

AGENDA ITEM SUMMARY

DATE: October 10, 2011

DEPARTMENT: Fire, City Clerk & Community Development

SUBJECT: Title 5 amendments effecting day care permit requirement

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Chapter 5.03 of the Hailey Municipal Code was originally adopted on September 13, 1999 by Ordinance No. 740 when state licensing requirements for child care facilities were not considered to be adequate by the City of Hailey to protect the safety of occupants of child care facilities located within the City of Hailey;

The Idaho Department of Health and Welfare conducted extensive information gathering from local cities during late 2008 through early 2010. As a result of this project, new state regulations was adopted in mid-2010 – IDAPA 16.06.02 – Standards for Child Care Licensing. In April 2011, the state revised IDAPA 16.06.02 – Standards for Child Care Licensing, which became effective July 1, 2011. This code requires proof that daycare applicants meet local building, electrical, fire and planning and zoning codes.

The current state day care licensing regulations mirror the requirements set forth in Chapter 5.03 of the Hailey Municipal Code and are therefore duplicative. The Hailey Fire Marshal and Fire Inspectors are required to be State Certified Fire Inspector and are required to inspect all child care facilities for state licensing purposes and as such are involved in the regulation of child care facilities located within the City of Hailey.

As a result of the recent changes to the state regulations and the Fire Department's continued involvement in state licensing of child care facilities in Hailey, it is recommended that Hailey amend Title 5 to eliminate the separate city day care license and utilize the city business license process to oversee and regulate day care businesses within Hailey.

Staff would like to present Council with a draft ordinance with the following changes: delete Chapter 5.03 (Child Care Facility Licensing), amend Chapter 5.02 (Licenses Generally) to amend the definition of business and add a purpose section, add an applicability section and to include standards for day care businesses to require any business providing child care services, regardless of the number of children being cared for, obtain a state of Idaho Day Care License and provide the city a copy of such state license as part of the city business license process. These changes will in essence streamline the process for child care business in Hailey without compromising high safety standards for those businesses.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Case # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments: _____

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Safety Committee |
| <input checked="" type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input checked="" type="checkbox"/> City Clerk | <input type="checkbox"/> Planning | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building | <input type="checkbox"/> Police | _____ |
| <input type="checkbox"/> Engineer | <input type="checkbox"/> Public Works, Parks | _____ |
| <input checked="" type="checkbox"/> Fire Dept. | <input type="checkbox"/> P & Z Commission | _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Provide comment on the recommended amendments. Staff will bring the amendments forward at the next Council meeting if directed by the Council.

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____

Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agmt./Order Originals: Record

*Additional/Exceptional Originals to: _____

Copies (all info.):

Copies (AIS only)

Instrument # _____