

Mapleton City Planning Commission Staff Report

Meeting Date: March 14, 2013

Item: 2

Applicant: George E. Harper

Location: 727 E 1100 S (Parcel # 46:274:0017)

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: Yes

Zone: A-2

REQUEST

Consideration of a request to convert an existing single family dwelling into a Residential Facility for Persons with a Disability located at 727 E 1100 S, and a request for a reasonable accommodation to allow up to 16 residents in the proposed facility.

BACKGROUND AND PROJECT DESCRIPTION

The project site consists of a two acre parcel that is developed with a single family residence. The residence has approximately 10,598 square feet of finished floor area and six covered parking spaces. The applicant is requesting to convert the existing residence to a Residential Facility for Persons with a Disability. The facility would include a maximum of 16 residents and five to six employees. The facility would provide treatment for individuals with past addiction to alcohol and drugs, but would focus primarily on prescription drug addictions. The applicant plans to offer 30, 60 and 90 day treatment programs (see attachment "1").

The applicant is also requesting a reasonable accommodation to allow more unrelated residents to occupy the building than would otherwise be allowed by city code. This project requires review by the Planning Commission and final approval by the City Council.

EVALUATION

Federal & State Code: The Federal Fair Housing Amendments Act of 1988 (FHA) prohibits discrimination based on race, color, religion, sex, national origin, disability or family status. Under the FHA, a person with a disability is *"any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment."* A physical or mental impairment includes drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

One type of discrimination that is prohibited is the refusal to make *"reasonable accommodations"* in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. The FHA does not allow exclusion of residential facilities based upon fear, speculation, or stereotype about a particular disability or persons with disabilities in general.

Utah Code Section 10-9a-520 (attachment "2") requires each jurisdiction to adopt an ordinance for residential facilities for persons with a disability. Each ordinance must comply with Title 57, Chapter 21, Utah Fair Housing Act, and the FHA. Utah code also requires that such facilities be allowed as a permitted use in any zone where residential dwellings are permitted. The Utah code does outline some limitations that a municipality may impose on residential facilities, such as distance requirements between facilities and limitations on the number of occupants.

All residential care facilities are required to obtain a license through the Utah Department of Human Services and comply with the regulations outlined in Rule R501-19 of the Utah Administrative Code (attachment "2").

These regulations include requirements for the management of the facility, the professional qualifications of employees, the physical environment of the facility, etc. Attachment “3” includes an outline of the licensing process that the applicant would be required to follow with the state. The state requires an applicant to submit a policies and procedure manual that outlines how the facility will comply with Rule R501-19 and other applicable regulations. The state performs periodic audits to ensure that the facility is in compliance with the adopted policies and procedures manual, and has the authority to take enforcement action if violations occur.

City Code: Mapleton City Code (MCC) chapter 18.84.370 was adopted in 2012 in accordance with Utah code. Residential facilities are listed as a permitted use in any zone where residential dwellings are allowed. Below is a summary of the review process outlined in the MCC followed by a brief staff response.

MCC 18.84.370.B(4)

b. Recommendation; Approval: Prior to commencing the maintenance or operations of a residential facility for persons with a disability, the owner/operator of such a facility must first obtain a recommendation from the planning commission and final approval from the city council. In order to obtain such approval, the owner/operator of the facility must establish that:

(1) The facility complies with existing zoning regulation for the desired location, including:

(A) Compliance with building, safety, and health regulations applicable to similar structures permitted within the zone, including obtaining permits relating thereto;

Response: The existing residence was issued a building permit in 1980. The applicant is proposing some renovations to bring the structure up to current building and fire code. The City’s Building Inspector and Fire Inspector have reviewed the proposed plans and determined that they are in substantial compliance with building, safety and health regulations. Some additional detail may be required when plans are actually submitted for a building permit. A special condition has been added requiring the applicant to obtain a building permit prior to operation.

(B) Compliance with site development standards including parking, traffic, landscape, utility use, and other standards applicable to similar structures permitted within the zone without structural or landscape alterations that would fundamentally change the structure's residential character and/or nature;

Response: MCC chapter 18.84.270 outlines the on-site parking requirements for various uses within the City. This chapter does not identify an on-site parking requirement for residential facilities. However, MCC Chapter 18.84.270.G states the following:

“Required Parking; Uses Not Mentioned: The required off street parking for any building, structure or use of land of a type which is not listed in this section shall be determined by the planning commission. The planning commission shall be guided as much as possible by comparison with similar uses which are listed.”

Staff is recommending that the requirements associated with a rest home, which are one space for each five patient beds and one space for each two employees, be required. This would result in four spaces for the residents and three spaces for the employees, for a total of seven spaces. The site has six covered parking spaces and ample room on the crescent driveway and main driveway for additional parking. The applicant has indicated that the residents will not be permitted to have a vehicle. This will further reduce any potential traffic and parking impacts on the neighborhood.

No changes to the structure are proposed or required that would fundamentally change the structure's residential character and/or nature. The structure will continue to appear as a single-family residence.

(C) Compliance with zoning requirements limiting the maximum number of unrelated occupants that are applicable to similar structures permitted within the zone.

Response: MCC chapter 18.08.145 allows up to three unrelated individuals who live and cook together to occupy a single family residence. The applicant is requesting up to 16 unrelated individuals and five to six employees. The applicant is requesting a reasonable accommodation to allow this exception to the MCC. This issue is addressed in the "reasonable accommodation" section of the staff report below.

(2) The facility has obtained and maintains appropriate state agency licensure for the facility, as provided herein;

Response: The state requires business license and zoning approval from the City prior to issuing a state license for the facility. As mentioned previously, attachment "3" outlines the state licensing requirements. A special condition has been added to address this issue.

(3) Placement of disabled individuals in the facility shall be on a strictly voluntary basis and a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;

Response: This requirement has been added as a special condition of approval.

(4) No individual shall be admitted to the facility as a resident who has a history of criminal conviction, is a convicted sex offender, has been convicted of selling or manufacturing illegal drugs, is currently using drugs or alcohol, and/or who is a direct threat to the health and safety of other individuals and/or of causing substantial physical damage to the property of others. In determining whether proposed residents are likely to represent a direct threat as outlined above, the planning commission and city council shall consider, on the basis of objective evidence:

(A) The nature, duration, and severity of the risk;

(B) The probability that potential injury will actually occur; and

(C) Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk;

Response: The requirement outlined above that the facility will not admit individuals with a history of criminal conviction, convicted sex offenders, that have been convicted of selling or manufacturing illegal drugs, or are currently using drugs or alcohol will reduce the potential of any public threat. Also, the strict policies and procedures requirements imposed by the Department of Human Services, and its oversight of the facility, will also help reduce the risk of health and safety threats.

A special condition has been added requiring the applicant to provide to the City, upon request, a list of all residents of the facility. This will allow the City to verify that compliance with this standard is being met.

(5) The residential facility will not fundamentally alter the character and nature of the subject residential neighborhood.

Response: The surrounding neighborhood consists of large lots varying from approximately one acre to nearly five acres in size. The existing residence includes approximately 10,598 square feet of finished floor

area, is situated on a two acre lot, and has ample on-site parking. No substantial alterations to the existing residence are required and the property will continue to appear as a single family dwelling. No changes are proposed that would commercialize the property such as surface parking lots, industrial lighting, outdoor facilities, etc.

The definition of a family found in MCC chapter 18.08.145 includes “two (2) or more people, all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two (2) other unrelated persons who do not pay rent.” While the average family size in the area is likely significantly less than 16, it is not unreasonable to assume that a family of sixteen, as defined above, could occupy a residence in this area under current zoning and building codes. If a family of 16 would not fundamentally alter the character of the neighborhood, than it may not be reasonable to argue that the proposed facility would fundamentally alter the character of the neighborhood based solely on occupancy.

Reasonable Accommodation: MCC chapter 18.84.370.B(5)(b) indicates that “Any person or entity who wishes to request a reasonable accommodation shall make a written request for the same to the planning commission for recommendations and city council for final approval.” The purpose of a reasonable accommodation is to give individuals with a disability accommodation in rules, policies, procedures, etc. to ensure equal access to housing and to facilitate the development of housing for people with disabilities in accordance with federal and state statutes.

Below is a summary of the criteria outlined in MCC chapter 18.84.370.B(5) for the review of reasonable accommodation requests followed by a brief staff response.

(1) In considering whether a proposed accommodation is reasonable and necessary, the planning commission and city council shall:

(A) Consider the impact of the requested accommodation on the neighborhood in light of existing zoning and use, including any impact on neighborhood parking, traffic, noise, utility use, safety, and other similar concerns, and whether any such impact fundamentally alters the character and/or nature of the neighborhood and/or existing zoning regulations;

Response: Due to the size of the residence, the size of the lot, the ample provision of parking and the distance between adjacent properties, it appears that the reasonable accommodation would not fundamentally alter the character and/or nature of the neighborhood. Again, no changes are proposed that would commercialize the appearance of the property, and the proposed occupancy is not any larger than could legally be achieved by a family occupying the same property.

(B) Consider whether, based on objective evidence and on an individualized basis, a particular accommodation would pose a direct threat to the health or safety of other individuals and/or would result in substantial physical damage to the property of others. In determining the likelihood of direct threat or substantial damage, the planning commission shall consider:

- (i) The nature, duration, and severity of the risk;*
- (ii) The probability that the potential injury will actually occur; and*
- (iii) Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk; and*

Response: The requirements in MCC chapter 18.84.370.B(4)(b)(4) that the facility will not admit individuals with a history of criminal conviction, convicted sex offenders, that have been convicted of selling or manufacturing illegal drugs, or are currently using drugs or alcohol will reduce the potential of any public threat. Also, the strict policies and procedures requirements imposed by the Department of Human Services, and its oversight of the facility, will also help reduce the risk of health and safety threats.

Again, a special condition has been added to allow the City to verify that these requirements are being met.

(C) Consider whether granting the accommodation would impose any significant or undue expense and/or administrative burden on the city.

Response: Staff has not identified any significant or undue expenses or administrative burdens that would result from the requested accommodation.

OPTIONS

1. Recommend that the City Council approved the application with special conditions.
2. Continue the application with a request for additional information.
3. Recommend that the City Council deny the application. If denial is recommended, the Commission should outline specific findings for the denial.

STAFF RECOMMENDATION

Recommend that the City Council approve the proposed Residential Facility for Persons with a Disability and the requested Reasonable Accommodation to allow up to sixteen (16) residents with the attached special conditions.

SPECIAL CONDITIONS

1. Prior to operation, the applicant shall obtain a building permit and comply with all building and fire code requirements related to the proposed facility.
2. Prior to operation, the applicant shall obtain a business license from the City.
3. Prior to operation, the applicant shall obtain a license from the Utah Department of Human Services. This license must remain active throughout the life of the facility.
4. Placement of disabled individuals in the facility shall be on a strictly voluntary basis and a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
5. No individual shall be admitted to the facility as a resident who has a history of criminal conviction, is a convicted sex offender, has been convicted of selling or manufacturing illegal drugs, is currently using drugs or alcohol, and/or who is a direct threat to the health and safety of other individuals and/or of causing substantial physical damage to the property of others. Upon request of the City, the owner shall provide a list of all residents of the facility to verify that this condition is being met.
6. The approval of this use is nontransferable and terminates upon transfer of ownership of the facility. The approval may also be revoked if any use other than that approved is operated on site and/or if the facility is not in compliance with Mapleton City Code chapter 18.84.370.B.
7. The property shall maintain the appearance of a single family residence.

ATTACHMENTS

1. Application materials.
2. Copy of City and State code.
3. State licensing process.
4. Correspondence.

Attachment “1”

Application Materials

G.E. (Bud) Harper
727 East 1100 South
Mapleton, Utah 84664

February 21, 2013

Mapleton City Corporation
125 West Community Center Way
Mapleton, Utah, 84664

Attn: Sean Conroy, Community Development Director:

The purpose of this letter is to provide the city with information regarding the proposed project. Below is a summary of how the facility will operate and a request for reasonable accommodation to allow up to 16 residents on the site.

1. Type of assisted living that is proposed.
 - Residential treatment for alcohol and drug addiction. Our primary focus will be related to prescription drug addiction.
2. Number of residents.
 - The maximum number of residents allowed in a single family residence for this purpose is sixteen, based on meeting state minimal size requirements. The proposal is for sixteen residents. This residence far exceeds minimal requirements for that number.
3. Type of treatment that clients will receive.
 - The program is 30, 60 or 90 days, based on the twelve step program and will be administered on an individual basis depending on individual needs. Treatment with appropriate medication, individual and group therapy, faith-based learning, experiential learning and brain retraining are some of the treatment components.
4. Number of employees.
 - Five to six daytime employees. Two nighttime employees, one male, one female.
5. Description of how residents will be vetted by the facility.
 - This residence is not equipped for detox. Therefore, all clients must successfully complete detox prior to entering the residence, as appropriate.
 - The proposal is for adult treatment only. Therefore, all clients must be at least eighteen years of age.
6. Request for Reasonable Accommodation to allow more than three unrelated individuals to occupy the structure.
 - Request to include items identified in code section.
 - A. The applicant shall identify the ordinance or regulation the applicant seeks to have waived or modified.
 - 18.84.370(C) – D.2.a.(3) – Compliance with zoning requirements limiting the maximum number of unrelated occupants that are applicable to similar structures permitted within the zone.

- B. The applicant shall identify the nature of the disability requiring accommodation.
 - Recovering alcoholics and addicts. Recovering alcoholics and addicts are considered people with disabilities under federal and state fair housing laws, and are thus entitled to a reasonable accommodation in zoning ordinances.
- C. The applicant shall describe the nature of the requested accommodation
 - That a maximum of sixteen residents be allowed to reside in the residence during their recovery program, in accordance with state licensing guidelines.
- D. The applicant shall describe why the accommodation is necessary to afford the disabled an equal opportunity to use and enjoy residential housing.
 - The accommodation affords the disabled an opportunity to live with others suffering from similar addictions in a home-like atmosphere where they can work on their individual recovery with the help of licensed professionals.
- E. The applicant shall describe what impact, if any, the applicant perceives that the requested accommodation shall have on the existing neighborhood and whether the requested accommodation is consistent with the character and neighborhood.
 - The requested accommodation will have no impact on the neighborhood. Some of the reasons for this are as follows:
 - All clients will be pre-screened prior to acceptance into the program.
 - Clients enter the program of their own free will. Should a client wish to leave the program, the client will be provided transportation to a predetermined location.
 - Clients are not allowed off the property without a staff member.
 - This is an adult program. No minors will be admitted into the program.
 - There is garage parking for six cars. Therefore, most parking will be inside the garages.
 - Clients are not allowed to have a vehicle on the premise.
 - Since clients will be involved in activities tailored to their recovery most of the time, visiting periods are very limited and scheduled. Also, it is anticipated that many clients will be coming from areas outside the state of Utah and, therefore, would have seldom, if any visits.
- F. The applicant shall identify any burden or expense the accommodation would impose on the city.
 - The accommodation will not impose any burden or expense to the city.

Item “E” above outlines many of the mitigation factors that will be incorporated into the facility to ensure that the residential character of the neighborhood is protected and maintained.

Thank you for considering this application.

Sincerely,

G.E. (Bud) Harper

View of the property looking north



View of property looking west





Subject Property

Attachment “2”

City and State Code Sections

Mapleton City Code 18.84.370.B

B. Residential Facilities For Persons With A Disability:

1. Purpose And Policy:

a. The purpose of this subsection is to:

- (1) Comply with Utah Code Annotated section 10-9a-520;
- (2) Provide clear direction to citizens and applicants regarding the necessary requirements and procedure for establishing residential facilities for persons with a disability; and
- (3) Establish an application process for locating residential facilities for persons with a disability in a residential community that both avoids discrimination against the disabled and protects the character and nature of the city's residential communities.

b. Pursuant to Utah Code Annotated section 10-9a-520(2)(a), this subsection is intended to comply with the Utah fair housing act of title 57, chapter 21 and the federal fair housing amendments act of 1988, 42 USC, section 3601 et seq.

2. Definitions: For purposes of this regulation, the following definitions shall apply:

DISABILITY: A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment.

a. "Physical or mental impairment" includes:

- (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or
- (2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus infection, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

b. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in section 102 of the controlled substances act, 21 USC 802.

RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY: A twenty four (24) hour group living environment with one or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, and/or habilitation services for persons with

emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies, and that is licensed or certified by the department of human services under title 62A, chapter 2, licensure of programs and facilities, or is licensed or certified by the department of health under title 26, chapter 21, health care facility licensing and inspection act. Residential treatment does not include a boarding school or foster home.

3. State Regulation Of Residential Facilities:

- a. Prior to commencing operation, all applicants and operators of residential facilities for persons with a disability shall obtain a license from the department of health under title 26, chapter 21 ("health care facility licensing and inspection act") and/or the department of human services under title 62A, chapter 2 ("licensure of programs and facilities"), as is appropriate and required for the nature of the facility's operations and services.
- b. All residential facilities for persons with a disability shall maintain a current license from the department of health and/or the department of human services as a condition for their continued operation.

4. Municipal Approval Process For Residential Facilities:

- a. Permitted Use: A residential facility for persons with a disability is a permitted use in any zone where similar residential dwellings that are not residential facilities for persons with a disability are allowed.
- b. Recommendation; Approval: Prior to commencing the maintenance or operations of a residential facility for persons with a disability, the owner/operator of such a facility must first obtain a recommendation from the planning commission and final approval from the city council. In order to obtain such approval, the owner/operator of the facility must establish that:

(1) The facility complies with existing zoning regulation for the desired location, including:

- (A) Compliance with building, safety, and health regulations applicable to similar structures permitted within the zone, including obtaining permits relating thereto;
- (B) Compliance with site development standards including parking, traffic, landscape, utility use, and other standards applicable to similar structures permitted within the zone without structural or landscape alterations that would fundamentally change the structure's residential character and/or nature; and
- (C) Compliance with zoning requirements limiting the maximum number of unrelated occupants that are applicable to similar structures permitted within the zone.

(2) The facility has obtained and maintains appropriate state agency licensure for the facility, as provided herein;

(3) Placement of disabled individuals in the facility shall be on a strictly voluntary basis and a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;

(4) No individual shall be admitted to the facility as a resident who has a history of criminal conviction, is a convicted sex offender, has been convicted of selling or manufacturing illegal

drugs, is currently using drugs or alcohol, and/or who is a direct threat to the health and safety of other individuals and/or of causing substantial physical damage to the property of others. In determining whether proposed residents are likely to represent a direct threat as outlined above, the planning commission and city council shall consider, on the basis of objective evidence:

- (A) The nature, duration, and severity of the risk;
- (B) The probability that potential injury will actually occur; and
- (C) Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk; and

(5) The residential facility will not fundamentally alter the character and nature of the subject residential neighborhood.

c. Granting Permit: If the city council determines that the residential facility for persons with a disability is in compliance with these requirements, the city shall grant the requested permit to that facility.

d. Use Nontransferable: The use granted and permitted by this subsection is nontransferable and terminates upon:

- (1) Transfer of the ownership of the facility;
- (2) Any use other than that approved by the city council in the process outlined above; and/or
- (3) Failure of the structure, its management, and/or any of its residents to comply with any aspect or provision of this subsection.

e. Denial Of Permit: If the city council determines that the residential facility for persons with a disability is not in compliance with these requirements, the city shall deny the requested permit to that facility, and the city council shall provide a written explanation outlining the bases for the denial. Any decision of the city council may be appealed to the district courts within thirty (30) days of the council's written decision.

5. Reasonable Accommodation And Related Procedure:

a. Interpretation: None of the requirements in the municipal approval process outlined above shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a residential facility for persons with a disability.

b. Written Request: Any person or entity who wishes to request a reasonable accommodation shall make a written request for the same to the planning commission for recommendations and city council for final approval. Within such a request:

- (1) The applicant shall identify the ordinance or regulation the applicant seeks to have waived or modified;
- (2) The applicant shall identify the nature of the disability requiring accommodation;
- (3) The applicant shall describe the nature of the requested accommodation;

- (4) The applicant shall describe why the accommodation is necessary to afford the disabled an equal opportunity to use and enjoy residential housing;
- (5) The applicant shall describe what impact, if any, the applicant perceives that the requested accommodation shall have on the existing neighborhood and whether the requested accommodation is consistent with the character and nature of the neighborhood; and
- (6) The applicant shall identify any burden or expense the accommodation would impose on the city.

c. Reasonable And Necessary Accommodation: The planning commission and city council shall make a reasonable accommodation to any aspect of the municipal approval process outlined above where it receives a written request for accommodation and the city council determines that such an accommodation is reasonable and necessary in order that a disabled individual may have an equal opportunity to use and enjoy residential housing.

(1) In considering whether a proposed accommodation is reasonable and necessary, the planning commission and city council shall:

(A) Consider the impact of the requested accommodation on the neighborhood in light of existing zoning and use, including any impact on neighborhood parking, traffic, noise, utility use, safety, and other similar concerns, and whether any such impact fundamentally alters the character and/or nature of the neighborhood and/or existing zoning regulations;

(B) Consider whether, based on objective evidence and on an individualized basis, a particular accommodation would pose a direct threat to the health or safety of other individuals and/or would result in substantial physical damage to the property of others. In determining the likelihood of direct threat or substantial damage, the planning commission shall consider:

(i) The nature, duration, and severity of the risk;

(ii) The probability that the potential injury will actually occur; and

(iii) Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk; and

(C) Consider whether granting the accommodation would impose any significant or undue expense and/or administrative burden on the city.

(2) The city council shall draft a written opinion letter explaining its findings, indicating whether the requested accommodation is granted and detailing any related conditions that may be imposed therewith.

d. Appeals Process: Any party that requests a reasonable accommodation that is denied by the city council may appeal to the district courts within thirty (30) days of the council's written decision. (Ord. 2012-01, 2-21-2012, eff. 3-18-2012)

Utah Municipal Code

10-9a-520. Residences for persons with a disability.

- (1) Each municipality shall adopt an ordinance for residential facilities for persons with a disability.
 - (2) Each ordinance under Subsection (1) shall:
 - (a) comply with Title 57, Chapter 21, Utah Fair Housing Act, and the federal Fair Housing Amendments Act of 1988, 42 U.S.C. Sec. 3601 et seq.; and
 - (b) to the extent required by federal law, provide that a residential facility for persons with a disability is a permitted use in any zone where similar residential dwellings that are not residential facilities for persons with a disability are allowed.
 - (3) Subject to Subsection (2), an ordinance under Subsection (1) may:
 - (a) require residential facilities for persons with a disability:
 - (i) to be reasonably dispersed throughout the municipality;
 - (ii) to be limited by number of occupants;
 - (iii) for residential facilities for persons with a disability that are substance abuse facilities and are located within 500 feet of a school, to provide, in accordance with rules established by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities:
 - (A) a security plan satisfactory to local law enforcement authorities;
 - (B) 24-hour supervision for residents; and
 - (C) other 24-hour security measures; and
 - (iv) to obtain permits that verify compliance with the same building, safety, and health regulations as are applicable in the same zone to similar uses that are not residential facilities for persons with a disability; and
 - (b) provide that a residential facility for persons with a disability that would likely create a fundamental change in the character of a residential neighborhood may be excluded from a zone.
 - (4) The responsibility to license programs or entities that operate facilities for persons with a disability, as well as to require and monitor the provision of adequate services to persons residing in those facilities, shall rest with:
 - (a) for programs or entities licensed or certified by the Department of Human Services, the Department of Human Services as provided in Title 62A, Chapter 5, Services to People with Disabilities; and
 - (b) for programs or entities licensed or certified by the Department of Health, the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.
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Utah Administrative Code

Rule R501-19. Residential Treatment Programs.

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- KEY
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R501-19-1. Authority.

Pursuant to Section 62A-2-101 et seq., the Office of Licensing shall license residential treatment programs according to the following rules.

R501-19-2. Purpose.

Residential treatment programs offer room and board and provides for or arranges for the provision of specialized treatment, rehabilitation or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment programs, consumers are assisted in acquiring the social and behavioral skills necessary for living independently in the community in accordance with Subsection 62A-2-101(15).

R501-19-3. Definition.

Residential treatment program means a 24-hour group living environment for four or more individuals unrelated to the owner or provider in accordance with Subsection 62A-2-101(15).

R501-19-4. Administration.

A. In addition to the following rules, all Residential Treatment Programs shall comply with R501-2, Core Standards.

B. A current list of enrollment of all registered consumers shall be on-site at all times.

R501-19-5. Staffing.

A. The program shall have an employed manager who is responsible for the day to day resident supervision and operation of the facility. The responsibilities of the manager shall be clearly defined. Whenever the manager is absent there shall be a substitute available.

B. The program shall have a staff person trained, by a certified instructor, in standard first aid and CPR on duty with the consumers at all times.

C. Programs which utilize students and volunteers, shall provide screening, training, and evaluation of volunteers. Volunteers shall be informed verbally and in writing of program objectives and scope of service.

D. Professional staff shall include the following individuals who have received training in the specific area listed below:

1. Mental Health

a. a licensed physician or consulting licensed physician,

b. a licensed psychologist, or consulting licensed psychologist,

c. a licensed mental health therapist,

d. a licensed advanced practice registered nurse-psychiatric mental health nurse specialist, or a consulting advanced practice registered nurse-psychiatric mental health nurse specialist, and

e. if unlicensed staff are used, they shall be supervised by a licensed clinical professional.

2. Substance Abuse

a. a licensed physician, or a consulting licensed physician,

b. a licensed psychologist or consulting licensed psychologist,

c. a licensed mental health therapist or consulting licensed, mental health therapist, and

d. a licensed substance abuse counselor or unlicensed staff who work with substance abusers shall be supervised by a licensed clinical professional.

3. Children and Youth

a. a licensed physician, or consulting licensed physician,

b. a licensed psychologist, or consulting licensed psychologist, and

c. a licensed mental health therapist or consulting licensed mental health therapist, to provide a minimum of one hour of service to the program per week per consumer enrolled.

d. A licensed medical practitioner, by written agreement, shall be available to provide, as needed, a minimum of one hour of service per week for every two consumers enrolled.

e. Other staff trained to work with emotionally and behaviorally disturbed, or conduct disordered children and youth shall be under the supervision of a licensed clinical professional.

f. A minimum of two staff on duty and, a staff ratio of no less than one staff to every four consumers shall exist at all times, except nighttime sleeping hours when staff may be reduced.

g. A mixed gender population shall have at least one male and one female staff on duty at all times.

4. Services for People With Disabilities shall have a staff person responsible for program supervision and operation of the facility. Staff person shall be adequately trained to provide the services and treatment stated in the consumer plan.

R501-19-6. Direct Service.

Treatment plans shall be reviewed and signed by the clinical supervisor. Treatment plans shall be reviewed and signed by the clinical supervisor, or other qualified individuals for Division of Services for People With Disabilities services. Plans shall be reviewed and signed as noted in the treatment plan.

R501-19-7. Physical Facilities.

A. The program shall provide written documentation of compliance with the following items as applicable:

1. local zoning ordinances,

2. local business license requirements,
3. local building codes,
4. local fire safety regulations,
5. local health codes, and
6. local approval from the appropriate government agency for new program services or increased consumer capacity.

B. Building and Grounds

1. The program shall ensure that the appearance and cleanliness of the building and grounds are maintained.
2. The program shall take reasonable measures to ensure a safe physical environment for consumers and staff.

R501-19-8. Physical Environment.

- A. Live-in staff shall have separate living space with a private bathroom.
- B. The program shall have space to serve as an administrative office for records, secretarial work and bookkeeping.
- C. Indoor space for free and informal activities of consumers shall be available.
- D. Provision shall be made for consumer privacy.
- E. Space shall be provided for private and group counseling sessions.
- F. Sleeping Space
 1. No more than four persons, or two for Division of Services for People With Disabilities programs, shall be housed in a single bedroom.
 2. A minimum of sixty square feet per consumer shall be provided in a multiple occupant bedroom. Storage space will not be counted.
 3. A minimum eighty square feet per individual shall be provided in a single occupant bedroom. Storage space will not be counted.
 4. Sleeping areas shall have a source of natural light, and shall be ventilated by mechanical means or equipped with a screened window that opens.

5. Each bed, none of which shall be portable, shall be solidly constructed, and be provided with clean linens after each consumer stay and at least weekly.
6. Sleeping quarters serving male and female residents shall be structurally separated.
7. Consumers shall be allowed to decorate and personalize bedrooms with respect for other residents and property.

G. Bathrooms

1. The program shall have separate bathrooms for males and females. These shall be maintained in good operating order and in a clean and safe condition.
2. Bathrooms shall accommodate consumers with physical disabilities as required.
3. Each bathroom shall be properly equipped with toilet paper, towels, soap, and other items required for personal hygiene.
4. Bathrooms shall be ventilated by mechanical means or equipped with a screened window that opens.
5. Bathrooms shall meet a minimum ratio of one toilet, one lavatory, and one tub or shower for each six residents.
6. There shall be toilets and baths or showers which allow for individual privacy.
7. There shall be mirrors secured to the walls at convenient heights.
8. Bathrooms shall be located as to allow access without disturbing other residents during sleeping hours.

H. Furniture and equipment shall be of sufficient quantity, variety, and quality to meet program and consumer needs.

I. All furniture and equipment shall be maintained in a clean and safe condition.

J. Programs which permit individuals to do their own laundry shall provide equipment and supplies for washing, drying, and ironing.

K. Programs which provide for common laundry of linens and clothing, shall provide containers for soiled laundry separate from storage for clean linens and clothing.

L. Laundry appliances shall be maintained in a clean and safe operating condition.

R501-19-9. Food Service.

A. One staff shall be responsible for food service. If this person is not a professionally qualified dietitian, regularly scheduled consultation with a professionally qualified dietitian shall be obtained. Meals served shall be from dietitian approved menus.

B. The staff responsible for food service shall maintain a current list of consumers with special nutritional needs and record in the consumers service record information relating to special nutritional needs and provide for nutrition counseling where indicated.

C. The program shall establish and post kitchen rules and privileges according to consumer needs.

D. Consumers present in the facility for four or more consecutive hours shall be provided nutritious food.

E. Meals may be prepared at the facility or catered.

F. Kitchens shall have clean, safe, and operational equipment for the preparation, storage, serving, and clean up of all meals.

G. Adequate dining space shall be provided for consumers. The dining space shall be maintained in a clean and safe condition.

H. When meals are prepared by consumers there shall be a written policy to include the following:

1. rules of kitchen privileges,
2. menu planning and procedures,
3. nutritional and sanitation requirements, and
4. schedule of responsibilities.

R501-19-10. Medication.

A. The program shall have locked storage for medications.

B. The program shall have locked storage for hazardous chemicals and materials, according to the direction of the local fire authorities.

C. Prescriptive medication shall be provided as prescribed by a qualified physician, according to the Medical Practices Act.

D. The program shall have designated qualified staff, who shall be responsible to:

1. administer medication,

2. supervise self-medication,
3. record medication, including time and dosage, according to prescription, and
4. record effects of medication.

R501-19-11. Specialized Services for Substance Abuse.

- A. The program shall not admit anyone who is currently experiencing convulsions, in shock, delirium tremens, in a coma, or unconscious.
- B. At a minimum, the program shall document that direct service staff complete standard first aid and CPR training within six months of being hired. Training shall be updated as required by the certifying agency.
- C. Before admission, consumers shall be tested for Tuberculosis. Both consumers and staff shall be tested annually or as directed by the local health authority.

R501-19-12. Specialized Services for Programs Serving Children and Youth.

- A. Provisions shall be available for adolescents to continue their education with a curriculum approved by the State Office of Education.
- B. Programs which provide their own school shall be recognized by an educational accreditation organization, i.e., State Board of Education or the National School Accreditation Board.
- C. Individual, group, couple, and family counseling sessions or other appropriate treatment, including skills development, shall be conducted at least weekly, or more often if defined by the treatment plan. The consumer's record shall document the time and date of the service provided and include the signature of the counselor.
- D. An accurate record shall be kept of all funds deposited and withdrawn with the residential facility for use by a consumer. Consumer purchases of over \$20.00 per item, shall be substantiated by receipts signed by the consumer and appropriate staff.

R501-19-13. Specialized Services for Division of Services for People With Disabilities.

- A. Rules governing the daily operation and activities of the facility shall be available to all consumers and visitors, and shall apply to family members, consumers, and staff that come into the facility.
- B. The program shall have policy specifying the amount of time family or friends may stay as overnight guests.

C. All consumers in residential programs shall have an individual plan that addresses appropriate day treatment.

D. A monthly schedule of activities shall be shared with the consumer and available on request. Schedules shall be filed and maintained for review.

E. A record of income, earned, unearned, and consumer service fees, shall be maintained by the provider.

F. Residential facilities shall be located where school, church, recreation, and other community facilities are available.

G. An accurate record shall be kept of all funds deposited with the residential facility for use by a consumer. This record shall contain a list of deposits and withdrawals. Consumer purchases of over \$20.00, per item, shall be substantiated by receipts signed by the consumer and professional staff. A record shall be kept of consumer petty cash funds.

H. The program, in conjunction with the parent or guardian and the Division of Services for People With Disabilities support coordinator, shall apply for unearned income benefits for which a consumer is entitled.

Attachment “3”

State Licensing Procedure & Application Checklists

Licensing Process for
Day Treatment, Intermediate Secure Care, Outdoor Youth programs, Outpatient Treatment, Residential Support, Residential Treatment, Social Detoxification, and Therapeutic Schools

1. Submit application, fee, and Policy and Procedure manual to the Office of Licensing. Office management will assign a licensor. The Policy and Procedure Manual must address the specifics of how the program will comply with the Core Rules (R501-2) and with the Categorical Rules for the applicable category of service to be provided. The manual must be reviewed and approved by the assigned licensor. Be sure to include program statement of purpose; description for services to be provided; description of clients to be served.
2. Submit Office of Licensing Background Screening Application forms on all employees 18 years or older who will have direct access to clients (Adult only Substance Abuse programs are exempt from this). An Office of Licensing background screen must be completed annually.
3. Prepare the following documents:
 - Business license / zoning approval
 - Fire Inspection Clearance (not required for Outdoor Youth Program)
 - Health Inspection Clearance (not required for Outpatient Treatment or Outdoor Youth Program)
 - Evidence of Insurance (General Liability with fire, Professional Liability, Vehicle, and Worker's Compensation)
 - Evidence of Business Registration with the Department of Commerce
 - Sole Proprietorship = Registration
 - Partnership = Partnership Agreement
 - Limited Partnership = Certificate of Limited Partnership
 - Corporation = Articles of Incorporation
 - Limited Liability Company = Articles of Organization
 - List of members of the program's Governing Body
 - Organization Chart
 - School Accreditation Certificate for programs serving clients under age 18 (not required for Outpatient Treatment or Social Detoxification).
 - Completed Youth Education Coordinating Form for programs serving clients under age 18 (not required for Outpatient Treatment or Social Detoxification).
 - For Residential Treatment - evidence of notification provided to the Governing Body of the local government having jurisdiction, in accordance with 62A-2-108.2(3)
 - Any other licenses/inspections required by the city, county or other state agency
4. Licensor will contact you to complete a site inspection.

COMPLIANCE REQUIREMENTS R501-19	Y E S	N O	N / A	CONT RACT	COMMENTS
<p>3. Children and Youth</p> <ul style="list-style-type: none"> a. a licensed physician, or consulting licensed physician, b. a licensed psychologist, or consulting licensed psychologist, and c. a licensed mental health therapist, or consulting licensed mental health therapist, to provide a minimum of one hour of service to the program per week per consumer enrolled. d. A licensed medical practitioner, by written agreement, is available to provide, as needed, a minimum of one hour of service per week for every two consumers enrolled. e. Other staff trained to work with emotionally and behaviorally disturbed, or conduct disordered children and youth are under the supervision of a licensed clinical professional. f. A minimum of two staff on duty and, a staff ratio of no less than one staff to every four consumers exists at all times, except nighttime sleeping hours when staff ratios may be reduced. g. A mixed gender population has at least one male and one female staff on duty at all times. <p>4. Services for People with Disabilities programs have a staff person responsible for program supervision and operation of the facility. Staff person is adequately trained to provide the services and treatment stated in the consumer plan.</p>				* * * * * * * *	
<p>R501-19-6. Direct Service. Treatment plans are reviewed and signed by the clinical supervisor, or other qualified individuals for DSPD services. Plans are reviewed and signed as noted in the treatment plan.</p>				*	
<p>R501-19-7. Physical Facilities.</p> <p>A. Program provides written documentation of compliance with the following items as applicable:</p> <ul style="list-style-type: none"> 1. local zoning ordinances, 2. local business license requirements, 3. local building codes, 4. local fire safety regulations, 5. local health codes, and 6. local approval from the appropriate government agency for new program services or increased consumer capacity. 					
<p>B. Building and Grounds</p> <ul style="list-style-type: none"> 1. Program ensures that the appearance and cleanliness of the building and grounds are maintained. 2. Program takes reasonable measures to ensure a safe physical environment for consumers and staff. 					
<p>R501-19-8. Physical Environment.</p>					
<p>A. Live-in staff have separate living space with a private bathroom.</p>					
<p>B. Program has space to serve as an administrative office for records, secretarial work and bookkeeping.</p>					
<p>C. Indoor space for free and informal activities of consumers is available.</p>					
<p>D. provision is made for consumer privacy.</p>					
<p>E. Space is provided for private and group counseling sessions.</p>					

COMPLIANCE REQUIREMENTS R501-19	Y E S	N O	N /	N A	CONT RACT	COMMENTS
<p>F. Sleeping Space</p> <ol style="list-style-type: none"> 1. No more than four persons, or two for DSPD programs, are housed in a single bedroom. 2. A minimum of 60 square feet per consumer is provided in a multiple occupant bedroom. Storage space is not counted. 3. A minimum of 80 square feet per individual is provided in a single occupant bedroom. Storage space is not counted. 4. Sleeping areas have a source of natural light, and are ventilated by mechanical means or equipped with a screened window that opens. 5. Each bed, none of which are portable, is solidly constructed, and is provided with clean linens after each consumer stay and at least weekly. 6. Sleeping quarters serving male and female residents is structurally separated. 7. Consumers are allowed to decorate and personalize bedrooms with respect for other residents and property. 						
<p>G. Bathrooms</p> <ol style="list-style-type: none"> 1. Program has separate bathrooms for males and females. These are maintained in good operating order and in a clean and safe condition. 2. Bathrooms accommodate consumers with physical disabilities as required. 3. Bathrooms are properly equipped with toilet paper, towels, soap, and other items required for personal hygiene. 4. Bathrooms are ventilated by mechanical means or equipped with a screened window that opens. 5. Bathrooms meet a minimum ratio of one toilet, one lavatory, and one tub or shower for each six residents. 6. There are toilets and baths or showers that allow for individual privacy. 7. There are mirrors secured to the walls at convenient heights. 8. Bathrooms are located to allow access without disturbing other residents during sleeping hours. 						
<p>H. Furniture and equipment is of sufficient quantity, variety, and quality to meet program and consumer needs.</p>						
<p>I. All furniture and equipment is of sufficient quantity, variety, and quality to meet program and consumer needs.</p>						
<p>J. If program permits individuals to do their own laundry they provide equipment and supplies for washing, drying, and ironing.</p>						
<p>K. If program provides for common laundry of linens and clothing, they provide containers for soiled laundry separate from storage for clean linens and clothing.</p>						
<p>L. Laundry appliances are maintained in a clean and safe condition.</p>						
<p>R501-19-9. Food Service.</p>						
<p>A. One staff is responsible for food service. If this person is not a professionally qualified dietitian, regularly scheduled consultation with a professionally qualified dietitian is obtained. Meals are served from dietitian-approved menus.</p>						
<p>B. Staff responsible for food service maintain a current list of consumers with special nutritional needs and record in the consumer's service record information relating to special nutritional needs and provide for nutrition counseling where indicated.</p>						
<p>C. Program establishes and posts kitchen rules and privileges according to consumer needs.</p>						
<p>D. Consumers present in the facility for four or more consecutive hours are provided nutritious food.</p>						
<p>E. meals may be prepared at the facility or catered.</p>						
<p>F. Kitchens have clean, operational equipment for the preparation, storage, serving, and clean up of all meals.</p>						
<p>G. Adequate dining space is provided for consumers. Dining space is maintained in a clean and safe condition.</p>						
<p>H. If meals are prepared by consumers there is a written policy to include the following:</p>						

COMPLIANCE REQUIREMENTS R501-19	Y E S	N O	N /	CONT RACT	COMMENTS
1. rules of kitchen privileges, menu planning and procedures, 2. nutritional and sanitation requirements, and 3. schedule of responsibilities.					
R501-19-10. Medication.					
A. Program has locked storage for medications.					
B. Program has locked storage for hazardous chemicals and materials, according to the direction of the local fire authorities.					
C. Prescriptive medication is provided as prescribed by a qualified person, according to the Medical Practices Act.					
D. Program has designated qualified staff, who is responsible to: 1. administer medication, 2. supervise self-medication, 3. record medication, including time and dosage, according to prescription, and 4. record effects of medication.					
R501-19-11. Specialized Services for Substance Abuse.					
A. Program does not admit anyone who is currently experiencing convulsions, in shock, delirium tremens, in a coma, or unconscious.					
B. At a minimum the program documents that direct service staff complete standard first aid and CPR training within six months of being hired. Training is updated as required by the certifying agency.					
C. Before admission, consumers are tested for Tuberculosis. Both consumers and staff are tested annually or as directed by local health authority.					
R501-19-12. Specialized Services for Programs Serving Children and Youth.					
A. Provisions are available for adolescents to continue their education with a curriculum approved by the State Office of Education.					
B. If program provides their own school it is recognized by an educational accreditation organization, i.e., State Board of Education or the National School Accreditation Board.					
C. Individual, group, couple, and family counseling sessions or other appropriate treatment, including skills development, is conducted at least weekly, or more often if defined by the treatment plan. The consumer's record documents the time and date of the service provided with signature of the counselor.					
D. An accurate record is kept of all funds deposited and withdrawn with the residential facility for use by a consumer. Consumer purchases of over \$20.00 per item, are substantiated by receipts signed by consumer and appropriate staff.					
R501-19-13. Specialized Services for Division of Services for People with Disabilities.					
A. Rules governing the daily operation and activities of the facility are available to all consumers and visitors, and applies to family members, consumers, and staff that come into the facility.					
B. Program has policy specifying the amount of time family or friends may stay as overnight guests.					
C. All consumers have an individual plan that addresses appropriate day treatment.					
D. A monthly schedule of activities is shared with the consumer and available on request. Schedules are filed and maintained for review.					
E. Record of income, earned, unearned, and consumer service fees, is maintained by the provider.					
F. Facility is located where school, church, recreation, and other community facilities are available.					
G. An accurate record is kept of all funds deposited with the facility for use by a consumer. The record contains a list of deposits and withdrawals. Consumer purchases of over \$20.00 per item, is substantiated by receipts signed by consumer and professional staff. A record is kept of consumer petty cash funds.					
H. Program, in conjunction, with parent or guardian and DSPD support coordinator, applies for unearned income benefits for which a consumer is entitled.					

UTAH DEPARTMENT OF HUMAN SERVICES
OFFICE OF LICENSING
CORE RULES CHECKLIST

Licensing Staff: _____ Date: _____

Program: _____

Director: _____

Address: _____

Maximum Licensed Capacity: _____ Number of Consumers Enrolled: _____

Provider Signature: _____ Fee Charged: _____

* Effective May 4, 1998, (62A-2-106) For programs contracted to a DHS Division listed in 62A-1-105, these rules will be reviewed by contract monitors in coordination with the Office of Licensing

COMPLIANCE REQUIREMENTS	Y	N	N	CONT	COMMENTS
R501-2	E	O	/	RACT	
	S		A		
R501-2-2. ADMINISTRATION					
A. Program has written statement of purpose, including the following: 1. program philosophy, 2. description of long and short term goals, (this does not apply to social detoxification or child placing adoption agencies) 3. description of services provided, population to be served, 4. fee policy, 5. participation of consumers in activities unrelated to treatment plans, and, 6. program policies and procedures shall be submitted before issuance of an initial license.					
B. Copies of above are available at all times to the Office, and general program information is available to the public.					
C. Program has written quality assurance plan; implementation is documented.					
D. Program has clearly stated guidelines and procedures, to include the following: 1. program management, 2. maintenance of complete, accurate and accessible records, and 3. record retention.					
E. Governing body, program operators, management, employees, consultants, volunteers and interns have read, understand, follow and signed a copy of the current DHS Provider Code of Conduct.					
F. Program complies with state and federal laws regarding abuse reporting, and has posted a copy of the laws in a conspicuous place within the facility.					
G. If program serves minors or vulnerable adults, they submit information for background screening of all persons associated with the license that have access to clients.					
H. Program complies with all applicable interstate Compact laws.					
I. Substance abuse programs shall complete the National Survey of Substance Abuse Treatment annually and comply with confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2.					
J. Program license shall be posted in a conspicuous place on the premises. Program posts Civil Rights, Notice of Agency Actions, Abuse and Neglect Reporting, and ADA notices as applicable					
K. Program does not handle any major personal business affairs of a consumer, without written request by consumer or legal representative.					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	A A	CONT RACT COMMENTS
R501-2-3. Governance					
<p>A. Program has a governing body that is responsible and has authority over the policies, training and monitoring of staff and consumer activities for all phases of the program. They include the following:</p> <ol style="list-style-type: none"> 1. ensure program policy and procedure compliance. 2. ensure continual compliance with relevant local, state and federal requirements, 3. notify the Office within 30 days of changes in program administration and purpose, 4. ensures that program is fiscally and operationally sound, (The program is a "going concern") 5. ensures program has adequate staffing as identified on the organizational chart, 6. ensures program has general liability insurance, professional liability insurance as appropriate, vehicle insurance for transport of consumers, and fire insurance, and 7. If program serves youth, program director or designee meets with the Superintendent or designee of the local school district at the time of initial licensure, and then again each year as the program renews it's license to complete the necessary student forms, including youth education forms. 					
<p>B. The governing body shall be one of the following:</p> <ol style="list-style-type: none"> 1. a Board of Directors in a non-profit organization; or 2. commissioners or appointed officials of a governmental unit; or 3. Board of Directors or individual owners of for-profit organization. 					
<p>C. Program has a list of members of the governing body indicating name, address, and term of membership.</p>					
<p>D. Program has organization chart that identifies operating units of program, their inter-relationships. Chart defines lines of authority/ responsibility for all staff, and identifies by name the staff who fills each position on the chart.</p>					
<p>F. If the governing body is composed of more than one person, written by-laws have been established, formal meetings are held at least twice a year, (child placing agencies meet quarterly). Written minutes are kept, which are available for review by the Office. They include the following:</p> <ol style="list-style-type: none"> 1. attendance, 2. date, 3. agenda items, and 4. actions. 					
R501-2-4. STATUTORY AUTHORITY					
<p>A. If program is publicly operated, it documents statutory basis for existence.</p>					
<p>B. If program is privately operated, it documents ownership and incorporation</p>					
R501-2-5. RECORD KEEPING					*
<p>Program has a written record for each consumer which includes the following:</p>					*
<p>A. Demographic information, including Medicaid number as required.</p>					*
<p>B. biographical information,</p>					*

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	CONT RACT	COMMENTS
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<p>C. pertinent background information, including the following:</p> <ol style="list-style-type: none"> 1. personal history, including social, emotional, psychological and physical development, 2. legal status, 3. emergency contact, including name, address and telephone number, and 4. photo, as needed 				*	
<p>D. health records of consumers, including:</p> <ol style="list-style-type: none"> 1. immunizations, (this is not applicable to adult programs), 2. medication, 3. records of physical exams, dental and visual exams, and 4. other pertinent health records and information, 				*	
<p>E. signed consent forms for treatment and signed Release of Information form,</p>					
<p>F. copy of consumer's individual treatment or service plan,</p>				*	
<p>G. summary of family visits and contacts, and</p>				*	
<p>H. summary of attendance and absences.</p>				*	
R501-2-6. DIRECT SERVICE MANAGEMENT					
<p>A. Not applicable to social detoxification. Program has a written eligibility policy and procedure, approved by a licensed clinical professional which includes the following:</p> <ol style="list-style-type: none"> 1. legal status, 2. age and sex of consumer, 3. consumer needs or problems best addressed by program, 4. program limitations, and 5. appropriate placement. 					
<p>B. Program has written admission policy and procedure to include the following:</p> <ol style="list-style-type: none"> 1. appropriate intake process, 2. age groupings are approved by the Office of Licensing, 3. pre-placement requirements, 4. self-admission, 5. notification of legally responsible person, and 6. reason for refusal of admission, including a written, signed statement. 					
<p>C. Intake Evaluation:</p> <ol style="list-style-type: none"> 1. At the time of intake an assessment is conducted to evaluate health and family history, medical, social, psychological and, as appropriate, developmental, vocational, and educational factors. 2. In emergency situations, which necessitate immediate placement, the intake evaluation is completed within seven days of admission. 3. All methods used in evaluating a consumer consider, cultural background, dominant language, and mode of communication. 					
<p>D. Written consumer agreement is developed with consumer, and the legally responsible person, if applicable, signed by all parties, kept in consumer's record, with copies available to involved persons, It includes the following:</p> <ol style="list-style-type: none"> 1. rules of program, 2. consumer and family expectations, 3. services to be provided, and cost of service, 4. authorization to serve and to obtain emergency 					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N / A	CONT RACT	COMMENTS
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<p>developed with consumer's participation, or legally responsible party if necessary. The plan shall include the following:</p> <ol style="list-style-type: none"> 1) reason for discharge or transfer, 2) adequate discharge plan, including aftercare planning, 3) summary of services provided, 4) evaluation of achievement of treatment goals or objectives, 5) signature and title of staff preparing summary, and 6) date of discharge or transfer. <p>d. The program has a written policy concerning unplanned discharge.</p> <p>8. Incident or Crisis Intervention records:</p> <ol style="list-style-type: none"> a. Program has written policies and procedures which includes: reporting to program management, documentation and management review of incidents such as deaths of consumers, serious injuries, fights, or physical confrontations, situations requiring the use of passive physical restraints, suspected incidents of abuse or neglect, unusual incidents, and other situations or circumstances affecting the health, safety, or well-being of consumers. b. Records include the following: <ol style="list-style-type: none"> 1) summary information, 2) date, time of emergency intervention, 3) action taken, 4) employees and management responsible and involved, 5) follow up information, 6) list of referrals, 7) signature and title of staff preparing report, and 8) records are signed by management staff. c. Report is maintained in individual consumer records. d. When an incident involves abuse or neglect, serious injury or illness, violation of the Provider Code of Conduct, or death of a consumer, the program shall: <ol style="list-style-type: none"> 1) Notify the Office of Licensing, legally responsible person and any applicable agency which may include law enforcement. 2) A preliminary written report shall be submitted to the Office of Licensing within 24 hours of the incident. 					
<p>R501-2-7. Behavior Management</p> <p>A. Program has on file for public inspection, a written policy and procedure for the methods of behavior management. They include the following.</p> <ol style="list-style-type: none"> 1. definition of appropriate and inappropriate behavior of consumers, 2. acceptable staff responses to inappropriate behaviors, and 3. consequences. 					
<p>B. Policy is provided to all staff, and staff receives training relative to behavior management at least annually.</p>					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N / A	CONT RACT	COMMENTS
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C. No management person authorizes or uses, and no staff member uses, any method designed to humiliate or frighten a consumer.					
D. No management person authorizes or uses, and no staff member uses or permits the use of physical restraint with the exception of passive physical restraint. Passive physical restraint is used only as a temporary means of physical containment to protect the consumer, other persons, or property from harm. Passive physical restraint is not associated with punishment in any way.					
E. Staff involved in an emergency safety intervention that results in an injury to a resident or staff must meet with the clinical professional to evaluate the circumstances that caused the injury and develop a plan to prevent futures injuries.					
<p>F. Programs using time out or seclusion methods shall comply with the following:</p> <ol style="list-style-type: none"> 1. The program will have a written policy and procedure which has been approved by the Office of Licensing to include: <ol style="list-style-type: none"> a. Time-out or seclusion is only used when a child's behavior substantially interferes with their ability to participate appropriately, or to function appropriately with other children or the activity. It shall not be used for punishment or as a substitute for other developmentally appropriate positive methods of behavior management. b. Time-out or seclusion shall be documented in detail and provide a clear understanding of the incident which resulted in the child being placed in that time out or seclusion. c. If a child is placed in time out or seclusion more than twice in any twenty-four hour period, a review is conducted by the clinical professional to determine the suitability of the child remaining in the program. d. Any one time out or seclusion shall not exceed 4 hours in duration. e. Staff is required to maintain a visual contact with a child in time out or seclusion at all times. f. If there is any type of emergency such as a fire alarm, or evacuation notification, children in time out or seclusion shall follow the safety plan. g. A child placed in time out or seclusion shall not be in possession of belts, matches, weapons or any other potentially harmful objects or materials that could present a risk of harm to the child. 2. Time out or seclusion areas shall comply with the following: <ol style="list-style-type: none"> a. Time out or seclusion rooms shall not have locking capability. b. Time out or seclusion rooms shall not be located in closets, bathrooms, or unfinished basement, attics or locked boxes. c. A time out or seclusion room is not a 					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	CONT RACT	COMMENTS
<p>bedroom, and temporary beds, or mattresses in these areas are not allowed. Time out and seclusion shall not preclude a child's need for sleep, or normal scheduled sleep period.</p> <p>d. All time out or seclusion rooms shall measure at least 75 square feet with a ceiling height of at least 7 feet. They shall have either natural or mechanical ventilation and be equipped with a break resistant window, mirror or camera that allows for full observation of the room. Seclusion rooms shall have no hardware, equipment, or furnishings that obstruct observation of the child, or that present a physical hazard or a suicide risk. Rooms used for time out or seclusion shall be inspected and approved by the local fire department.</p>					
<p>G. The program's licensed clinical professional shall be responsible for supervision of the behavior management procedure.</p>					
<p>R501-2-8. Rights of Consumers</p> <p>A. Program has a written policy for consumer rights to include the following:</p> <ol style="list-style-type: none"> 1. privacy of information for current and closed records, 2. reasons for involuntary termination and criteria for re-admission to the program. 3. freedom from potential harm or acts of violence to consumers or other, 4. consumer responsibilities, tasks, privileges, and rules of conduct, 5. service fees and other costs, 6. grievance/complaint procedures, 7. freedom from discrimination, 8. right to be treated with dignity, 9. the right to communicate by telephone or in writing with family, attorney, physician, clergyman, counselor, or case managers, except when contraindicated by the licensed clinical professional. 10. a list of people whose visitation rights have been restricted through courts, 11. the right to send and receive mail providing that security, general health, and safety requirements are met, 12. defined smoking policy in accordance with the Utah Clean Air Act, and 13. statement of maximum sanctions and consequences reviewed and approved by the Office. 					
<p>B. Consumer is informed of this policy to his or her understanding verbally and in writing. A signed copy is maintained in consumer record.</p>					
<p>R501-2-9. Personnel Administration</p> <p>A. Program has written personnel policies and procedures including the following:</p> <ol style="list-style-type: none"> 1. employee grievances. 2. lines of authority, 3. orientation and on-going training, 4. performance appraisals, 5. rules of conduct, and 6. sexual and personal harassment. 					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	N A	CONT RACT COMMENTS
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B. Program has a director, appointed by the governing body, who is responsible for management of the program and facility. The Director or designated management person shall be available at all times during operation of the program.					
C. Program shall maintain a personnel file on site for each employee including the following: 1. application for employment, 2. applicable credentials and certifications, 3. initial medical history if directed by governing body, 4. tuberculin test if directed by governing body, 5. food handler permit, where required, by local health authority, 6. training record, 7. annual performance evaluations, 8. I-9 Immigration Form completed, as applicable, 9. documentation of compliance with R501-14 and R501-18 for background screening, and 10. signed copy of the current DHS Provider Code of Conduct.				*	
D. The program follows a written staff to consumer ratio, which meets specific consumer and program needs. Staff to consumer ratio meets or exceeds requirements set forth in categorical rules, R501-17, R501-19, R501-20, R501-21, R501-22, and R501-16.				*	
E. Program employs or contracts with trained or qualified staff to perform following functions: 1. administrative, 2. fiscal, 3. clerical, 4. housekeeping, maintenance, and food service, 5. direct consumer service, and 6. supervisory.					
F. Program has written job description for each position, which includes specific statement of duties and responsibilities, and minimum level of education, training, and work experience required.					
G. Treatment is provided or supervised by licensed professional staff, whose qualifications are determined or approved by the governing body, in accordance with State law.					
H. Governing body ensures that all staff are certified and licensed as legally required.					
I. Program has access to a medical clinic or a physician licensed to practice medicine in the State of Utah.					
J. Program provides interpreters for consumers, or refers consumers to appropriate resources as necessary to communicate with consumers whose primary language is not English.					
K. Program retains personnel file of an employee after termination of employment in accordance with accepted personnel practices.					
L. If program uses volunteers, substitutes, or student interns, the program has a written plan to include the following: 1. direct supervision by a program staff, 2. orientation and training in philosophy of program, needs of consumers and methods of meeting those needs, 3. background screening, 4. record is maintained with demographic					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	CONT RACT	COMMENTS
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<p>5. information, and signed copy of the current DHS Provider Code of Conduct.</p>					
<p>M. Staff Training:</p> <ol style="list-style-type: none"> 1. Staff members are trained in all policies of the program including the following: <ol style="list-style-type: none"> a. philosophy, objectives, and services, b. emergency procedures, c. behavior management, d. current program policy and procedures, and e. other relevant subjects. 2. Staff has completed and remains current in a certified first aid and CPR such as or comparable to American Red Cross. 3. Staff has current food handler permit as required by local health authority. 4. Training is documented and maintained on site. 					
<p>R501-2-10. Infectious Disease Program has policies and procedures designed to prevent or control infectious and communicable diseases in the facility in accordance with local, state and federal health standards.</p>					
<p>R501-2-11 Emergency Plans</p> <p>A. Program has a written plan of action for disaster and casualties to include the following:</p> <ol style="list-style-type: none"> 1. designation of authority and staff assignments, 2. plan for evacuation, 3. transportation and relocation of consumers when necessary, and 4. supervision of consumers after evacuation or relocation. 					
<p>B. Program educates consumers how to respond to fire warnings and other instructions for life safety, including evacuation.</p>					
<p>C. Program has written plan which personnel follows in medical emergencies and arrangements for medical care, including notification of consumers' physician, and nearest relative or guardian.</p>					
<p>R501-2-12. Safety</p> <p>A. Fire drills, in non-outpatient programs, are conducted at least quarterly and documented. Notation of inadequate response is documented.</p>					
<p>B. Program provides access to an operable 24-hour telephone service. Telephone numbers for emergency assistance are posted.</p>					
<p>C. Program has an adequately supplied first aid kit in the facility, such as recommended by the American Red Cross.</p>					
<p>D. All persons associated with the program having access to children or vulnerable adults who have firearms or ammunition shall assure that they are inaccessible to consumers at all times. Firearms and ammunition that are stored together shall be kept securely locked in security vaults or locked cases, not in glass fronted display cases. Firearms that are stored in display cases shall be rendered inoperable with trigger locks, bolts removed, or other disabling methods. Ammunition for those firearms shall be kept securely locked in a separate location. This does not restrict constitution or statutory rights regarding concealed weapons permits, pursuant to UCA 53-5-701 et seq.</p>					

COMPLIANCE REQUIREMENTS R501-2	Y E S	N O	N /	N A CONT RACT	COMMENTS
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R501-2-13. Transportation					
A. Program has a written policy and procedure for transporting (or non-transporting) consumers.					
B. Each program or staff vehicle used to transport consumers has emergency information, which includes at a minimum, the name, address and telephone number of the program or facility or an emergency telephone number.					
C. Program has means, or has made arrangements for transportation in case of emergency.					
D. Drivers of vehicles have a valid driver license and follow safety requirements of the State.					
E. Each vehicle is equipped with an adequately supplied first aid kit, such as recommended by the American Red Cross.					

Attachment “4”

Correspondence

March 2, 2013

Mr. Sean Conroy
Director Community Development, Mapleton City
125 West 400 North
Mapleton, Utah 84664

Dear Mr. Conroy:

I am responding to the letter sent out by you on Feb. 28 regarding the conversion of a single family dwelling at 727 E 1100 S to group home for up to 16 disabled residents.

After doing considerable reading on the internet regarding the many Utah and Federal Laws regulating such a home, I can understand the mine field that you have to maneuver; between the many laws on one hand and the wishes of the Mapleton citizens on the other.

The matter which concern me most is discussed at length in a presentation by the law firm of *Chapman and Cutler* before the *Utah League of Cities and Towns* in September 2006.

The relevant paragraph reads: *"Thus, the Bryant Woods case held that the denial of a special use permit that would have allowed a developer to house fifteen people instead of eight in a facility for the disabled was not a failure to make a reasonable accommodation. The court reasoned that allowing such a facility in a residential neighborhood would change the character of the neighborhood and set a precedent that would undermine residential planning. The Utah Legislature incorporated this standard into the Utah Act, which provides that "a residential facility for person with a disability that would likely create a fundamental change in the character of a residential neighborhood may be excluded from a zoning area."34 Nonetheless, these findings must be adequately supported by factual findings in the public record supporting this conclusion."*

The whole presentation can be accessed at: <http://www.ulct.org/ulct/docs/GroupHomes.pdf>

A summary of my objections are:

- 1) The number of people asking to be housed is nowhere near the average household size of Mapleton which is 4.02, and average family size of 4.25, not 16!
- 2) The nature of the residents offenses, i.e., the significant risk or recidivism (as high as 52% in one study I read) of the drug offender residents, and the significant risk of those kinds of residents engaging in other types of crime, these are very real risks that would have a *profound* impact on the quiet and peaceful neighborhood(s) of Mapleton.

3) The need for extra parking and other facilities for staff and residents, most of whom would have to be present 24/7.

4) The need for a business license, certainly \$3,000/mo/resident is a business.

5) Also in the present government climate (sequester, etc.) the likelihood of getting the anticipated government subsidies to adequately house, treat and staff the group residents is substantially less. As is the likelihood of getting investor money, which Mr. Harper says is not yet available and he would then open his home for this venture on a "temporary" basis. I doubt he could comply with all the needed infrastructure/staffing needs of such a facility on a temporary basis. A likely scenario is that in 2-3-4 months the neighborhood is left a derelict home.

6) The need for the facility to renovate at considerable cost to meet fire code (refer to #5 and the questionable financial situation).

7) The fact that any resident who was using illegal drugs or alcohol *while in* the facility would *have* to be removed, sometimes forcefully.

I have lived in Mapleton for 33 years, and we moved here, as did most residents, to have a quiet, peaceful home in a rural setting, undisturbed by the commercialism and clutter of more urbanized Utah Valley. I know there are laws that you have to follow, but I strongly feel that the establishment of a treatment home (group home, halfway house, or whatever it may be called) will *fundamentally* change the character of our neighborhood and community. I hope that it will not be allowed.

Sincerely:


Lowell M. Jones

PS: another useful reference is Highland City's struggle with this problem at:
<http://www.highlandcity.org/archives/39/PC%203-9-10%20FINAL.pdf>

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ABBREVIATIONS

AB ANCHOR BOLT	MAX MAXIMUM
AC ACOUSTICAL	MBR MASTER BEDROOM
A/C AIR CONDITIONING	MC MEDICINE CABINET
ACT ACOUSTICAL TILE	MECH MECHANICAL
ADJ ADJUSTABLE; ADJACENT	MET METAL
AFF ABOVE FINISHED FLOOR	MEZZ MEZZANINE
ALT ALTERNATE	MFR MANUFACTURER
ALUM ALUMINUM	MH MAGNETIC HOLD OPEN
AP ACCESS PANEL	MIN MINIMUM
ARCH ARCHITECTURAL;	MISC MISCELLANEOUS
ARCHITECT	MNH MAN HOLE
AUTO AUTOMATIC	MO MASONRY OPENING
BD BOARD	MTD MOUNTED
BDRM BEDROOM	MTL MATERIAL; METAL
BLDG BUILDING	N NORTH
BLKG BLOCKING	NC NOT IN CONTRACT
BM BEAM; BENCHMARK	NO NUMBER
BOS BOTTOM OF STRUCTURE	NOM NOMINAL
BOT BOTTOM	NRC NOISE REDUCTION
BSMT BASEMENT	COEFFICIENT
BTWN BETWEEN	NTS NOT TO SCALE
CAB CABINET	OC ON CENTER
CB CATCH BASIN	OD OUTSIDE DIAMETER
CFCI CONTRACTOR FURNISHED;	OFCI OWNER FURNISHED;
CONTRACTOR INSTALLED	CONTRACTOR INSTALLED
CFOI CONTRACTOR FURNISHED;	OFOI OWNER FURNISHED;
OWNER INSTALLED	OWNER INSTALLED
CHBD CHALK BOARD	OPG OPENING
CJT CONTROL JOINT	OZ OUNCE
CLG CEILING	PKT POCKET
CLO CLOSET	PLAM PLASTIC LAMINATE
CLR CLEAR	PLAS PLASTER
CMU CONCRETE MASONRY UNIT	PLBG PLUMBING
CO CLEANOUT	POL POLISHED
COL COLUMN	PR PAIR
COMP COMPOSITION	PROJ PROJECT (ED)
CONC CONCRETE	PT PAINTED
CONT CONTINUOUS; CONTINUE	PTD PAPER TOWEL DISPENSER
CONTR CONTRACTOR	PTDR PAPER TOWEL DISPENSER
CORR CORRIDOR; CORRUGATED	AND RECEPTOR
CPT CARPET	PTN PARTITION
CT CERAMIC TILE	PLWD PLYWOOD
DBL DOUBLE	QT QUARRY TILE
DEPT DEPARTMENT	R RISER; RADIUS
DF DRINKING FOUNTAIN	RA RETURN AIR
DIA DIAMETER	RC RESILIENT CHANNEL
DIM DIMENSION	REF REFERENCE
DN DOWN	REFR REFRIGERATOR
DR DOOR	REINF REINFORCED
DS DOWN SPOUT	REQD REQUIRED
DTL DETAIL	REV REVISED(I)ON
DW DISHWASHER	RM ROOM
DWG DRAWING	RO ROUGH OPENING
EWR EASTYER	R&S ROD AND SHELF
EA EACH	S SINK; SOUTH
EFEC EXISTING FIRE EXTINGUISHER	SC SOLID CORE
CABINET	SCHD SCHEDULE
EL ELEVATION	SD SOAP DISPENSER
ELEC ELECTRICAL	SF SQUARE FOOT (FEET)
ELEV ELEVATOR	SGD SLIDING GLASS DOOR
EP ELECTRICAL PANEL BOARD	SH SHELF; SHELVES(I)NG
EQUIP EQUIPMENT	SHT SHEET
EXIST EXISTING	SHTG SHEATHING
EXP EXPANSION	SHWR SHOWER
EXT EXTERIOR	SIM SIMILAR
FA FIRE ALARM	SND SANITARY NAPKIN DISPENSER
FB FIRE BLANKET; FLUSH BEAM	SNR SANITARY NAPKIN RECEPTOR
FD FLOOR DRAIN	SOG SLAB ON GRADE
FDN FOUNDATION	SSK SERVICE SINK
FE FIRE EXTINGUISHER;	S/S STAINLESS STEEL
FINISHED END	SPEC SPECIFICATIONS
FEC FIRE EXTINGUISHER CABINET	STC SOUND TRANSMISSION
FF FINISHED FLOOR	COEFFICIENT
FFHB FROST-FREE HOSE BIBB	STD STANDARD
FHC FIRE HOSE CABINET	STL STEEL
FIN FINISH(ED)	STO STORAGE
FLR FLOORING(S)	ST&V STAIN AND VARNISH
FLUOR FLUORESCENT	SQ SQUARE
FOC FACE OF CONCRETE	SW SWITCH
FOS FACE OF STUD	SV SHEET VINYL
FR FIREPLACE	T THERMOSTAT; TREAD
FS FLOOR SINK	TB TOWEL BAR
FT FOOT; FEET	TELE TELEPHONE
FTG FOOTING	T&G TONGUE AND GROOVE
G GAS	THK THICK
GA GAGE; GAUGE	THR THRESHOLD
GALV GALVANIZED	TOS TOP OF STEEL; TOP OF SLAB
GB GRAB BAR	TPH TOILET PAPER HOLDER
GD GARBAGE DISPOSAL	TV TELEVISION
GL GLASS; GLAZING	TYP TYPICAL
GLULAM GLUE LAMINATED (TIMBER)	UH UNIT HEATER
GTWB GYPSUM WALL BOARD	U.N.O. UNLESS NOTED OTHERWISE
GYP GYPSUM	UR URINAL
HB HOSE BIBB	V VOLT; VINYL
HC HOLLOW CORE	VAC VACUUM
HD HOLD DOWN	VB VAPOR BARRIER
HDR HEADER	VERT VERTICAL
HDW HARDWARE	VG VERTICAL GRAIN
HM HOLLOW METAL	VCT VINYL COMPOSITION TILE
HOR HORIZONTAL	VT VINYL TILE
HT HEIGHT	W WASTE; WEST; WIDTH;
HTG HEATING	WATER; WATT
HVAC HEATING VENTILATING	WITH
AIR CONDITIONING	WC WATER CLOSET
HDWD HARD WOOD	WDR WASHER & DRYER
HWT HOT WATER TANK	WDO WASHING MACHINE
ID INSIDE DIAMETER	WDRB WARDROBE
IE INVERT ELEVATION	WDO WINDOW
IN INCH	WG WIRE GLASS
INSUL INSULATED(I)ON	WH WATER HEATER
JAN JANITOR	WIN WINDOW
JT JOINT	W/O WITHOUT
KO KNOCKOUT	WR WATER RESISTANT
KP KEYPAD	WSCT WAINSCOT
KPL KICK PLATE	WT WEIGHT
L LONG; LENGTH	WWF WELDED WIRE FABRIC
LAB LABORATORY	YD YARD
LAM LAMINATE(D)	
LAV LAVATORY	
LF LINEAL FOOT	
LT LIGHT	
LUM LUMINOUS	

GENERAL NOTES

The following are requirements of every project within Mapleton City. Compliance is required. Building codes as amended by the state of Utah :

- 2009 International Building Code.
- 2009 International Residential Code.
- 2009 International Plumbing Code.
- 2009 International Mechanical Code.
- 2009 International Fuel Gas Code.
- 2009 International Energy Conservation Code.
- 2009 International Existing Building Code.
- 2011 National Electrical Code.
- 2009 International Fire Code.
- 2003 ICC/ANSI A117.1
- 1997 Uniform Code For Abatement of Dangerous Buildings.

Any Construction details not specifically shown in these documents shall be built to the standards of the construction codes adopted by Mapleton City. Failure to identify all areas of non-compliance shall not relieve the contractor of the obligation to construct in accordance with minimum code requirements.

Mapleton City and the State of Utah have adopted accessibility standards designed to comply with the Americans with Disabilities Act that went into effect January 25, 1992. All building permits issued after these dates must comply with current codes. The contractor shall be responsible to make sure of full compliance with the law.

All exit access doors and exit doors shall be operable from the inside without the use of a key or any special knowledge or effort. Use of manual flushbolts, edge bolts, top or bottom bolts, ect. Is prohibited.

Tank type water closets shall have a maximum water usage of 1.6 gallons per flush. Showers shall have a maximum flow of 2.5 gallons per minute.

Break panel circuits must be identified.

Proper working clearances must be observed and maintained around electrical equipment.

The project shall comply with all energy conservation requirements. The lighting load in the work areas must be reducible by fifty percent.

Burning of waste construction material is prohibited at all times.

Provide one 2-A Fire Extinguisher for every 3000 Sq. Ft. of floor area with amaximum travel distance of 75 feet to an extinguisher.

Storage of equipment, soils, and construction materials on public right-of-way or easement is expressly prohibited.

When fire sprinklers are required, shop drawings of the fire sprinkler system will be submitted for review, and approved by Mapleton City Fire Marshal prior to installation of the system. Fire sprinklers cannot be inspected without the approved plans.

Comply with the requirements of the Mapleton City Fire Department.

Occupancy of this building is prohibited until a final inspection of the premises has been made and approval is given by Mapleton City and all other agencies involved.

This project must comply with all state and federal regulations.

Signs/Signage requires a separate building permit.

BUILDING & PARKING INFORMATION

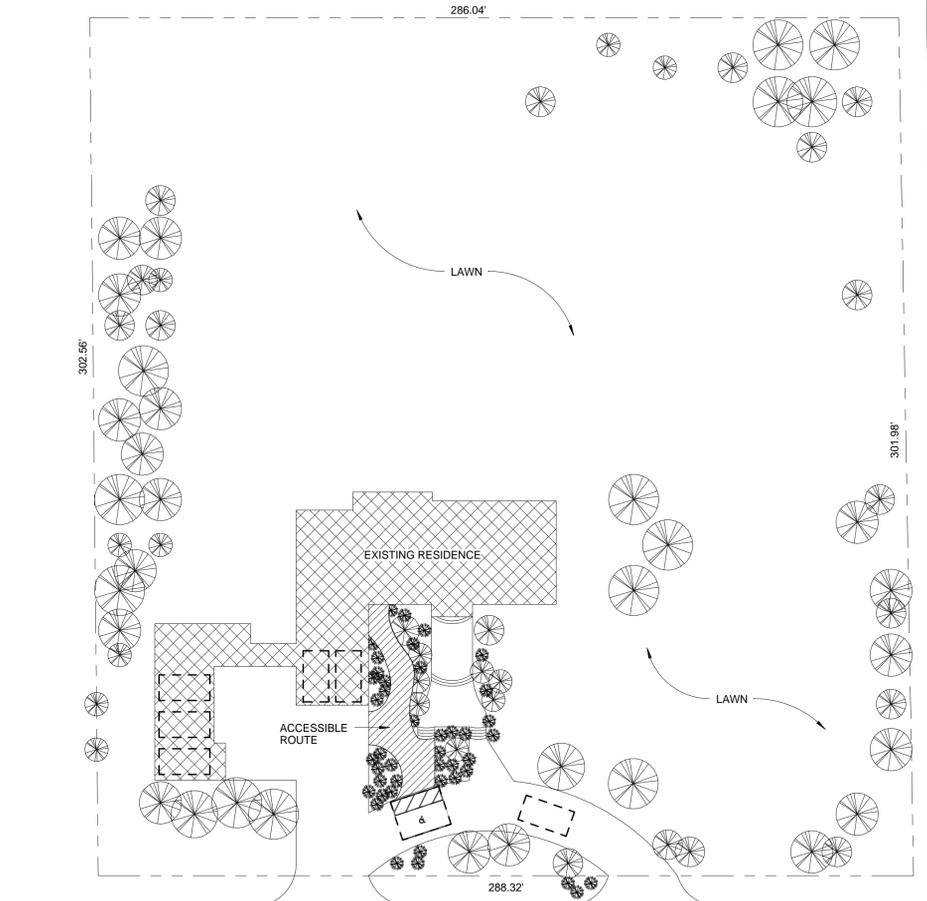
OCCUPANCY TYPE: R-4 (SECTION 310)
 CONSTRUCTION TYPE: VB (SECTION 602.5)
 BUILDING IS TO BE FIRE SPRINKLED.
 REQUIRED PARKING: 7 SPACES (6 STANDARD, 1 ADA)
 16 RESIDENTS ÷ 5 = 4 SPACES
 5 WORKERS ÷ 2 = 3 SPACES

LIST OF CONSULTANTS

ARCHITECT:	Architectural Coalition Guilford Rand-Architect 1991 South State Street Springville, Utah 84663 Phone: (801) 491-0275 Fax: (801) 491-0329 Email: archcoalition@msn.com
OWNER:	Bud Harper 727 East 1100 South Mapleton, UT 84664 Phone: (801) 602-8336

INDEX TO DRAWINGS

Architectural	
A-0.1	INDEX, GEN. NOTES, BLDG. INFORMATION
D-1.1	EXISTING/DEMOLITION FLOOR PLAN
A-1.1	LOWER LEVEL FLOOR PLAN
A-1.2	MAIN LEVEL FLOOR PLAN
A-1.3	UPPER LEVEL FLOOR PLAN
A-4.1	INTERIOR ELEVATIONS/SCHEDULES



SITE PLAN

SCALE 1" = 30'-0"



REVISIONS

NO.	DATE

ARCHITECTURAL COALITION
 1991 South State Street Springville, UT 84663 PH: 801-491-0275

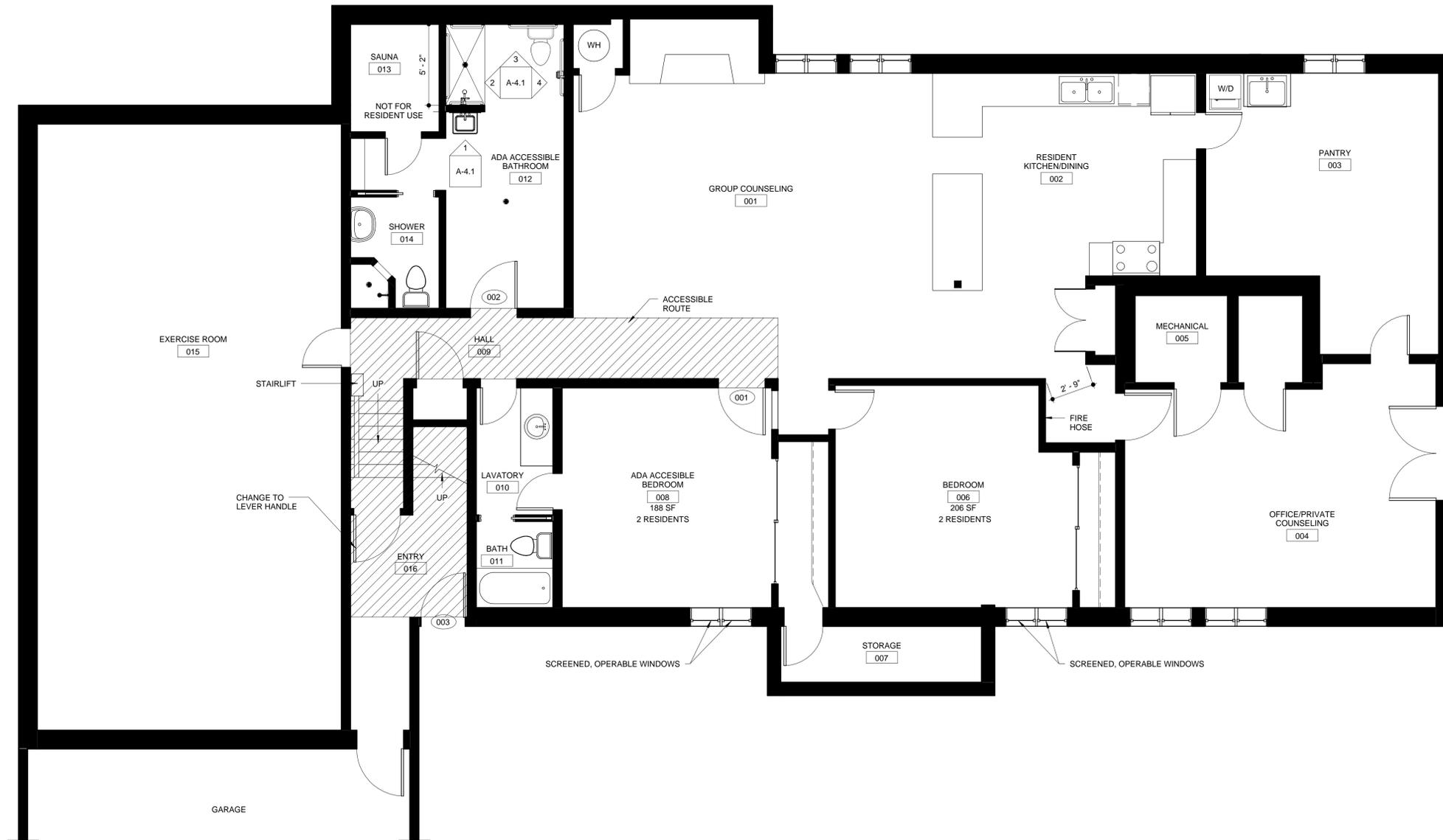
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A REMODEL FOR THE
 BUD HARPER RESIDENCE
 727 East 1100 South
 Mapleton, Utah

SHEET NO.
A-0.1

DATE
 2-7-13

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LOWER LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"



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DATE

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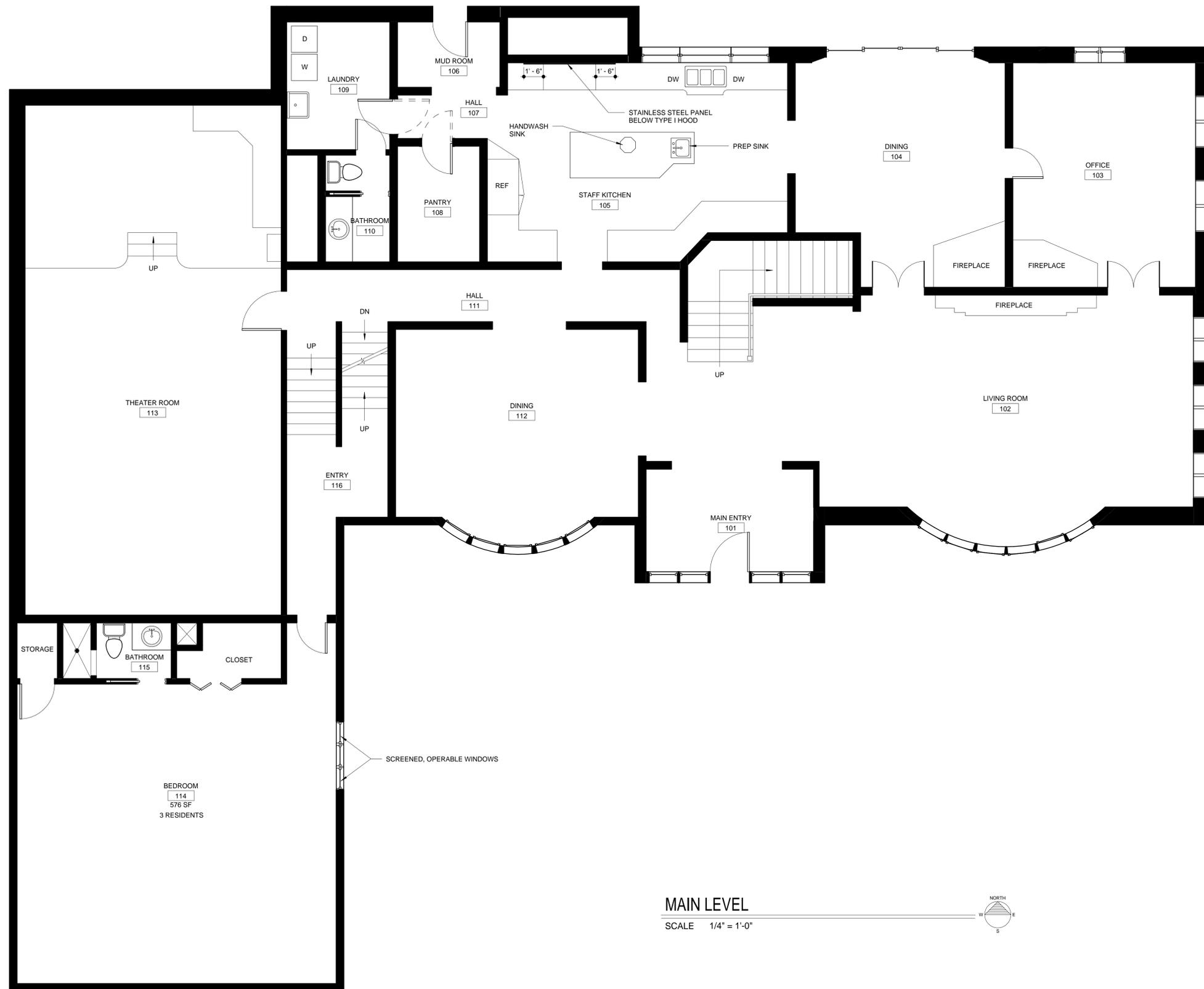
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MAIN LEVEL

SCALE 1/4" = 1'-0"



REVISIONS	DATE
1	
2	
3	
4	

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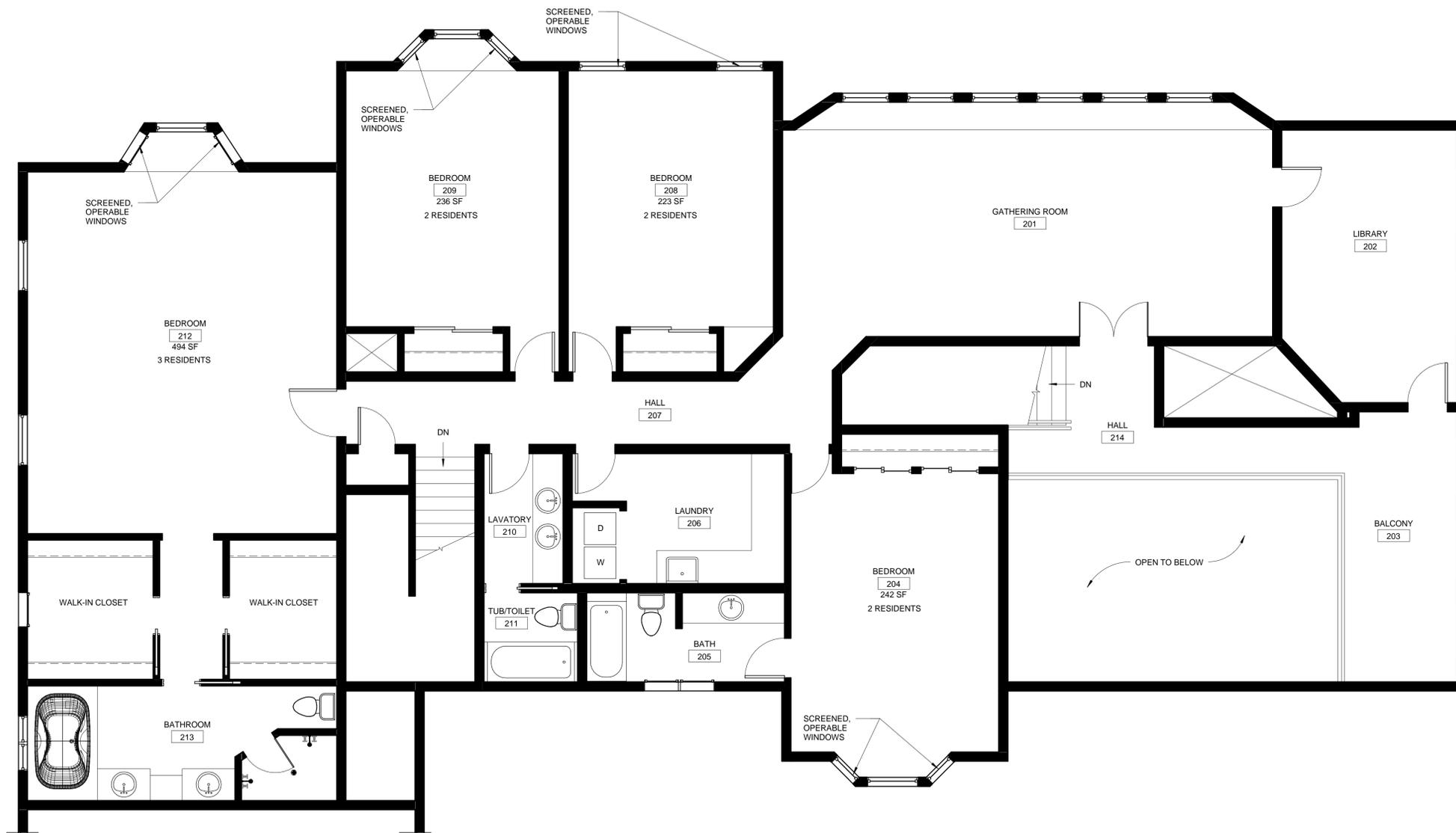
**A REMODEL FOR THE
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 Mapleton, Utah

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A-1.2

DATE
 2-7-13

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UPPER LEVEL

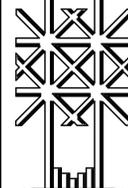
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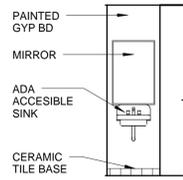
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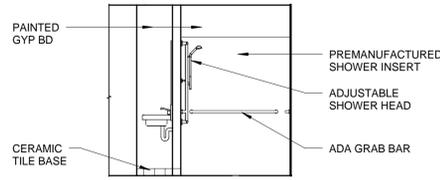
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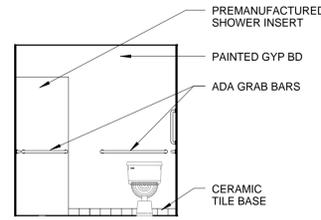
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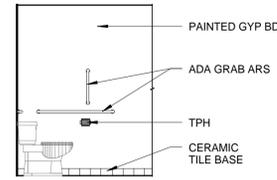
1 BATHROOM 012
SCALE 1/4" = 1'-0"



2 BATHROOM 012
SCALE 1/4" = 1'-0"



3 BATHROOM 012
SCALE 1/4" = 1'-0"



4 BATHROOM 012
SCALE 1/4" = 1'-0"

DOOR SCHEDULE													REMARKS		
MARK	OUT OF	IN TO	WIDTH	HEIGHT	THICKNESS	TYPE	RATING	FACE	CORE	HEAD	JAMB	THRESHOLD	HARDWARE		REMARKS
001	008	001	3'-0"	6'-8"	0'-1 3/4"	A	---	WOOD	SOLID				1 1/2 PR BUTT HINGES, 1 STOP, 1 LEVER HANDLE		
002	009	012	3'-0"	6'-8"	0'-1 3/4"	A	---	WOOD	SOLID				1 1/2 PR BUTT HINGES, 1 STOP, 1 LEVER HANDLE		
003	016	EXT	2'-10"	6'-8"	0'-1 3/8"	B	---	WOOD	SOLID				1 1/2 PR BUTT HINGES, 1 STOP, 1 LEVER HANDLE		INSTALL NEW DOOR IN EXISTING FRAME TO ALLOW 32" MIN. CLR

ROOM FINISH KEY				
FLOOR	BASE	WALL	CEILING	
F-1 WOOD	B-1 WOOD	W-1 PAINTED GYP BD	C-1 PAINTED GYP BOARD	
F-2 CARPET	B-2 6" COVED SHEET VIN.	B-2 WOOD PANELING	C-2 CEDAR PANELING	
F-3 SHEET VINYL	B-3 RUBBER	B-3 PAINTED GYP BD ABOVE/ WOOD WAINSCOT BELOW	C-3 UNFINISHED	
F-4 CERAMIC TILE	B-4 CERAMIC TILE			
F-5 UNFINISHED	B-5 NONE	B-4 CERAMIC TILE		
	B-6 CEDAR PANELING	B-5 MIRRORS		
		B-6 UNFINISHED		
		B-7 CEDAR PANELING		

FINISH SCHEDULE					
NO.	NAME	FLOOR	BASE	WALL	CEILING
001	GROUP COUNSELING	F-2	B-1	W-3	C-1
002	RESIDENT KITCHEN/DINING	F-3	B-1	W-1, W-4	C-1
003	PANTRY	F-3	B-1	W-1	C-1
004	OFFICE/PRIVATE COUNSELING	F-3	B-1	W-1	C-1
005	MECHANICAL	F-5	B-5	W-6	C-3
006	BEDROOM	F-2	B-1	W-3	C-1
007	STORAGE	F-5	B-5	W-6	C-1
008	ADA ACCESSIBLE BEDROOM	F-2	B-1	W-3	C-1
009	HALL	F-2	B-1	W-3	C-1
010	LAVATORY	F-3	B-1	W-3	C-1
011	BATH	F-3	B-1	W-3	C-1
012	ADA ACCESSIBLE BATHROOM	F-4	B-4	W-1	C-1
013	SAUNA	F-4	B-4, B-6	W-7	C-2
014	SHOWER	F-4	B-4, B-6	W-1, W-7, W-4	C-2
015	EXERCISE ROOM	F-1/F-2	B-3	W-1, W-5	C-1
016	ENTRY	F-1	B-1	W-1	C-1
101	MAIN ENTRY	F-1/F-4	B-1	W-1	C-1
102	LIVING ROOM	F-1	B-1	W-1	C-1
103	OFFICE	F-1	B-1	W-1	C-1
104	DINING	F-1	B-1	W-3	C-1
105	STAFF KITCHEN	F-3	B-2	W-1	C-1
106	MUD ROOM	F-1/F-4	B-1	W-3	C-1
107	HALL	F-1/F-4	B-1	W-3	C-1
108	PANTRY	F-1/F-4	B-1	W-1	C-1
109	LAUNDRY	F-1/F-4	B-1	W-1	C-1
110	BATHROOM	F-1	B-1	W-1	C-1
111	HALL	F-1	B-1	W-3	C-1
112	DINING	F-1	B-1	W-3	C-1
113	THEATER ROOM	F-2	B-1	W-3	C-1
114	BEDROOM	F-2	B-1	W-1	C-1
115	BATHROOM	F-3	B-1	W-1	C-1
116	ENTRY	F-2	B-1	W-1	C-1
201	GATHERING ROOM	F-2	B-1	W-3	C-1
202	LIBRARY	F-2	B-1	W-1	C-1
203	BALCONY	F-2	B-1	W-1	C-1
204	BEDROOM	F-2	B-1	W-1	C-1
205	BATH	F-3	B-1	W-1	C-1
206	LAUNDRY	F-2	B-1	W-1	C-1
207	HALL	F-2	B-1	W-3	C-1
208	BEDROOM	F-2	B-1	W-1	C-1
209	BEDROOM	F-2	B-1	W-1	C-1
210	LAVATORY	F-3	B-1	W-1	C-1
211	TUB/TOILET	F-3	B-1	W-1	C-1
212	BEDROOM	F-2	B-1	W-1	C-1
213	BATHROOM	F-4	B-4	W1, W-4	C-1
214	HALL	F-2	B-1	W-3	C-1

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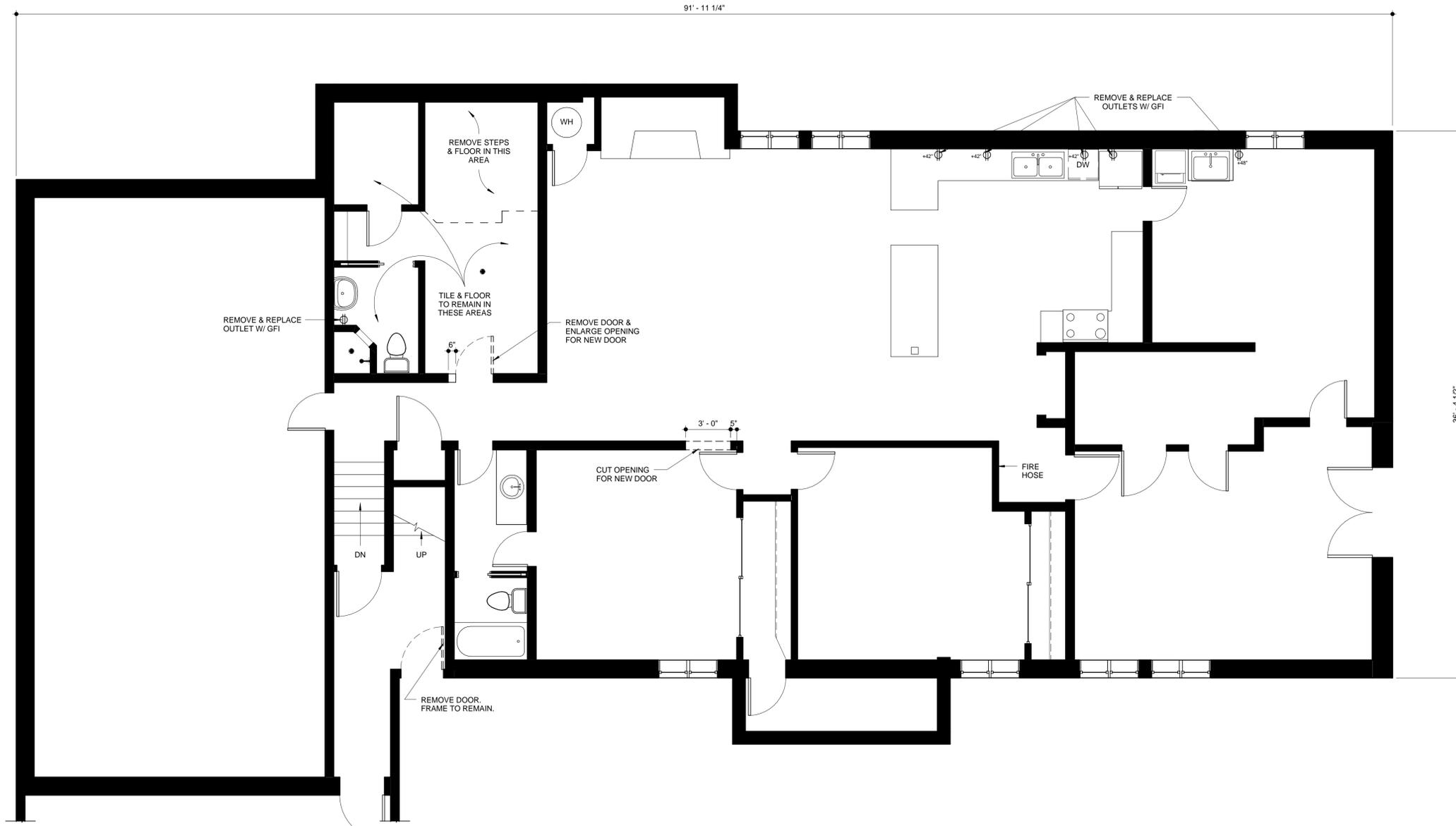
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EXISTING/DEMO LOWER LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"



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