

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 27

4
5 Series, 2016

6
7 INTRODUCED BY COUNCILMEMBERS: CERNANEC & COLE

8
9 AN ORDINANCE OF THE CITY OF LITTLETON,
10 COLORADO, AMENDING TITLE 10 OF THE CITY CODE
11 CONCERNING THE DEFINITIONS OF GROUP HOME
12 FOR PERSONS WITH HANDICAPS, HANDICAP, AND
13 ASSISTED LIVING FACILITY AND TO ADD
14 SUPPLEMENTARY STANDARDS FOR GROUP HOMES
15 FOR PERSONS WITH DISABILITIES
16

17 WHEREAS, the planning commission, at its regular meeting on October 24,
18 2016, held a public hearing and voted to recommend approval of an ordinance amending title 10
19 of the city code concerning the definitions of group home for persons with handicaps, handicap,
20 and assisted living facility and to add supplementary standards for group homes for persons with
21 disabilities;

22
23 WHEREAS, the city council finds that the proposed ordinance is consistent with
24 the city’s comprehensive plan; and

25
26 WHEREAS, the city council finds that the proposed amendments to the city code
27 are in the best interest of the city and will promote the public health, safety and welfare of its
28 inhabitants;

29
30 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
31 THE CITY OF LITTLETON, COLORADO, THAT:

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34 Section 1: Section 2 of Chapter 1 of Title 10 is hereby amended as follows:

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36 GROUP HOME FOR PERSONS WITH HANDICAPS DISABILITIES: A dwelling unit which
37 is shared by four (4) or more persons with handicaps DISABILITIES living together as a single
38 housekeeping unit., including resident staff. PROFESSIONAL STAFF MAY PROVIDE 24
39 HOUR SUPERVISION OR SUPPORTIVE SERVICES, AND MAY RESIDE IN THE
40 DWELLING UNIT.

41
42 Handicap DISABILITY: A physical or mental impairment which substantially limits one or
43 more of a person's major life activities, OR A RECORD OF HAVING SUCH IMPAIRMENT,
44 OR BEING REGARDED AS HAVING SUCH IMPAIRMENT, NOT TO INCLUDE
45 CURRENT, ILLEGAL USE OF OR ADDICTION TO A CONTROLLED SUBSTANCE and as
46 further defined in the federal fair housing act amendments of 1988.

1 LIVING FACILITY, ASSISTED: State licensed rental properties that provide the same services
2 as an independent living facility, as defined in this section, but also provide, in a majority of the
3 units, supportive care from trained employees to residents who are unable to live independently
4 and require assistance with activities of daily living including BUT NOT LIMITED TO,
5 management of medications, bathing, dressing, toileting, ambulating and eating. ~~These properties
6 may have some skilled nursing beds, but the majority of the units are licensed for assisted living.
7 A facility that specializes in the care of residents with Alzheimer's or other forms of dementia
8 shall be considered an assisted living facility.~~
9

10 **Section 2:** Subcategory 3.51 of Section 2 of Chapter 3 of Title 10 is hereby
11 amended as follows: 3.51 Group home for ~~handicapped~~ PERSONS WITH DISABILITIES
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13 **Section 3:** Chapter 4 of Title 10 is hereby amended with the addition of a new
14 Section 17:
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16 **10-4-17 GROUP HOMES FOR PERSONS WITH DISABILITIES.** GROUP HOMES FOR
17 PERSONS WITH DISABILITIES ARE SUBJECT TO THE FOLLOWING STANDARDS:
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19 1. THE HOME MUST REGISTER WITH THE CITY BEFORE BEING OPERATED AS
20 A GROUP HOME.

21 2. THE HOME MUST PROVIDE THE CITY WITH A COPY OF ITS STATE LICENSE
22 FOR OPERATION.

23 3. NO MORE THAN ONE COOKING FACILITY (KITCHEN) IS ALLOWED WITHIN
24 THE HOME.

25 4. THE MAXIMUM NUMBER OF PERSONS WITH DISABILITIES THAT MAY
26 RESIDE IN THE HOME IS EIGHT (8) OR THE MAXIMUM NUMBER LICENSED BY THE
27 STATE, WHICHEVER IS FEWER.

28 5. THE MAXIMUM NUMBER OF PERSONS WITH DISABILITIES THAT MAY
29 RESIDE IN THE HOME IS EIGHT (8) OR UP TO TWELVE (12) IF THE PROVISIONS
30 BELOW ARE MET. HOWEVER, IN NO INSTANCE MAY THE NUMBER OF PERSONS
31 WITH DISABILITIES IN THE HOME EXCEED THE NUMBER LICENSED BY THE
32 STATE.

33 A. THE HOME IS COMPATIBLE WITH THE CHARACTER OF THE
34 NEIGHBORHOOD IN TERMS OF THE ARCHITECTURAL DESIGN, SCALE, FORM AND
35 LOCATION OF THE HOME ON THE SITE.

36 B. THE PRIMARY ACCESS TO THE HOME IS LOCATED OFF OF A CITY
37 DESIGNATED MAJOR ARTERIAL STREET.

38 C. THE HOME IS LICENSED FOR SUCH NUMBER BY THE STATE.
39

40 **Section 4:** Severability. If any part, section, subsection, sentence, clause or
41 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
42 validity of the remaining sections of this ordinance. The City Council hereby declares that it
43 would have passed this ordinance, including each part, section, subsection, sentence, clause or
44 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,
45 clauses or phrases may be declared invalid.

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Section 5: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 1st day of November, 2016, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 15th day of November, 2016, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____ FOR and _____ AGAINST on the 15th day of November, 2016 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

Kenneth S. Fellman
ACTING CITY ATTORNEY