

ANCHORAGE HEALTH DEPARTMENT

Chapter 16.120 Emergency Shelter Plan for Persons Experiencing Homelessness

AHD 10.001 ADMINISTRATIVE POLICIES AND PROCEDURES

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1. Statement of Intent

Purpose

The Emergency Shelter Plan for Homeless Persons (the Plan) implements measures to coordinate public and private resources when a lack of available shelter options poses an immediate danger to the life and health of unsheltered people within the municipality.

Objective

The policy objective of the Plan is to safeguard the lives of vulnerable homeless individuals by providing shelter during emergency conditions. The Plan aims to accomplish this objective by making more facilities available, on an emergency and time-limited basis, to house unsheltered people within the Municipality of Anchorage (“Municipality”) and ensure these accommodations are improving the health and safety of those vulnerable people. This objective may require suspension of certain zoning, land use controls and other regulations that prohibit these facilities from serving as overnight shelters in normal circumstances.

History

Since 2010, Anchorage Municipal Code (AMC 16.120) was amended to designate social service facilities, religious assemblies, churches, and other structures who do not provide overnight shelter to operate as emergency shelters during periods of cold weather, which poses a threat to life and health for unsheltered persons in the Municipality.

In 2019, AMC 16.120 was amended (AO 2019-098(S)) to expand the circumstances in which the Municipality can activate an emergency shelter plan, previously only authorized during periods of cold weather. This may include the Municipality operating under a civil emergency, or when the Anchorage Health Department Director determines that a lack of available shelter options poses a danger to the life and health of unsheltered persons.

2. Roles and Responsibilities

Role of the Department

The role of Anchorage Health Department (the Department) is to oversee implementation of the Plan.

1. The Department accepts, reviews, and approves or disapproves applications for designation as emergency shelter.
2. The Department ensures that emergency shelter providers are compliant with programmatic expectations and code enforcement, including the adequate training of shelter personnel, adherence to the shelter operations plan, effective communication to shelter residents, and other components as required.
3. The Department maintains a database of approved designated emergency shelters who can perform this function when an emergency has been declared.
4. The Department also maintains an updated contact list of other departments, agencies and organizations who coordinates during activation of the Plan and any other relevant plans.

Role of the Director

The Anchorage Health Department (AHD) Director has authority to declare an emergency in certain circumstances, and otherwise leads implementation of the Plan. The Director may delegate tasks, other than the act of declaration, to other Department staff.

1. Declare emergency shelter declaration, in writing, if necessitated by outdoor temperatures, or if the life and health of unsheltered persons are threatened.
2. Notify and coordinate with relevant departments, agencies, shelter providers and other entities as appropriate throughout the process, from activation to implementation to deactivation and return to normal operations.
3. When appropriate, terminate the emergency shelter declaration, in writing, when circumstances do not, and will not, pose a threat to life and health of unsheltered persons.

Role of AHD Staff

In addition to duties as assigned by the AHD Director, AMC 16.120, and by other sections of this policy, AHD staff may:

- Offer technical assistance for any applicants to understand and adequately complete the application to become an emergency shelter provider.

Role of Shelter Provider

All applicants must review and understand the following notes for consideration, in accordance with AMC 16.120:

- All applicants must review AMC 16.120, AHD Policy # 10-001, Anchorage Fire Department Fire Prevention Division Policy # 17-10, and SOA Infectious Disease Control Plan. Non-compliance with the requirements of these codes, policies and plans may result in suspension or revocation of designation. Facilities and organizations will be given a reasonable amount of time (as determined by the Director of AHD or the Fire Marshal) to correct any non-compliance issues.
- Inebriate reception centers shall not ask or require any person admitted after 8:00 p.m. to leave the center before 8:00 a.m. the following day without good cause, regardless of intoxication or incapacitation level. Persons may leave voluntarily if otherwise released by the center.
- Understand the referral responsibilities for operating a shelter, including but not limited to:
 - Abused Women's Aid in Crisis (AWAIC) Crisis Line is point of intake for families needing shelter, either via direct contact or via referral from 2-1-1.
 - Covenant House Alaska (CHA) is the point of intake for unaccompanied youth (age 13 to 17, without a parent or guardian present) and transition age youth (age 18 to 24). Youth under 13 must be referred to the Office of Children's Services, or alternatively the Anchorage Police Department.
 - Muni Public Transportation, AWAIC and the Anchorage School District Child in Transition (CIT) program provide transportation.
 - Shelters providing shelter to families with children must inform those families of the services offered by the Anchorage School District's Child in Transition Program. If you know a child or youth who might qualify for services call the CIT office directly at **907-742-3833**.

- Accepted applications last for 24 months from the date of acceptance. It is the responsibility of the emergency sheltering agency to contact the Department at least 90 days prior to the expiration of the emergency shelter designation, in order to renew the designation.
- If the contact person(s) changes, organizations must provide new contact information to the Department within one week of the time of change.
- Complete the emergency shelter application in accordance with the process and content outlined in Section 5 Application.

3. Activation

Summary Table

	Scenario 1: Cold Weather	Scenario 2: Civil Emergency	Scenario 3: Health Emergency
<i>Activation Criteria</i>	Forecast temperature at or below 45 F (ambient or with wind chill) (AMC 16.120.020)	Civil disorder; natural disaster; manmade disaster (e.g. terrorism) as defined in AMC 3.80.030	“a lack of available shelter options otherwise poses a danger to life and health of unsheltered people within the municipality” (AMC 16.120.020)
<i>Activation Authority</i>	Automatic; no action required	Mayor (AMC 3.80.040)	Health Director
<i>Deactivation Criteria</i>	Temperature rises above 45 F	Expiration of civil emergency declaration	Health Director determines lack of shelter does not pose danger to life and health of unsheltered persons
<i>Deactivation Authority</i>	Health Director	Mayor (AMC 3.80.040)	Health Director

Activation Criteria

There are 3 scenarios, defined in code, in which the emergency shelter declaration can be activated. For all scenarios, there must also be a lack of available shelter capacity (number of beds) for the number of unhoused persons in the Municipality, which this Plan is intended to address.

1. **Cold weather:** the outdoor temperatures pose a life and health threat to a person remaining unsheltered (sleeping or remaining outside). In this scenario, the activation and deactivation criteria are defined by outdoor temperature, 45°F or lower, measured on the day of activation, using ambient or wind-chill temperature at specified National Weather Service stations (Merrill Field, or at Lake Hood, Elmendorf Air Force Base or Ted Stevens International Airport). This recognizes that Anchorage’s winter season (spanning several months) makes outdoor living conditions difficult or infeasible for people without housing, including posing a serious threat to life and health at very low temperatures.

2. **Civil emergency:** the Mayor declares a civil emergency. Not all civil emergencies may directly impact the number of people experiencing homelessness, but many different situations have potential for posing an immediate life and health threat to those currently experiencing homelessness, and/or resulting in a population of newly homeless individuals if their current housing situation is unsafe or non-existent. This may cover a wide variety of scenarios. Recent examples include:
 - a. **November 30, 2018 earthquake:** While there was not widespread loss of life or damage to critical infrastructure, some individuals had to evacuate unsafe homes.
 - b. **Summer 2019 state funding vetoes:** Loss of critical funding for existing shelters and social assistance programs via the governor’s line-item vetoes of the Legislature-approved FY20 budget led the Municipality to declare a civil emergency, anticipating that an existing shelter would close and others may lose housing or congregate on public lands without the ability to evict them, due to lack of shelter.
 - c. **Spring 2020 COVID 19 pandemic:** Beginning in March 2020 with shelter in place orders to reduce the spread of the novel coronavirus, the Municipality also required significant changes to operation of shelters and anticipated a potentially significant increase in homelessness due to the economic impacts of the pandemic and closure of businesses. This allowed the Municipality to utilize large facilities such as the Sullivan and Ben Boeke Arenas as shelter on an emergency basis.
3. **Health Director determination:** the AHD Director has authority to declare an emergency specifically related to homelessness, if there is inadequate shelter for unhoused people, and another circumstance that this lack of capacity poses a threat to life and health. This does not require an emergency declaration or separate action by the Mayor.

The code does not specify additional criteria to make this determination, but states that lack of shelter alone as sufficient criteria to use this provision. A second circumstance must be in play, posing a clear threat to the life and health of unsheltered people. In this scenario, an emergency can be deactivated when that second factor, the threat to life and health, is no longer present; it does not require the unsheltered population has new or expanded access to permanent housing or shelter.

Activation Process

1. Following an emergency shelter declaration, the Director, or designee, notifies the following entities that implementation of the emergency shelter plan is underway:
 - a. Mayor’s Office
 - b. Municipality of Anchorage Assembly
 - c. Anchorage Police Department
 - d. Anchorage Fire Department
 - e. Anchorage Safety Center and Safety Patrol
 - f. Office of Emergency Management
 - g. Municipal Public Transportation Department: People Mover, Transit Center
 - h. Anchorage Public Library
 - i. Anchorage School District, Child in Transition (CIT) Program
 - j. Current shelter providers (Brother Francis Shelter, Gospel Rescue Mission, Hope Center etc.)
 - k. Approved emergency shelter providers (listed in database)
 - l. Anchorage Coalition to End Homelessness

- m. Applicants pending approval to be emergency shelter providers
2. Emergency Shelter Locations activated under this plan will be responsible for notifying the Department when the facility has reached its capacity for overnight shelter.

Determining the Estimated Level of Need

The Department, prior to reviewing applications for emergency shelter, will attempt to determine the level of need for and current supply of shelter beds. This departmental review can be completed annually, or at the time of the emergency declaration. AHD can consult with the Anchorage Coalition to End Homelessness for recent data to better inform the activation of specific emergency shelters.

- The number of unsheltered households that, given the state of emergency, could require a shelter bed (using point-in-time data, estimates, provider conversations, etc.).
- The current availability of emergency shelter beds (using housing inventory count data, provider conversations, etc.).
- The current gap in bed inventory that the Department would need to be filled with new and renewing emergency shelter applicants.

4. Deactivation

Deactivation is the process for returning sites activated under the Plan to normal operations, and no longer serving as emergency shelter facilities. Deactivation requires notice to emergency shelters and persons being sheltered that will be deactivated.

Deactivation Criteria

Deactivation begins in the following circumstances, corresponding to the criteria used to activate an emergency shelter declaration:

1. **Cold weather:** The outdoor temperature rises above 45°F. The Director should determine whether higher temperatures are expected to persist, or if the short-term forecast indicates temperatures will drop below this threshold again for an extended period of time.
2. **Civil emergency declaration:** Expiration or rescinding of a civil emergency declaration also ends the legal authority for activating the Plan under these circumstances.
3. **Director determination:** If the Director determines there is no longer a threat to life and health for unsheltered persons, he or she may declare, in writing, that the emergency is no longer in effect and deactivation will begin.

Note: Deactivation does not require that there is adequate or excess shelter capacity available in the Municipality, nor that clients currently in emergency shelters be provided an alternative temporary or permanent housing arrangement. To the extent possible, achieving adequate shelter capacity and/or other housing arrangements within the Municipality should be attempted, but is not a required condition in this Plan.

Deactivation Process

1. When the deactivation process is initiated, code requires at least seven (7) days' notice before taking effect at currently operating emergency shelters. Written notice, posted publicly and visibly where it can be viewed by clients, is sufficient to meet this requirement.

2. In addition to written notice, the Department will contact the agencies and partners named in the Plan's activation process to inform all parties that deactivation has been initiated.
3. Deactivation shall be completed following the standard operating hours of the emergency shelters (on or after 8:00 a.m. on the morning after the last night shelters are activated). No person sheltered at an emergency shelter shall be asked to leave before closing time without good cause.
4. After deactivation has taken effect, the emergency shelter facilities shall notify the Department that their facility has been reverted to its normal use(s) and is no longer operating as an emergency shelter.
5. The Department will record the date and time that deactivation was completed, and document for each facility that emergency shelter operations have ceased.

5. Shelter Services

Resources Provided

Clients utilizing an emergency shelter receive the following resources at a minimum:

1. A welcome pack with information – Facilitated in conjunction with AHD;
2. A light snack;
3. A hot beverages;
4. An overnight bed.

A facility may opt to provide amenities such as showers, laundry, or hot meals, but these are optional and at the discretion of the facility.

Operating Hours

Emergency shelters are operated from approximately 8:00 p.m. to 8:00 a.m. the following day, or for longer hours if the individual facility opts to do so. A client may not be asked to leave the premises without good cause before 8:00 a.m., including the day on which deactivation is scheduled to begin.

6. Application

Application Process

The Department shall evaluate applications to determine whether an applicant has the physical capacity, staff (including volunteers) and overall ability to serve as a temporary emergency shelter. Review of applications will also provide the Department information about whether the community shelter needs are currently being met, and how many additional facilities may be available in the Municipality to meet the need on an emergency basis.

As noted in the Activation section, the Director or designee will notify current shelter providers and members of the Anchorage Coalition to End Homelessness about the declaration and about the potential need for increased number of shelter beds. This notification will also serve to notify agencies about the application process to become an emergency shelter.

1. **Determine Level of Need:** The Department will review its estimated level of need for shelter beds to determine how many beds may need still to be filled.
2. **Communicate Application Needs and Process:** The Department, in communicating the declaration to providers, will include a due date for applications, based on the urgency of the emergency.

3. **Review Applications:** Upon receiving applications, the Department will review applications (as described in detail below). The review will account for three factors: 1) quality of applications, 2) meeting the level of need, 3) access for vulnerable populations.
4. **Decision:** All applicants will be notified of the decision to accept, revise, or reject an application.

Designation as Discretionary Action

Designation as an emergency shelter by the Director is discretionary. The Director may designate social service facilities, religious assemblies, churches, and other structures as emergency shelters, and may rescind such designation at any time, with or without cause.

Required Components for Application

To become an approved emergency shelter, an organization shall apply on behalf of a facility. The application must include:

1. Application to operate an emergency shelter (template included in the appendix);
2. Copy of current insurance certificate;
3. Copy of latest Anchorage Fire Department inspection;
4. Shelter Operation Plan (see below for more details)

The Shelter Operation Plan needs to address the following items to be considered for approval:

1. Planned operating hours, including timeframes for clients to enter and exit shelter each night;
2. Annotated diagram of facility used for shelter: indicate ingress and egress, sleeping location and spaces clients will have access to. Diagram may be annotated by hand or a conceptual drawing; technical or architectural documents not required;
3. Protocol for how guests will enter your shelter;
4. Staffing plan, including training and supervision;
5. Plan for notifying clients at least 7 days in advance about shelter deactivation, including visible posting of notice;
6. Protocols or mitigation strategies to protect public health from communicable disease (if applicable);
7. Compliance with ADA standards (if applicable);
8. Care plan for households who are medically fragile (if applicable);
9. Coordination with other shelter providers, the Anchorage Health Department, and the Anchorage Coalition to End Homelessness (if applicable).

Approval

Upon closing the application period or upon the receipt of an application, the Department will evaluate each application against two main criteria:

1. **Adherence:** did the applicant adhere to the guidelines of the application and Anchorage Municipal Code?
2. **Quality:** is the applicant a quality organization who proposed a quality plan for sheltering?

The final decision for each applicant rests with the Director. The Director may designate a staffer or team of staffers to review the applications and give a recommendation of acceptance.

If any application is found lacking, the Director or designee may ask for the applicant to revise a portion, or all, of the application to adhere to the guidelines, or to improve the quality of the application to adequately demonstrate the applicant's qualifications.

Final acceptance, or denial, of an application will be sent to the applicant in writing in a reasonable timeframe.

The Director and Department are encouraged to consider individual applications and consider the community-wide needs. Upon closing the application period, the Department will evaluate whether there is sufficient sheltering in the Anchorage community based on two primary criteria:

1. **Meeting the Need:** are there enough shelter beds to meet the level of need under the emergency declaration?
2. **Access:** is there equal access for each vulnerable population? (Populations to be considered should include but not be limited to: single adults, families with children under 18, unaccompanied youth, medically fragile, LGBTQIA+, and others.)

If the Director, or designee, determines that one of these criteria is not being met, AHD can opt to take one or more of the following actions:

1. **Extending application period:** The Department can extend the available time for an applicant to apply to become an emergency shelter.
2. **Identify a new location for sheltering:** The Department may pursue other options to secure adequate shelter capacity, such as utilizing a municipal facility, contracting with a private provider to operate a facility, or coordinate with state and federal agencies and/or nongovernment organizations.

Renewal Process

Each accepted application awards the agency as a designated emergency shelter for 24 months from the time of acceptance. It is the responsibility of the emergency shelter agency to notify the Department, at least 90 days prior to the expiration of the designation, of their intent to apply for renewal or to allow the designation to expire. If the agency intends to renew, the organization must submit:

- A cover letter to the Director of AHD requesting a renewal to the emergency shelter designation
- An updated application with any changes to the required documentation, including an updated insurance certification, AFD inspection, and Shelter Operation Plan.

The decision to renew a designation is at the discretion of the Director of AHD.