

**Summary of the Facts about the Petition filed with the Board of Public Service
regarding New Life Evangelistic Center – May, 2013.**

*New Life Evangelistic Center currently has a license to operate a roominghouse or hotel at their current location. This enables them to operate an overnight shelter for homeless men, women and children.

*A majority of residents and property owners in the immediate vicinity (a radius of 350 feet plus 1/2 the width of NLEC) has filed a petition with the Board of Public Service alleging that NLEC is operating this roominghouse in a way that is a "detriment to the neighborhood." (The definition of "detriment to the neighborhood" is included in section 11.72.050 of the City of St. Louis Revised Code -- See below for text)

*The petition does not ask the Board of Public Service to shut down NLEC but asks the Board of Public Service to hold a public hearing based on the claims set forth in the petition (this is also under section 11 of the Code).

*The allegation of NLEC being operated at a detriment to the neighborhood is based on (but not limited to) the following claims made by the petitioners:

- (1) loitering in the immediate vicinity of the premises by persons frequenting the premises;
- (2) littering committed by persons frequenting the premises;
- (3) drinking in public by persons frequenting the premises;
- (4) lewd and indecent conduct, including but not limited to public urination on the premises or in the immediate vicinity thereof, exhibited by persons frequenting the premises;
- (5) commission of crimes upon or in the immediate vicinity of the premises by persons frequenting the premises;
- (6) sale or use of illegal drugs in the immediate vicinity of the premises by persons frequenting the premises;
- (7) harassing or intimidating behavior exhibited by persons frequenting or congregating about the premises toward persons living in the immediate neighborhood or toward persons passing by the premises;
- (8) noise associated with the operation of the premises or caused by persons frequenting the premises;
- (9) street and sidewalk congestion associated with operation of the premises.

*If the Board of Public Service finds the petition to be in order, they will set a date for a hearing to hear any and all testimony as to the allegations above.

*Following the hearing, the Board of Public Safety shall make a ruling as to whether NLEC is operating in a detriment to the neighborhood.

*If the Board of Public Service rules that NLEC is not operating in a detriment to the neighborhood, the case is dismissed.

*If the Board of Public Service rules that NLEC is operating in a detriment to the neighborhood, the Board has broad latitude in what it may rule has to happen. Some possibilities among many are:

- Everything stays the same
- NLEC's operating license is revoked
- NLEC's is given a time certain to address some of the issues.
- NLEC's occupancy is capped at a certain number.
- any number of other options

*Even if NLEC's permit to operate a roominghouse is revoked, they would have the option to make changes and reapply in six months.

11.72.050 Determination of detrimental operation of premises.

A. In determining whether the operation of a premises is detrimental to the neighborhood in which the premises is located the Board of Public Service shall consider the following factors, giving such weight thereto as they deem appropriate:

1. The character of the neighborhood in which the premises is located, with particular consideration being given to the proximity of the premises to parks, churches, schools, playgrounds, residences and hospitals;
2. Loitering in the immediate vicinity of the premises by persons frequenting the premises;
3. Littering committed by persons frequenting the premises or by the permit holder, his agents, servants or employees;
4. Drinking in public by persons frequenting the premises;
5. Lewd and indecent conduct, including but not limited to public urination, exhibited by persons frequenting the premises or by permit holder, his employees, servants or agents, whether such behavior occurs on the premises or in the immediate vicinity thereof;
6. Commission of crimes upon or in the immediate vicinity of a premises by persons frequenting the premises or by the permit holder, his employees, servants or agents;
7. Sale or use of illegal drugs upon or in the immediate vicinity of the premises by persons frequenting the premises or by the permit holder, his employees, servants or agents;
8. Harassing or intimidating behavior exhibited by persons frequenting or congregating about the premises toward persons living in the neighborhood in which the premises is located or toward persons passing by the premises;
9. Noise associated with the operation of the premises or caused by persons frequenting the premises;
10. Street and sidewalk congestion associated with operation of the premises;
11. Existence of proper lighting and appropriate parking facilities, or the lack thereof;
12. Other facilities, which, due to the character of the neighborhood or of the premises, would be relevant to the determination of whether continuation of a permit would be detrimental to the neighborhood in which the premises is located.