniel A. Sullivan, Mayor

Content ID: 008997**Type:** Ordinance - AO

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 16 TO

Title: ENACT A NEW CHAPTER REGARDING THE COLD WEATHER PLAN FOR HOMELESS PERSONS.**Author:** taplina**Initiating Dept:** HHS**Date Prepared:** 4/29/10 1:56 PM**Director Name:** Diane Ingle**Assembly Meeting Date:** 5/25/10**Public Hearing Date:** 6/8/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	5/14/10 11:47 AM	Exit	Nina Pruitt	Public	008997
MuniManager_SubWorkflow	5/14/10 11:47 AM	Approve	Nina Pruitt	Public	008997
Legal_SubWorkflow	4/30/10 4:39 PM	Approve	Dean Gates	Public	008997
Finance_SubWorkflow	4/30/10 1:27 PM	Approve	Lucinda Mahoney	Public	008997
OMB_SubWorkflow	4/29/10 5:05 PM	Approve	Cheryl Frasca	Public	008997
HHS_SubWorkflow	4/29/10 2:20 PM	Approve	Jennifer R Allen	Public	008997
AllOrdinanceWorkflow	4/29/10 2:12 PM	Checkin	Angela Taplin	Public	008997