

Chapter 16.120 - EMERGENCY SHELTER PLAN FOR HOMELESS PERSONS

16.120.010 - Plan purpose and objective.

- A. The emergency shelter plan for homeless persons implements measures to coordinate public and private resources when a lack of available shelter options poses a danger to the life and health of unsheltered people within the municipality. The plan objective is to safeguard the lives of vulnerable homeless individuals by providing shelter during such emergency conditions.
- B. The department shall take reasonable and necessary actions to implement the requirements of this chapter.

(AO No. 2010-46, § 1, 6-8-10; AO No. [2019-98\(S\)](#), § 1, 8-20-19)

16.120.020 - Emergency shelter plan activation and deactivation.

- A. The emergency shelter plan shall be activated in the following circumstances: (1) automatically, with no further action required by the department, when the outside temperature drops to 45 degrees Fahrenheit or below on the day when sheltering begins, by ambient or wind-chill measures; (2) at the discretion of the Mayor during declaration of a civil emergency; or (3) when the director determines in writing that a lack of available shelter options otherwise poses a danger to the life and health of unsheltered people within the municipality.
- B. The emergency sheltering plan shall be deactivated, as applicable: (1) when the outside temperature subsequently rises above 45 degrees Fahrenheit after plan activation; (2) upon expiration of the relevant declaration of civil emergency; or (3) when the director determines in writing that a lack of available shelter options no longer poses a danger to the life and health of unsheltered people within the municipality. The department shall provide no less than seven (7) days' notice of deactivation to operators of emergency shelters. Notwithstanding the timing of deactivation, no person sheltered overnight at an emergency shelter under this chapter shall be asked or required to leave before standard closing time, as specified in the shelter's approved plan and protocols, without good cause.
- C. Temperature readings, for the purposes in this section, shall be according to the National Weather Service (NWS), Merrill Field Airport station, Anchorage. In the event the Merrill Field Airport station is offline, temperature readings from the NWS Lake Hood, Elmendorf, or Ted Stevens International Airport stations may be utilized.
- D. Emergency shelter locations activated under this section shall be for no more than 150 clients in a single location without assembly approval. Emergency shelter locations activated by the mayor under a declaration of civil emergency and extended by the assembly may exceed the 150 client capacity, and shall be allowed to remain operational at the activated capacity at the time of the termination of the civil emergency for up to one year following the termination of a declaration of civil emergency.

(AO No. 2010-46, § 1, 6-8-10; AO No. 2012-14, § 1, 2-14-12; AO No. [2019-98\(S\)](#), § 1, 8-20-19; AO No. [2021-55\(S-1\)](#), § 4, 6-22-21)

16.120.030 - Emergency shelter plan protocols.

- A. When the plan is in effect, and for the duration of the plan, the following provisions shall apply:
 - 1. Uses or use of structures, as defined in subsection 21.05.040.C.5. (new code) and section 21.35.020 (old code), are permitted, notwithstanding any use prohibition in chapters 21.04 (new code) and 21.40 (old code):

- a. Religious assemblies and churches designated as emergency shelters under this chapter may provide shelter to homeless families and individuals who are not under the influence of alcohol or controlled substances not prescribed to the individual.
 - b. Social service facilities designated as emergency shelters under this chapter may provide shelter to homeless persons.
 - c. Inebriate reception centers shall not ask or require any person admitted after 8:00 p.m. to leave the center before 8:00 a.m. the following day without good cause, regardless of intoxication or incapacitation level. Persons may leave voluntarily if otherwise released by the center.
 - d. Other facilities designated as emergency shelters under this chapter may provide shelter for homeless persons in accordance with the conditions and requirements established by the department.
2. Facilities designated as emergency shelters under this chapter shall not be considered homeless and transient shelters for the purpose of determining required separation distances pursuant to section 21.50.420 (old code) or 21.05.055 (new code).

(AO No. 2010-46, § 1, 6-8-10; AO No. [2019-98\(S\)](#), § 1, 8-20-19)

16.120.040 - Designation of emergency shelters.

- A. The department shall develop and maintain a database of approved designated emergency shelters.
- B. The department may designate social service facilities, religious assemblies, churches, and other structures as emergency shelters, and may rescind such designation at any time with or without cause. Designation and rescission are discretionary decisions of the department; nothing in this chapter shall require designation, regardless of an applicant's satisfaction of all requirements set forth herein. To qualify, a social service facility, religious assembly, or other facility shall apply to the department director or a designee and satisfy the following requirements:
 1. The facilities shall be certified by the Anchorage Fire Department as adequate for an emergency shelter.
 2. Staff shall be adequately trained as determined by the department.
 3. The applicant shall submit a written plan and protocols consistent with the emergency shelter plan of the municipality and approved by the department. The plan and protocols shall include provisions indicating cooperation with other emergency shelter providers identified by the department, and point of entry protocols.
 - a. A religious assembly or church applicant's plan and protocols shall include provisions limiting use of its facilities as an emergency shelter to homeless families and individuals who are not under the influence of alcohol or controlled substances not prescribed to the individual.
 - b. Each applicant's plan shall provide for a minimum of seven (7) days' notice to occupants prior to standard voluntary closure or deactivation of the emergency sheltering plan, except in the event of exigent circumstances approved by the director in writing. Visible posting of planned dates of operation is sufficient to meet this requirement.
 4. The applicant shall enter a written agreement with the municipality relevant to its operations as an emergency shelter.
 5. Meet other requirements deemed necessary by the department.

(AO No. 2010-46, § 1, 6-8-10; AO No. [2019-98\(S\)](#), § 1, 8-20-19)