

INTRODUCED: November 13, 2018

AN ORDINANCE No. 2018-287

To amend and reordain City Code § 8-12, concerning the use of City-owned real estate, for the purpose of imposing certain requirements on the use of City-owned real estate as cold weather shelters for homeless persons.

Patron – Ms. Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 8-12 of the Code of the City of Richmond (2015) be and hereby is **amended** and reordained as follows:

Sec. 8-12. Use of City-owned real estate.

(a) *Authority.* Pursuant to sections 2.03(h) and 4.02 of the City Charter, the power to control and regulate the use and management of all City-owned real estate is vested in the City Council.

(b) *Purpose.* The purpose of this section is to provide for the:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 11 2019 REJECTED: _____ STRICKEN: _____

(1) Use and management of City-owned real estate for which no other ordinance provides; and

(2) Change in use or management of City-owned real estate for which no other ordinance provides.

(c) *Use.*

(1) Where any provision of this Code or any other ordinance provides for a specific use for City-owned real estate, that use shall continue until such use is modified by ordinance.

(2) No use of City-owned real estate shall be changed except by ordinance adopted by the City Council.

(3) No City-owned real estate shall be used in a manner contrary to a use provided for by ordinance adopted by City Council.

(d) [~~Exception~~] Exceptions.

(1) This section shall not apply to City-owned real estate designated for use as a community garden pursuant to the provisions of Article III, Division 5 of this chapter.

(2) Notwithstanding subsection (c) of this section or any other provision of this Code to the contrary, no City-owned real estate shall be used as a cold weather shelter for homeless persons until:

a. The Chief Administrative Officer has submitted to the City Council:

1. Evidence that the Chief Administrative Officer has caused to be held one or more public meetings to allow public comment on the proposed use of such City-owned real estate as a cold weather shelter for

homeless persons, together with the substance of any public comment made at any such meetings; and

2. A written plan for operating a cold weather shelter on the City-owned real estate proposed to be used as a cold weather shelter for homeless persons that includes the specific periods of time during which such City-owned real estate is proposed to be used as a cold weather shelter for homeless persons; and

b. The City Council has approved the use of such City-owned real estate as a cold weather shelter for homeless persons in the manner provided by subdivision (2) of subsection (c) of this section.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *LBA*

FROM Joyce L. Davis, Council Policy Analyst *JLD*
Office of the Council Chief of Staff

COPY Ellen Robertson, 6th District Council member
Haskell Brown, Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff *MB*
Kiya Stokes, 6th District Liaison

RECEIVED

OCT 19 2018

OFFICE OF CITY ATTORNEY

DATE October 17, 2018

PAGE/s 1 of 2

TITLE: COUNCIL APPROVAL OF COLD WEATHER SHELTER IN PUBLIC FACILITIES

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Ellen Robertson, Council member

SUGGESTED STANDING COMMITTEE

Land Use, Housing and Transportation

ORDINANCE/RESOLUTION SUMMARY

Patron requests an ordinance regarding cold weather shelters to require Council approval of a cold weather shelter in public facilities to include community outreach and public meetings prior to a facility change; and an operations plan and a plan of action to reduce chronic homelessness.

BACKGROUND

This is to request an Ordinance to require council approval of cold weather shelters in public facilities to include as a part of the process, community outreach and public meetings to occur prior to a facility change; and for there to be an operations plan and a plan of action created to reduce chronic homelessness. This Ordinance change would require future planning for cold weather overflow shelters similar to the Cold Weather Overflow Shelter most recently located in the City's Public Safety Building at 501 N. Ninth Street, which is currently located in the Conrad Center at 1400 Oliver Hill Way, Richmond, Virginia.

This proposed Ordinance request would require council approval and a process prior to establishment of cold weather shelters in public facilities.

A related resolution, Res. 2012-R19-128 supports a policy whereby the Cold Weather Overflow Shelter is kept open, available to receive referrals of homeless persons, when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$	

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs