

ORDINANCE NO. 27

AN ORDINANCE ADOPTING BY REFERENCE COUNTY ORDINANCE NO. 392, PROVIDING FOR THE REGISTRATION AND INSPECTION OF ADULT CARE HOMES, ESTABLISHING FEES FOR REGISTRATION, RQUIRING THE POSTING OF RESIDENT'S BILLS OF RIGHTS, ESTABLISHING AGREEMENT WITH MULTNOMAH COUNTY FOR COUNTY ADMINISTRATION AND ENFORCEMENT OF COUNTY ORDINANCE NO. 392 FOR ADULT CARE HOMES WHICH ARE LOCATED WITHIN THE CITY OF MAYWOOD PARK; AND DECLARING AN EMERGENCY.

The City Council of the City of Maywood Park finds:

- a) Unknown numbers of dependent adults who have specialized housing needs including the elderly, the mentally and physically handicapped, alcoholic and drug dependent persons, live in unregulated adult care homes in the county.
- b) The county historically has had a large number of such facilities.
- c) Newspaper and other accounts have documented cases of abuse and exploitation occurring in unregulated facilities.
- d) State regulations have historically applied to only selected adult care homes.
- e) The Board of County Commissioners has determined that as a result of the conditions stated above and in the interests of public health, safety and welfare, there is a need for registration and access for inspection of adult care homes (including adult foster homes) and has passed Ordinance No. 387, adopted on July 7, 1983 and amended by Ordinance No. 392, adopted on September 8, 1983 to address the problems set forth above, establishing chapter 8.90 of Title 8 of the Multnomah County Code.
- f) "Adult Care Home", as defined by County Ordinance No. 392, means any home or other facility which provides room and board for compensation to one or more elderly, handicapped or dependent persons over the age of 18 not related to the owner or operator by blood or marriage, and not including any facility (housing six or more persons unrelated to the owner or operator) that is already licensed by a public agency as a residential care facility or long term care facility.
- g) It is the stated intent of the County Ordinances No. 387 and 392 that information gained from registration and inspection of adult care homes shall be made available to the public to assist in its selection of an adult care home, providing a basis for a data referral bank for special needs of people.
- h) The Legislative Assembly of the State of Oregon with similar intent has passed Enrolled Senate Bill 22 (Oregon Laws 1983, Chapter 629) which the governor has duly signed, requiring the registration of all "adult foster homes" throughout the state by January 1, 1984.
- i) "Adult Foster Home", as defined by Enrolled Senate Bill 22, means any family home or facility in which 24-hour care is provided for five or fewer adults who are not related to the provider by blood or marriage.

- j) The State Department of Human Resources is entering into an inter-governmental agreement with the County for the County, within its boundaries, to administer these statutes on behalf of the State Department of Human Resources concurrently with county administration of Chapter 8.90 of Title 8 of the Multnomah County Code.
- k) The relationship between the need for safe and sound structures and providing quality care in adult care homes is closely linked, and it is desirable to coordinate the administration and responsibility for registering such facilities to insure uniformity of treatment throughout the country. (?should this have been county and it was a typo on the original?)
- l) The county is already authorized to enforce regulation of Public Health and Sanitation Codes within the city.
- m) The county has requested authority to administer and enforce the provisions of the Multnomah County Adult Care Home Registration Ordinance No. 392 within the city.
- n) The city wishes to grant the county's request, relying on the county's allocation of resources, to protect the interests of the elderly, handicapped and dependent adults in the city in need of care, to the benefit of all city residents.
- o) It is in the public interest to provide for uniform administration of Multnomah County Adult Care Home Registration Ordinance No. 392 within the city and county.

Not on the original document:

The City Council hereby declares an emergency, declaring that this Ordinance is immediately necessary to secure the continued general public health and general welfare of the citizens of the City of Maywood Park, and that this Ordinance is immediately necessary to conserve, stabilize, and protect property within the incorporated area of the City of Maywood Park. The Ordinance shall take effect and be in force immediately.

PASSED AND APPROVED by the City Council of the City of Maywood Park on the 2nd day of June, 1986.

/s/ original unsigned
Mayor

ATTEST:

/s/ original unsigned
Recorder