## ORDINANCE NO. 410-0

An Ordinance adopting by reference the provisions of County Ordinance No. 392 regulating adult care homes, and authorizing execution of an Intergovernmental Agreement with Multnomah County for County administration and enforcement of the provisions of County Ordinance No. 392 for Adult Care Homes which are located within the City of Troutdale.

The City Council finds that:

- Unknown numbers of dependent adults who have specialized housing needs, including the elderly, the mentally and physically handicapped, alcoholics and drug dependent persons, live in unregulated Adult Care Homes in the City and County; and
- 2. The County historically has had a large number of such facilities; and
- 3. State regulations have historically applied to only selected Adult Care Homes; and
- 4. There is a need for registration and access for inspection of Adult Care Homes (including adult foster homes) and Multnomah County has passed Ordinance No. 387, on July 7, 1983, amended by Ordinance No. 392, on September 8, 1983, to address the problems set forth above, establishing Chapter 8.90 of Title 8 of the Multnomah County Code; and
- 5. "Adult Care Home", as defined by County Ordinance No. 392 (amending Ordinance No. 387) 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 (having 6 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; and
- 6. It is the stated intent of the County Ordinances No. 387 and No. 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 people; and
- 7. The Legislative Assembly of the State of Oregon with similar intent has passed Enrolled Senate Bill 22 (1983 Regular Session), which the Governor has duly signed, requiring the registration of all "adult foster homes" throughout the State by January 1, 1984; and
- 8. "Adult foster home", as defined by Enrolled Senate Bill 22 (Oregon Laws 1983, Chapter 629) 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.

- 9. The State Department of Human Resources is entering into an intergovernmental 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; and
- 10. 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 County; and
- 11. The County is already authorized to enforce regulation of Public Health and Sanitation Codes within the City; and
- 12. 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; and
- 13. 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;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

- The provisions of the Multnomah County Adult Care Home Registration Ordinance contained in Chapter 8.90 of Title 8 of the Multnomah County Code shall apply and be enforceable within the incorporated boundaries of the City of Troutdale as Chapter \_\_\_\_\_\_ of title \_\_\_\_\_\_ of the City of Troutdale Code.
- 2. The Mayor and City Administrator are authorized to execute an intergovernmental agreement with Multnomah County for County administration and enforcement within the City of all provisions of Multnomah County Ordinance 392 (Adult Care Homes Registration).
- 3. Nothing in the provisions of this Ordinance shall be construed to create a cause or right of action against the City of Troutdale, its agents or employees, for the failure to enforce any provisions of this Ordinance.

Passed this 11th day of October, 1983, by the Common Council of the City of Troutdale.

	YEAS 5	
	NAYS	
	Maran K Cox	
Hancy D. Juan		