

ORDINANCE NO. 2008-68

INTRODUCED BY: COUNCILPERSON SUHY, MAYOR BACCI, DUSZYNSKI,
FARAGONE, HENLEY, SCHAB, & SCHOEFFLER

AN ORDINANCE ENACTING CHAPTER 1495 OF THE BUILDING CODE
PROVIDING FOR A COMMUNITY HOUSING MAINTENANCE GRANT
PROGRAM

WHEREAS, the Village of Cuyahoga Heights is a chartered municipal corporation possessing all powers embraced by both the Constitution of Ohio and the enactments of the Ohio Legislature; and

WHEREAS, the council of the Village of Cuyahoga Heights, pursuant to its constitutional and statutory powers, finds that it is in the best interests of the citizens of the Village of Cuyahoga Heights to provide for a Community Housing Maintenance Grant Program; and

WHEREAS, the Council of the Village of Cuyahoga Heights finds that this program will assist and encourage property owners in the Village of Cuyahoga Heights to make repairs to residential properties in the Village and therefore enhance property values.

WHEREAS, the Council of the Village of Cuyahoga Heights finds that the funding for this program will not be from general purpose taxpayer or property tax funds; and

WHEREAS, the Council of the Village of Cuyahoga Heights further finds that the implementation of the Community Housing Maintenance Grant Program is in the best interests of the safety and welfare of the citizens of Cuyahoga Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Cuyahoga Heights, State of Ohio:

SECTION 1. That Chapter 1495 of Title Eight, Part 14, Building Code, entitled "Community Housing Maintenance Grant Program" be enacted to read as follows:

CHAPTER 1495
COMMUNITY HOUSING MAINTENANCE GRANT PROGRAM

1495.01 FINDINGS.

The Council of the Village of Cuyahoga Heights finds the enactment of a Community Housing Maintenance Grant Program will assist in the maintenance of property values, the creation of safe and healthful housing facilities in the Village of Cuyahoga Heights. To this extent, the Community Housing Maintenance Grant Program as set fourth in Chapter 1495 will fulfill a public purpose and will assist in the maintenance of the health, safety and welfare of the citizens of Cuyahoga Heights and will be for a proper public purpose.

1495.02 COMMUNITY HOUSING MAINTENANCE GRANT FUND.

There is hereby created a separate fund on the books and records of the Village of Cuyahoga Heights entitled "Community Housing Maintenance Grant Fund." This Fund shall be maintained at a level as determined, from time to time, by the Council of the Village of Cuyahoga Heights by the appropriation of such sums, from sources other than general property tax funds, as may be determined by the Council of the Village of Cuyahoga Heights. Such fund shall be used exclusively for the Community Housing Maintenance Grant Program created by Chapter 1495 of the Building Code of the Village of Cuyahoga Heights. The Clerk of Council is authorized and directed to forward a certified copy of this Section to the Bureau of Inspection and Supervision of Public Offices of the Department of the Auditor of the State of Ohio for approval of this fund under the provisions of Ohio Revised Code Section 5705.12.

1495.03 COMMUNITY HOUSING MAINTENANCE GRANT PROGRAM.

The Clerk and Treasurer shall be, and they hereby are, authorized and directed to pay to property owners of one, two, three and four family residential structures in the Village of Cuyahoga Heights, from time to time, Community Housing Maintenance grants under the terms and conditions set forth in Chapter 1495 of the Building Code.

1495.04 AUTHORIZATION FOR COMMUNITY HOUSING MAINTENANCE GRANTS.

The Building Inspector is authorized to administer the Community Housing Maintenance Grant program. To qualify for a matching grant for major structural repairs, the repair must not be decorative, or recreational in character. Qualifying repairs or improvements are drive and walk replacement, roof replacement and repair to include rafters and sheeting, siding replacement and repair, brick work replacements and repair, exterior painting, chimney replacement and repair, windows and exterior doors including garage; exterior stairs and landing porches, repair on replacement of exterior sopshts, plumbing and electrical repairs or upgrades.

1495.05 LIMITATIONS ON GRANTS.

Matching fund grants may be given to property owners of one, *two, three and four* family residential structures to reimburse the property owners for not more than one major structural repair *per property* per year and not more than two major structural repairs to a property in any five-year period, regardless of who holds title to the property. *The foregoing limitations shall be applied on a per residential structure basis.* The amount of the matching grant shall not be less than two hundred fifty dollars (\$250.00), for a project with a total cost of at least five hundred dollars (\$500.00), nor more than one thousand dollars (\$1,000.00), for a project with a total cost of at least two thousand dollars (\$2,000.00). Grants shall be limited to projects consisting of the items described in section 1495.04.

1495.06 COMMUNITY HOUSING MAINTENANCE GRANT PROCEDURES.

The administration of the Community Reinvestment Grant Program shall be maintained by the Building Department. In order to qualify for a grant a property owner shall submit an application along with proof of ownership (e.g., tax bill, mortgage receipt) to the Building Department. If the property owner provides the labor for the project, the reimbursement will be for

materials only. Reimbursement shall be made by check issued by the Clerk and Treasurer to the property owner directly upon presentation of proper documentation certifying the completion of the work from the contractor and verification of the work by the Building Inspector. The reimbursement shall constitute a grant to the property owner for a portion of the project costs incurred, and shall not be repaid to the Village.

1495.07 RECORDS.

The Treasurer shall maintain records concerning the administration of this program by Permanent Parcel Number within the Village. If ownership of a property changes within the five-year period, the property shall qualify for only two projects within any five-year period.

1495.08 ANNUAL REVIEW.

The Community Housing Maintenance Grant Program shall be reviewed on an annual basis during January of each year by Council to determine whether the program shall continue for the next year.

1495.09 CONFLICT OF INTEREST.

No elected official of the Village may be a contractor, material supplier or otherwise benefit from the Community Housing Maintenance Grant Program in a manner other than an equal basis with all other property owners in the Village.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings including Section 121.22 of the Ohio Revised Code.

PASSED: April 9, 2008

ATTEST:

EFFECTIVE: April 9, 2008

APPROVED: Jack M. Bacci
Mayor

Marlyn C. Duszynski
President of Council

ON: April 9, 2008

Barbara Bero
Clerk of Council

I, the undersigned, Clerk of Council, Village of Cuyahoga Heights, do hereby certify there is no newspaper published of having the office of Publications in said Village and that I published the foregoing Ordinance by posting same in four (4) places, Village Hall, Police Department, Fire Department and Service Department in said Village, as defined by Ordinance of the Council for a period of ten (10) days beginning April 10, 2008.

Barbara Bero
Clerk of Council