



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Health

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Providing for submission to the qualified voters of the City for their approval at an election called for Tuesday, August 8, 2023, the question of amending Chapter 34, Code of Ordinances, entitled "Health and Sanitation," by enacting a new Article XX, entitled "Childcare Facilities;" authorizing and directing the City Clerk to notify the responsible election authorities of this election; and date.

Discussion

Previously, all childcare inspections have been conducted through a contract with the Missouri Department of Health and Senior Services (MODHSS). On average, there are around 400 permitted childcare facilities operating in Kansas City, Missouri.

By creating and implementing a local ordinance, the Health Department will have the capability to conduct inspections of these facilities to ensure that children are cared for in a safe and healthful environment. This ordinance would not only allow for inspections to focus on areas like disease prevention, safe food handling, safe storage of toxic agents/cleaners/medication, it would also focus on Elijah's law.

Elijah's law is the incorporation of preventing, recognizing, and responding to life-threatening anaphylactic reactions for children in childcare facilities. This law is named after 3-year-old Elijah Silvera from New York City who was given a grilled cheese sandwich despite having a known severe dairy allergy. Elijah went into anaphylaxis and died in November of 2017. The implementation of Elijah's law into a local ordinance could provide potentially life-saving measures to prevent further tragedies.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

TBD

3. How does the legislation affect the current fiscal year?

No fiscal impact



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4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Will provide revenue in future years. See attachment - Childcare Revenue Est. 2023.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Generate revenue

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

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Prior Legislation

Click or tap here to enter text.

Service Level Impacts

This is a fee-funded program, not bearing any additional fiscal impact on the City's tax dollars or Health Levy. Inspections have been and are currently conducted under a contract with the Missouri Department of Health and Senior Services. Staff are already trained to conduct sanitation inspections.

Other Impacts

1. What will be the potential health impacts to any affected groups?

By creating a local childcare ordinance, the Health Department will be able to permit, inspect, and respond to complaints on childcare facilities within the City. The potential health impacts on the children attending these facilities can be life-saving (Elijah's Law) and will ensure a healthy and safe environment for receiving care and those working the facilities.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A.

3. How does this legislation contribute to a sustainable Kansas City?

This ordinance not only creates a safe and healthy environment for all childcare facilities in Kansas City, it creates a ripple effect that affects the health of Kansas Citizens as a whole. By providing a safe and healthy childcare environment, parents are able to confidently drop their children off and not miss days of work. Less days missed at work, means more stable income within the household, and the benefits multiply vastly.

Additionally, having a safe and healthy environment for all childcare facilities within the City will promote health and wellness for not only the children attending

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A