

FACT SHEET

Adopted Boarding Homes Ordinance



Putting Safety First

A boarding home is defined as an establishment that:

- Furnishes, in one or more buildings, lodging to three or more elderly and/or disabled persons who are unrelated to the owner of the establishment by blood or marriage; and
- Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication to persons/residents who are capable of feeding, dressing, moving, self-evacuating, bathing and attending to other personal needs or maintenance without assistance; and
- Does not provide personal care services to persons/residents.

How does this Adopted Ordinance Affect Existing Boarding Homes?

If “legally in existence” prior to date of adoption of this ordinance:

- Existing boarding homes will not have to meet 2012 building-related and fire code requirements:
 - » Grandfathered to building and fire codes that they started under.
 - » The same policy applies for all businesses when new buildings and fire codes are adopted.
- Existing boarding homes are still subject to annual registration, inspection and related requirements.

What are the Fire and Life Safety Requirements?

- Fire Sprinklers are required within one (1) year.
- Arc-Fault Circuit Interrupters (AFCI) are required in lieu of commercial wiring.
- Smoke and Carbon Monoxide Detectors are required.
- Fire Evacuation Plans are required.

What are the Premise-Based Health Safety Requirements?

- Kitchen Inspections for Health Code are required.
- Food Handler Certification is required.
- Overcrowding Limits:
 - » 70 square feet of floor space per sleeping room for single occupancy rooms.
 - » 50 square feet of floor space per sleeping room for multiple occupancy rooms.

What are the Zoning Requirements?

- A maximum number of six (6) residents are allowed for a boarding home in a single family zoning district.
- There is a required minimum 1/2 mile separation between boarding homes
- Boarding homes must comply with the minimum Property Maintenance Code requirements.

What are the Responsibilities and Requirements of Boarding Home Owners?

- **Boarding home owners are required to:**
 - » Perform initial and annual assessments of residents.
 - » Provide on-site staff supervision anytime there are three or more residents at home.
 - » Provide initial and ongoing training of employees.
 - » Perform criminal background history checks of operators and employees.

Permit Application Requirements:

- Applicant can be owner or operator of the boarding home, or officer or agent of entity that owns or operates a boarding home.
- If the boarding home is a rental property, the applicant must submit a letter from the property owner (landlord) that authorizes the use of the rental property as a boarding home, and that acknowledges that the facility must meet City Code requirements.

Notification of Change of Information:

- Permit holders are required to notify the City of San Antonio if there is a change in:
 - » Number of persons in the home
 - » Ownership or operation of the home
 - » Disabilities served in the home

Issuance and Denial of Permit:

- A permit will be issued if:
 - » The home meets all requirements set out in the City Code.
- A permit will be denied if:
 - » Owner, operator or employees do not meet the criminal background check requirements.
 - » Applicant has another home currently under suspension.
 - » Applicant has made false statement on permit application
 - » The home does not meet all applicable City Code requirements.

Suspension of Permit:

- A permit will be suspended if a home is out of compliance with City Code or if owner/operator impedes or refuses to allow inspection.
- Permit can be suspended for up to 90 days.
- Department can enter into compliance agreement that sets out requirements for facility to come into compliance within set period of time.
- Suspended boarding home may not admit new residents to suspended facility.
- If applicant has suspended permit, a permit for a new facility will not be granted.

Revocation of Permit:

- A permit will be revoked if:
 - » Permit holder or employee fails criminal background check.
 - » Permit holder makes false statement on application.
 - » Permit holder does not pay required fee.
 - » Permit has been suspended within the last 12 months.

Non-Transferability:

- Permit is not transferable to another owner, operator or location.

Inspections and Fees:

- There is an annual inspection fee of \$1,000.
- Re-inspection fee is \$51.50 per inspector, per hour, per return or re-visit.

Emergency Precautions:

- Fire escapes and exits must be in good repair and accessible at all times.
- Permit holder must implement a written fire and evacuation plan.
- Written plan must be submitted to the fire department for approval.
- Emergency evacuation plan must be posted in every sleeping room and kitchen.

Reporting and investigation of injuries, incidents, unusual accidents; establishing policies and procedures to ensure resident health and safety:

- Injuries, incidents and unusual accidents must be documented and investigated.
- Allegations of abuse, neglect, or exploitation must be reported.
- Law enforcement, emergency and fire personnel must be given access when responding to calls.

Criminal Background Checks:

- Permit holder’s permit to operate a boarding home may be denied, revoked, suspended, or denied for renewal if the permit holder has been convicted of a criminal offense listed in subsections C or D of proposed ordinance.
- The permit holder must complete any state or federal requests and release forms that are required to obtain a criminal history report for the permit holder.

For more information on the adopted boarding home ordinance, visit www.sanantonio.gov or call 210-207-8511.