

ADOPTED

ORDINANCE NO. 2013-8- 8056

AN ORDINANCE ESTABLISHING AND APPROVING THE ROOF STABILIZATION ASSISTANCE PROGRAM AND AUTHORIZING THE DIRECTOR OF PLANNING TO ADMINISTER THE PROGRAM AND PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE APPLICANTS FOR REPAIR OF DEFICIENT ROOFS IN THE PADUCAH DOWNTOWN HISTORIC DISTRICT.

WHEREAS, the City of Paducah has charged itself with the responsibility of overseeing the proper and orderly development or redevelopment of vacant, orphaned, or underutilized commercial properties located within its corporate boundaries and of insuring the integrity and quality of its existing historic commercial district; and

WHEREAS, the City of Paducah's economic well-being is related to and dependent upon, sustained growth of its tax revenue base through the proper and orderly development or redevelopment of vacant, orphaned, or underutilized commercial properties located within its corporate boundaries; and

WHEREAS, the City of Paducah proposes to stabilize downtown buildings located within the National Historic District; and

WHEREAS, the repair, stabilization, or replacement of roofs within the historic downtown will protect the historic built environment and will reduce further decline and which may lead to greater expenditures by the City of Paducah through demolition; and

WHEREAS, the City of Paducah desires to commit funds for the establishment of the Roof Stabilization Assistance Program (the "Program"), which will be utilized to accomplish the goals of the City of Paducah by providing funds to eligible applicants for the purpose of roof replacement or roof stabilization in the Downtown Historic District; and

WHEREAS, this Program will encourage roof stabilization of residential and commercial properties located in the Downtown Historic District where infrastructure and services are in place and promote quality commercial redevelopment consistent with the character of the adjacent structures.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

ARTICLE I

Section I Title

1.1 This ordinance shall be known and may be cited as the "Roof Stabilization Assistance Ordinance of the City of Paducah".

Section 2 Purpose

2.1 This ordinance is intended to establish and facilitate roof replacement and roof rehabilitation by property owners within the Downtown Historic District (Map #1) to combat roof problems that endanger the general health, safety and welfare of the of the inhabitants and visitors to the area within the Historic District that has been placed on the National Registry.

Section 3 Definitions

3.1 Project Manager. The Director of Planning or his designee.

3.2 Roof Stabilization. The restoration of a deficient or substandard roof to provide a water tight roof system free of leaks including all necessary flashing, decking repair, rafters, gutters, downspouts, and roof/attic ventilation to ensure the longevity of the roof system.

3.3 Qualified Roofing Contractor. A contractor that has been approved by the Department of Planning and has installation certification from the manufacturer.

3.4 URCDA. Urban Renewal and Community Development Agency

Section 4 General Provisions

4.1 Eligibility

a. Applications for a grant under the Program will be reviewed by the Project Manager upon the criteria outlined herein to determine eligibility.

b. All property receiving the financial assistance under the Program shall be located within the Downtown Historic District (Map #1).

c. Program parameters include:

1. The Program will target structures in need of roof stabilization.

2. Third party construction estimates by a qualified roofing contractor and owner's proof of financial ability to complete the project will be required.
3. Each grant shall not exceed 50% of the total roof stabilization costs, or 50% of funds allocated to the program for the budget year.
4. A City of Paducah letter of financial commitment will be given to the owner upon final approval of the grant by URCDA.
5. Eligible roof stabilization improvements must be permanent. Eligible roof improvements shall include, but not limited to: a water tight, sustainable leak proof roofing system.
6. All work shall meet or exceed industry standards for roof repair/replacement and comply with all applicable building codes.

Section 5 Administration

5.1 Staff

a. The Project Manager shall perform the following duties:

1. Preparation of the necessary applications, financial statements, a summary of the commitments to the rules and regulations of the program, and such other forms to be executed in administering the program. The appropriate forms shall include, along with other data deemed appropriate, Roof Stabilization Assistance Program application, proof of ownership, financial qualifications and deed restrictions.
2. Review the eligibility of the applicant based on the requirements of this ordinance, review the data provided on the forms required as part of the application procedure and make a recommendation to the URCDA.
3. Providing limited technical assistance to applicants.
4. Maintain a list of approved contractors based upon satisfactory references on past work performed.
5. Determine whether the proposed work to be performed meets the parameters of this ordinance and whether the cost to complete that work is reasonable. Said determination shall be in writing and kept on file as part of the application.
6. Conduct appropriate, periodic inspections of the work being done and, when satisfactorily completed, issue a certificate of compliance bearing the date the certificate was issued. A copy of this certificate shall be kept as part of the file.

5.2 Funding

- a. The City of Paducah may make annual budgetary appropriation as it deems necessary to fund the program established by this ordinance and the administrative costs associated therewith.

Section 6 Procedures for Making Application, Review and Approval

6.1 Application

- a. Applications will only be accepted after a Request for Application public notice has been published in the Paducah Sun. Third party construction estimates and proof of financial ability from a qualified financial institution will be required.

- b. Applications and other required forms shall be made available at the Department of Planning. Technical assistance shall be available from that office to assist applicants in completing and submitting an application. There shall be no fee for filing an application.

6.2 Review

- a. The Project Manager shall determine the completeness of the application. Incomplete applications will not be processed.

- b. Upon a determination of completeness, the Project Manager shall make a determination as to whether the applicant meets the eligibility criteria under the Program.

- c. Upon a determination that the applicant is eligible under the Program, the Project Manager shall forward the application to the Urban Renewal & Community Development Agency (URCDA) for consideration.

- d. The URCDA will review rankings in accordance with the following criteria to determine applicant's eligibility.
 1. Urgency of roof stabilization. 25%
 2. Contributing structure on the National Register of Historic Places. 25%
 3. Historic relationship to adjacent structures. 25%
 4. Capital commitment of owner to rehabilitate remaining structure. 25%

- e. URCDA will have the authority to approve all projects that do not exceed \$50,000 in roof stabilization funds. Projects in excess of \$50,000 of roof stabilization funds will be forwarded to the City Commission for approval.

- f. Grant awards will be given based on availability of funds.

6.4 Property Owners Obligations upon Grant Approval from the City of Paducah.

Property Owner shall deliver to the Project Manager the following documents in fully executed form:

a. A duly executed contract between the Property owner and the approved contractor outlining the roof work to be performed, the cost to be incurred, including an amount for retainage to assure the acceptable completion of the construction, and the time of performance. This contract must be reviewed by, and acceptable to the Project Manager.

b. Any other documents which may be requested by the City of Paducah upon approval.

6.5 Disbursement of Grant.

a. Subject to the terms and conditions hereinafter provided, the property owner shall be entitled to draw proceeds from the grant when 100% of rehabilitation work has been completed. Under no circumstance will funds be advanced. However, notwithstanding the foregoing, disbursement shall only be made when the following condition precedents shall have been satisfied:

- 1. The Property Owner shall submit for the Project Manager's review a written request for reimbursement. The written request shall be signed by both the approved contractor and the Property Owner.**
- 2. The Property Owner shall provide to Project Manager a certification executed by the approved contractor which shall certify the aforesaid costs incurred in the construction process have been paid in full.**
- 3. At the request of the Project Manager, the Property Owner shall provide to Project Manager interim mechanics' or materialmen lien waivers to be executed by the approved contractor, subcontractors, materialmen and/or their employees or agents.**
- 4. The Project Manager has verified that the construction is in accordance with building and construction plans and specifications.**
- 5. The Property Owner has complied with the terms of this ordinance.**

b. In the event all of the foregoing condition precedents are fully satisfied, the Project Manager shall within ten (10) business days following date of request remit directly to the approved applicant the permitted amount of draw.

c. In the event all of the foregoing condition precedents are not fully satisfied, the Project Manager shall have the right, at his discretion, to refuse the request in total until such time as all condition precedents are satisfied, or pay such portion of the request that the Project Manager deems appropriate. Additionally, the Project Manager shall have the right to pay the grant proceeds directly to any creditors who have provided labor or materials for the construction or the rehabilitation work, which payments shall be deemed for and in behalf of the Property Owner and as a part of the grant hereunder. The Project Manager's determination shall be binding and final upon the Property Owner and the approved contractor.

6.6 Issuance of Certificate of Completion.

Following completion of the work, the Project Manager shall inspect the roof and structure and certify whether or not the work has been satisfactorily completed. If the work is sufficient, a Certificate of Completion shall be issued.

6.7 Emergency Roof Stabilization

a. If it is determined by the Program Manager after review by the Deputy Fire Chief that a structure is in need of emergency roof stabilization, the Program Manager may utilize Roof Stabilization Assistance Program funds for the stabilization of the roof. The Program Manager shall review the following criteria to determine project eligibility.

1. The structure is located within the program area (Map #1).
2. The structure is a contributing structure on the National Register of Historic Places.
3. Without Emergency Roof Stabilization, the roof would be in danger of collapse.
4. Without Emergency Roof Stabilization, the roof would further decay resulting in increased demand for utilization of the Roof Stabilization Assistance Program funds.

b. The City Commission shall review Emergency Roof Stabilization projects in excess of \$20,000.

c. The city shall have the right to assess against the property owner all costs incurred by the city in the completion of the necessary repairs, and, additionally, the city shall have a lien against the property benefited by the repairs.

ARTICLE II

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

ARTICLE III

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

ARTICLE IV

This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

MAYOR

ATTEST:

City Clerk

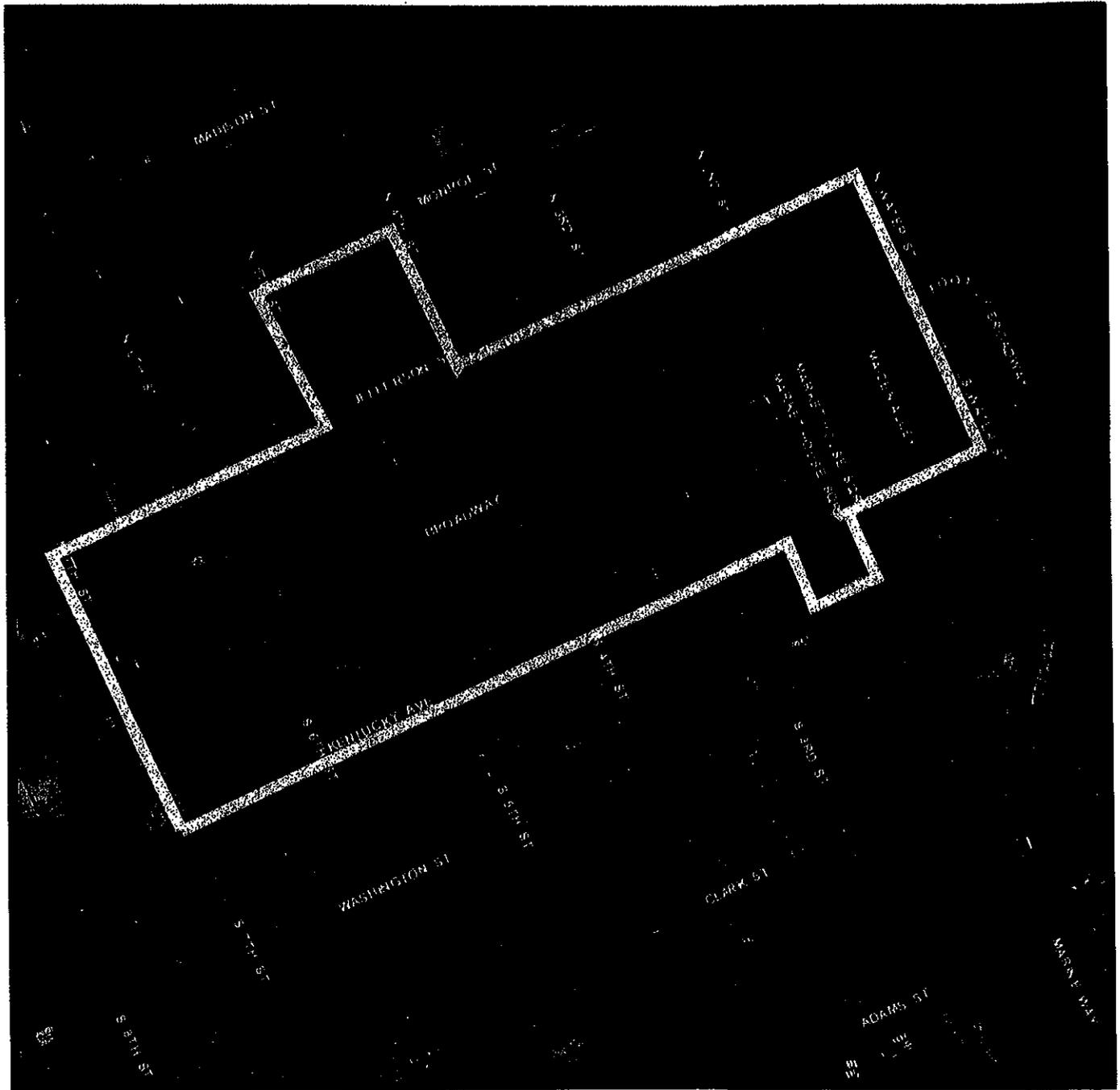
Introduced by the Board of Commissioners, July 23, 2013

Adopted by the Board of Commissioners, August 13, 2013

Recorded by City Clerk, August 13, 2013

Published by *The Paducah Sun*, _____, 2013

Downtown Paducah Roof Stabilization Program



Roof Stabilization
Project Area

Map #1