

# CITY OF LINCOLN

Request for:  Ordinance  
 Resolution

(Do Not Write in this Space)

Bill Control No. 06-181 Date: 9/29/06

Docketing Date 10/9; PH: 10-16-06

(To Be Entered by City Clerk)

<b>DATE</b> September 20, 2006	<b>REQUEST MADE BY</b> Bruce D. Dart, Ph.D. Health Director	<b>DEPARTMENT</b> Health
<b>DESIRED DOCKET DATE:</b> <u>October 9, 2006</u>	IF EMERGENCY, GIVE REASON (See Art. 6, Sec. 2 of Charter)	
<b>Emergency Measure Required:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>SEP 22 2006</b>	

**FILED**

REASONS OR JUSTIFICATION FOR PROPOSED LEGISLATION

**CITY CLERK'S OFFICE  
LINCOLN, NEBRASKA**

The City of Lincoln has regulated child care since 1943. Regulating small family child care homes is important to assure the health and safety of children in home based child care that is not under State oversight. LMC 8.12 Child Care Facilities regulates child care providers that are not regulated by the State because they care for less than four children. Currently there are about 120 small family child care home providers in Lincoln, caring for up to 360 children. Many of these providers receive the benefit of the USDA Food Program, but would not be able to without our local permit. Some providers care for children in apartments or split level homes, neither of which can obtain a State license due to fire codes. Finally, a significant number of these child care providers are racial or ethnic minorities. As such, these small family child care homes serve as a source of family income and are basically home operated small businesses in our community.

LMC 8.12 Child Care Facilities has not been updated in many years. The Health Department worked with two separate focus groups to update the ordinance and regulations governing the operation of small family child care homes; one composed of small family child care providers and another made up of child health and child abuse prevention experts. Significant changes to the ordinance include:

- requiring training in First Aid/CPR, disease prevention and injury prevention;
- prohibiting smoking in the home at all times (Note: Upon passage of LMC 8.50 Lincoln Smoking Regulation Act, the City Council asked LLCHD to consider addressing smoke free environments in child care settings. This ordinance proposes that small family child care homes be smoke free at all times.);
- modifying police record review permit denials;
- adopting new operational regulations;
- clarifying enforcement provisions to assure due process.

Fees are proposed to cover a portion of the costs of conducting permit review, police record review, conducting inspections, providing consultation, and investigating disease outbreaks. Newly permitted Small Family Child Care Homes will pay a fee of \$75 and annual renewal will be \$50. As part of the budget process, the Health Department looked at all programs to identify fees that could reduce reliance on general funds, and fees to offset costs for such work is reasonable.

<b>REQUESTOR</b> <input checked="" type="checkbox"/> DOES <input type="checkbox"/> DOES NOT	WISH TO REVIEW AND APPROVE THIS ORDINANCE PRIOR TO ITS INTRODUCTION	<u>Bruce Dart</u> DIRECTOR'S SIGNATURE	<u>9/26/06</u> DATE
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**TO BE USED BY THE FINANCE DEPARTMENT**

BUDGET REVIEW	DATE:	ACCOUNT NUMBER AND APPROPRIATE BALANCES	DATE:	FUND AVAILABILITY APPROVED	DATE:
			_____ DIRECTOR OF FINANCE SIGNATURE		

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