

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-22-2023**

AN ORDINANCE ESTABLISHING THE FLORENCE BUSINESS BUILDING FAÇADE UPGRADES GRANT PROGRAM IN THE CITY OF FLORENCE.

WHEREAS, the City of Florence (“City”) recognizes the importance of supporting businesses within its community; and

WHEREAS, the City aims to encourage the rehabilitation and enhancement of buildings, promote economic growth and investment, and improve Florence's desirability and long-term viability within designated areas as identified in “Exhibit A”; and

WHEREAS, the City has allocated funds in its General Fund to finance the Florence Business Building Façade Upgrades Grant Program; and

WHEREAS, the City Council retains the authority to amend or discontinue the program at any time;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I: PROGRAM INTRODUCTION

1.1 The Florence Business Building Façade Upgrades Grant Program is hereby established to provide financial incentives for building upgrades to businesses located in the Florence Main Street Overlay District and other eligible areas identified on Exhibit A.

1.2 The program offers property owners a 50% matching grant, with a maximum grant amount of \$10,000 for approved improvements to their buildings.

1.3 The actual grant amount awarded will depend on the available funding and the total number of applications received.

1.4 Property owners must submit a complete application with all required attachments to the Program Administrator for review.

1.5 Applications will be reviewed by the Administration Department, and selected applicants will be recommended to the Program Administrator for final review and approval.

1.6 Construction projects initiated prior to the signing of a Façade Grant Agreement will not be eligible for reimbursement. All façade improvement projects must be completed within nine (9) months of the agreement's signing to qualify for grant funds. Failure to complete within nine (9) months will result in revocation of the funds and the grant will be void.

1.7 Submission of an application does not guarantee funding.

SECTION II: DEFINITIONS

For the purpose of this ordinance, the following definitions apply:

2.1 Florence Main Street Overlay District: The designated area within the City of Florence that encompasses the targeted region for revitalization and enhancement efforts, as identified on the official zoning map or any subsequent amendments.

2.2 Property Owner: The legal owner of a property as recorded in the official records of the county where the property is located.

2.3 Tenant: An individual or entity that has legal occupancy or leasehold rights to a property with written consent from the property owner.

2.4 Program Administrator: The Program Administrator, referred to as the Director of Administration/City Administrator or their appointed designee, is the designated individual responsible for overseeing and administering the Business Building Upgrades Grant Program on behalf of the City of Florence.

2.5 Administration Department: The governing body of the City of Florence responsible for the final review, approval, and oversight of the Business Building Upgrades Grant Program.

2.6 Façade Grant Agreement: The formal agreement entered into between the grant recipient and the City of Florence, outlining the terms and conditions of the grant, including project scope, timeline, funding details, recipient obligations, and compliance requirements.

2.7 Right-of-Way: The publicly owned area, typically including the street, sidewalk, and utility easements, that allows for public access and use in accordance with applicable regulations.

2.8 Reputable Contractor: A licensed and insured professional contractor who is in good standing with the City of Florence, Kentucky Secretary of State and has a demonstrated track record of successfully completing similar projects and complying with applicable laws and regulations.

2.9 Program Costs: The expenses directly associated with the approved improvement project, including labor, materials, and other reasonable expenses necessary for the completion of the project.

2.10 Final Pay Application: The documentation submitted by the grant recipient upon completion of the project, including invoices, proof of payment, and any other required documentation to support the reimbursement request.

2.11 Design Professional: A professional who possesses the necessary education, experience, and/or licensure to practice in a specific design field, such as architecture, engineering, or a related discipline.

2.12 Professional Cost Estimates: Detailed estimates of the total project costs prepared by

reputable contractors in accordance with industry standards and practices.

2.13 Grant Payment Request: The formal request submitted by the grant recipient to request reimbursement for eligible program costs, including the necessary documentation to support the payment request.

2.14 Other Eligible Areas: The designated area(s) within the City of Florence targeted for revitalization and enhancement efforts, as depicted in Exhibit A.

SECTION III: APPLICANT ELIGIBILITY

3.1 To be eligible for a grant under this program, applicants must meet the following criteria:

- a) Properties must be zoned for a business use and be within the Florence Main Street Overlay District or other eligible areas identified on Exhibit A.
- b) Applicants must be the property owners or tenants. Tenants must obtain written approval from the property owner for proposed work. Applicants must provide a copy of the lease with their application. Applicants without a long-term lease may have their grant approval denied.
- c) Properties and businesses must be current on all city taxes and fees, and have no recorded code citations or liens.
- d) Properties and businesses must comply with all applicable state and local laws and regulations regarding licenses and permits.
- e) Properties must be at least 25 years old.
- f) Businesses may not have more than 30 Full Time Equivalent (FTE) employees per location.
- g) Businesses are eligible for only one grant per calendar year.
- h) Properties must be in good standing with the City of Florence and have no code violations or recorded liens.

SECTION IV: IMPROVEMENT ELIGIBILITY

4.1 The following exterior improvements are eligible for funding through the grant program, subject to review and approval by the Administration Department to ensure compliance with program guidelines, harmonious color schemes, and zoning regulations:

- a) Exterior painting or re-siding of a building;
- b) Masonry repair;
- c) Signage that enhances the building's architectural design, compatible with surrounding businesses and buildings, and adhering to signage regulations;
- d) Awnings designed as an integral part of the building, using materials and colors compatible with the entire building and adjacent structures. Awnings shall not have permanent logos or business-specific branding permanently sewn or integrated into the awning's fabric;
- e) Exterior lighting appropriate for the building and compatible with adjacent buildings;
- f) Window and door repair, replacement, or modification, with replacements being compatible with the building's design;

- g) Façade restoration to return the building to its original appearance in cases of extensive modifications.
- h) Each eligible improvement must be 50% or more visible from the right-of-way.

4.2 The following examples are ineligible for funding through the grant program:

- a) Interior renovations;
- b) Landscaping (e.g. plants, trees, mulch);
- c) Roof replacement or repair;
- d) Non-permanent fixtures (e.g. exterior furniture, A-frame signs);
- e) Security systems;
- f) Garage door opener or mechanical components;
- g) Public property, including sidewalks;
- h) Interior window coverings;
- i) Foundation work;
- j) Parking lot, parking pad, or driveway improvements;
- k) Improvements that are not visible from the right-of-way;
- l) Improvements not approved through the grant process;
- m) License and permit fees.

4.3 The Administration Department reserves the right to modify, accept, reject, or amend the eligibility and approval of any and all improvements in accordance with the program guidelines and objectives. Any modifications or amendments to the list of eligible improvements will be communicated to the applicants during the review and approval process.

SECTION V: GENERAL REQUIREMENTS

5.1 Property owners must identify all funding sources for the project during the application process. These funds must be available to cover the costs of the proposed improvements at the time of the award agreement.

5.2 Applicants are responsible for overseeing the entire construction project, which must be carried out by an approved reputable contractor. No "in-house" work by the property owner or their employees is allowed.

5.3 To qualify for reimbursement, applicants must confirm the completion of all construction phases, settle all outstanding invoices, and submit a final pay application within 9 months of the agreement's execution.

5.4 The Program Administrator may conduct site visits before, during, and after construction to ensure compliance with the program's terms.

5.5 Applicants must engage the services of a design professional to prepare plans, drawings, and construction specifications. Fees for these services cannot be included in the program costs.

5.6 Applicants must provide two professionally prepared cost estimates from reputable contractors,

unless waived by the City Administration.

5.7 All contractors must provide proof of insurance and an occupational license.

5.8 All contractors must provide a lien waiver affidavit as a part of the approval process.

SECTION VI: PROGRAM PROCESS

6.1 Pre-Application Meeting:

Applicants are required to meet with the Program Administrator to discuss the program, the intended project, and the application requirements.

6.2 Application Review:

The Program Administrator will review eligible applications and supporting documents and recommend approval, denial, or modifications if necessary.

6.3 Recommendation to City Administration:

Recommended applications will be forwarded to Program Administrator for final review and approval.

6.4 Notification of Award:

If an application receives final approval, the program administrator will notify the applicant of their approval and the awarded amount. An agreement will be signed with the grant recipient.

6.5 Construction:

Construction may commence once all agreements are signed. Upon completion of the improvements within nine (9) months of the award letter (unless granted a written extension by the Program Administrator), the grantee must provide proof of expenses and submit a grant payment request to the Program Administrator. A site visit will be conducted to inspect the project and ensure compliance before the disbursement of grant funds.

SECTION VII: EFFECTIVE DATE

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 25th DAY OF JULY, 2023.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 8th DAY OF AUGUST, 2023.

APPROVED:

/s/ Julie M. Aubuchon
Julie M. Aubuchon, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk