AN ORDINANCE of the City of Kent, Washington, providing for the application, fee and annual renewal of a City registration of Group Homes II and III, as a pre-requisite for conditional use permit approval, all as set forth in the Kent Zoning Code (Ordinance 1827, 2404) Section 15.08.280(D) and 15.09.030(D)(9).

WHEREAS, on October 2, 1990 and January 2, 1991, the Kent City Council approved amendments to the Kent Zoning Code to add a definition of Class II and III Group Homes; to regulate their siting within the City zoning districts by separation, dispersion and the conditional use permitting process; and further approved the establishment of an applicable registration program for Group Homes II and III; and

WHEREAS, the purpose of the Class II and III Group Homes registration program as authorized by the Kent City Council is to aid the City in its implementation of the separation, dispersion, and conditional use Zoning Code requirements as set forth in Kent City Code §§ 15.08.280(D) and 15.09.030(D)(9); NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Scope. The following are defined as Group Homes, Class II and III under the Kent Zoning Code, and are subject to the requirements of this Ordinance:
Class II Group Home: publicly or privately operated residential facilities for juveniles under the jurisdiction of the criminal justice system. These homes include state-licensed group care homes or half-way homes for juveniles, which provide residence in lieu of sentencing or incarceration, half-way houses providing residence to juveniles needing correction or for juveniles selected to participate in state operated work release and pre-release programs. The Planning Director shall have the discretion to classify a group home proposing to serve juveniles convicted of the offenses listed in Class III below as a Group Home Class III, and any such home shall be sited according to the regulations contained within the Group III classification.

1. Group Home, Class II-A -- a maximum of 8 residents including resident staff.
2. Group Home, Class II-B -- a maximum of 12 residents including resident staff.
3. Group Home, Class II-C -- a maximum of 18 residents including resident staff.

Class III Group Homes: privately or publicly operated residential facilities for adults under the jurisdiction of the criminal justice system who have entered a pre- or post-charging diversion program, or selected to participate in state operated work/training release or other similar programs. Such groups also involve individuals who have been convicted of a violent crime against a person, a crime against property with a sexual motivation and convicted or charged as a sexual or assaultive violent predator.

Section 2. Governmental Agencies Not Exempt. The City recognizes the fact that a Group Home Class II or III facility may be operated, funded or licensed by a governmental agency. This
ordinance is intended to require any Group Home II or III facility operated by a local municipal corporation, agency or division of the state, or an agency of the federal government, regardless of whether such facility must obtain a state or federal license for operation to also register such group home with the City of Kent.

Section 3. Registration required, application. No person, firm, corporation association, governmental agency, nonprofit organization or other organization shall operate any Group Home Class II or III without registering such facility with the City of Kent. The application for the registration shall be as follows:

A. Application. The application shall be in writing on a form to be provided by the Kent Planning Department. The applicant shall not knowingly make any false statement in an application, or fail to immediately notify the Kent Planning Department of any change in the information contained in the application. The application shall contain not less than the following information:

1. The name, address and telephone number of the applicant. If the applicant is an association or organization of any kind, the names, addresses and phone numbers of the director and a contact person at the sponsoring agency shall be provided.

2. The name, address and phone number of the Group Home. Two emergency contact names and phone numbers shall also be named.

3. The King County Property Parcel Number(s) of the property on which the Group Home is located, and the Washington State Tax Identification Numbers shall be provided.
4. The date the Group Home will begin operating.

5. The type of population served will be identified (such as adult work release, juvenile detention home, etc.).

6. The total number of employees and resident clients or patients shall be stated.

7. The state, federal, profit or nonprofit agency(ies) under which the Group Home is licensed or operating shall be stated, along with a copy of such license, the agency’s address, contact person, and phone number.

8. A statement that the person signing the application has read this ordinance.

B. Registration renewal. Registration of the group home with the City of Kent must be renewed annually. Renewal shall not be automatic, but shall require that the applicant yearly attest to the accuracy of the information contained in the application form and provide copies of all state and/or federal license renewals. Changes in registration information shall be made as required and may be verified by the City of Kent.

Section 4. Severability. The provisions of this ordinance are severable, and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.
Section 5. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 2 day of Jan, 1996.
APPROVED the 3 day of Jan, 1996.
PUBLISHED the 6 day of Jan, 1996.

I hereby certify that this is a true copy of Ordinance No. 2957, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK

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