

A Law amending the definition of "Family" in Henrietta Code Section 295-2

FAMILY

A. Includes:

(1) One, two or three persons occupying a dwelling unit; or

(2) Four or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.

B. It shall be presumptive evidence that four or more persons living in a single dwelling unit who are not related by blood, marriage or legal adoption do not constitute the functional equivalent of a traditional family.

C. In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:

(1) The group is one which in theory, size, appearance, structure and function resembles a traditional family unit.

(2) The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family.

(3) The group shares expenses for food, rent or ownership costs, utilities and other household expenses.

(4) The group is permanent and stable. Evidence of such permanency and stability may include:

(a) The presence of minor dependent children regularly residing in the household who are enrolled in a local school.

(b) Members of the household having the same address for the purposes of voter registration, driver's license, motor vehicle registration and filing of taxes.

(c) Members of the household are employed in the area.

(d) The household has been living together as a unit for a year or more, whether in the current dwelling unit or other dwelling units.

(e) Common ownership of the furniture and appliances among the members of the household.

(f) The group is not transient or temporary in nature.

(5) Any other factor reasonably related to whether or not the group is the functional equivalent of a family.