

CITY OF BELLEVUE
ORDINANCE NO. 2020-03-01

AN ORDINANCE ESTABLISHING GUIDELINES AND REQUIREMENTS FOR THE CITY OF BELLEVUE'S RENTAL CONVERSION GRANT PROGRAM AND OFF-STREET PARKING ASSISTANCE PROGRAM.

WHEREAS, the Board of Council of the City of Bellevue, Kentucky, wants to provide an incentive to restore residential units to their original configuration and eliminate blighted conditions; and

WHEREAS, this ordinance is an effort to improve the quality of life in Bellevue by reducing the number of multi-family rental units in the City and to promote single-family home ownership; and

WHEREAS, the City desires to reduce the demand for on-street parking with an incentive to create new off-street parking for residential properties; and

WHEREAS, the City wants to assist those with qualified disabilities to improve existing off-street parking where, because of their disability, such existing off-street parking is not feasible; and

WHEREAS, this ordinance declares that the provided incentives will be in the form of a grant with contingencies to qualified applicants;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELLEVUE, IN CAMPBELL COUNTY, AS FOLLOWS:

Section 1

Title XI: Chapter 125 of the Code of Ordinances be and hereby is created to read as follows:

CHAPTER 125: RENTAL CONVERSION GRANT PROGRAM

§ 1.01 RENTAL CONVERSION GRANT PROGRAM GUIDELINES.

(A) Prior to beginning construction to convert a multi-family unit to a one-family unit, the homeowner shall complete and submit:

1. An application provided by the City along with a non-refundable \$25.00 fee.
2. A set of plans and specifications along with cost estimates indicating work to be performed.
3. A list of intended contractors and sub-contractors to assure compliance with the City's occupational license regulations.
4. Any change in the scope of the work for review and approval.
5. Any additional information the City deems necessary to make a determination regarding compliance with the program.

(B) The City shall conduct an inspection of the structure:

1. Prior to approval of participation in the program.
2. After approval, and during construction, the inspector shall, from time to time, review each approved project to assure compliance with all applicable building and zoning codes.
3. On completion of construction, a final inspection shall be performed; and
 - a. The applicant shall cooperate with the City to allow the inspections set forth in section (B), above, and will correct any and all code violations found from said inspections.
 - b. All code violations shall be corrected prior to the release of grant funds.

(C) Any rehab work to be completed on the interior or exterior of any structure located within the City's historic districts shall be reviewed by the City's Historic Preservation Officer to assure the intended work complies with the City of Bellevue's Historic Preservation Design Review Guidelines Manual.

(D) A "Notification to Proceed" shall be issued to the homeowner by the City once it has been determined that the applicant has complied with the following:

- c. The building permit process.
- d. The Certificate of Appropriateness process, if applicable.
- e. The occupational license permit process.
- f. All requirements, conditions, and restrictions set forth herein.

§ 1.02 CONFLICT OF INTEREST.

(A) If a question regarding eligibility of any applicant, contractor, or sub-contractor should arise concerning a conflict of interest, a notice shall be sent by the City Administrator to the City Attorney for final interpretation.

§ 1.03 PAYMENT PROCESS.

(A) Prior to the release of grant funds, the applicant shall be required to submit to an inspection to confirm that the work approved in the application process was completed. All code violations shall be remedied and/or corrected prior to payment of any grant funds, without exception. If the final inspection reveals that all work was completed in accordance with the approved plans and any and all code violations have been resolved; then the City shall issue the approved grant funds to the applicant subject to the City's established claims process.

(B) If work is not completed within one hundred and eighty (180) days of the date of the "Notification to Proceed" the application and award shall be voided. At the applicant's discretion, a new application may be completed. However, the applicant may apply for, and the City may grant, an extension not to exceed ninety (90) days if said extension has been applied for prior to the voiding of an initial application. If an extension is granted and work is not completed within the extension time period, the application shall be voided.

§ 1.04 GRANT AMOUNTS.

(A)	Converting a two-family into a single-family.	\$5,000
(B)	Converting a three-family into a single-family.	\$10,000
(C)	Converting a four-family into a single-family.	\$15,000
(D)	Converting a four-family into a two-family.	\$10,000

(Up to a maximum of \$5,000 may be reimbursed for each unit eliminated in a multi-family structure.)

§ 1.05 PROGRAM POOL AMOUNTS.

(A) The allocation of grant funds to be allocated to the Rental Conversion Grant Program, Off-Street Parking Assistance Program, and Sidewalk Assistant Program shall be established by the Mayor and Board of Council each year in the annual budgeting process.

(B) The grant funds will be awarded on a first-come, first-serve basis in a fiscal year if funds are available.

(C) Grant funds shall not be awarded to any person or entity who owns property affiliated with delinquent taxes, City liens, or waste management fees owed to the City.

§ 1.06 APPLICATION PROCESS.

(A) An application may be obtained from the City Clerk/Treasurer's Office.

§ 1.07 ELIGIBLE ACTIVITIES.

(A) Activities eligible for grant funds include: removal of non-primary kitchen(s)*; removal of non-primary bathrooms; upgrading primary kitchen; upgrading primary bathroom; upgrading heating and air conditioning; elimination of separate utilities; drywall repair/replacement; carpet, tile, and flooring; doors and windows (new, repair, or replacement); electric; plumbing; insulation; interior painting; the creation of new off-street parking pads or driveways; most other interior remodeling that complies with City codes; removal of fencing; roof and gutters.

*NOTE: Only the primary kitchen will be permitted to remain in the converted structure. All other kitchens, including cabinetry, sinks, plumbing, and appliances, shall be removed as part of the rehab and conversion.

(A) Additional work may be approved if requested in writing in advance of the issuance of the "Notification to Proceed."

§ 1.08 SIDEWALK REPAIRS.

(A) Applicants eligible for the Rental Conversion Grant Program are subject to a sidewalk inspection by the City in the area in the front of the property being rehabilitated. Sidewalks must be shall be free of hazardous conditions.

(B) If the City's Code Enforcement Director or his/her designee determines that the sidewalk is in need of repair, then the property owner shall repair the sidewalk.

(B) If the sidewalk is in need of repair, the City will pay up to 50 percent of the cost of the repair but not greater than \$500.00. Payment by the City is contingent on a successful final sidewalk inspection by the City, and approval by the City of compliance with the Rental Conversion Grant Program guidelines on completion of the Conversion project.

§ 2.01 OFF-STREET PARKING ASSISTANCE PROGRAM GUIDELINES.

(A) Prior to beginning construction, the homeowner shall complete and submit the following to the City:

1. An application provided by the City.
2. A complete set of plans and specifications along with cost estimates indicating the work to be performed.
3. If the nature of the improvement is an automatic overhead garage door for a disabled person, a quote from the company performing the work shall accompany the application.
4. Any additional information the city deems necessary to make a determination regarding compliance with the program.

5. A list of intended contractors and sub-contractors to assure compliance with the City's occupational license regulations. Any change in the scope of the work shall be submitted to the City for review and approval.

(B) The City shall conduct an inspection prior to approval for participation in the program to determine if:

1. The proposed work improves the ability for a disabled person to utilize existing off-street parking where they would otherwise not be able to; or
2. The proposed work creates at least one new off-street parking space for a residential structure.
3. The inspector shall review each approved project to assure compliance with all applicable building and zoning codes.
4. After approval by the city and completion of the work a final inspection shall be conducted by the city.

(C) Any work proposed for the interior or exterior of any structure located within the City's historic district shall be reviewed by the City's Historic Preservation Officer to assure the intended work complies with the City of Bellevue's Historic Preservation Design Review Guidelines Manual.

(D) The grant funds will be awarded on a first-come, first-serve basis in a fiscal year if funds are available. Top priority will be given to persons with a qualified disability who desire to improve their ability to utilize existing off-street parking.

(E) Grant funds shall not be awarded to any person or entity who owns property affiliated with delinquent taxes, City liens, or waste management fees owed to the City.

(G) Once it has been determined that the applicant has complied with the building permit process, Certificate of Appropriateness process, and the occupational license permit process "Notification to Proceed" shall be issued to the homeowner by the city.

§ 2.02 CONFLICT OF INTEREST.

(A) If a question regarding eligibility of any applicant, contractor, or sub-contractor should arise concerning a conflict of interest a notice shall be sent by the city administrator to the city attorney for final interpretation.

§ 2.03 DISTRIBUTION OF GRANT FUNDS PROCESS.

(A) Prior to the release of grant funds, the applicant shall be required to submit to an inspection to confirm that the work approved in the application process was completed. If the final inspection reveals that all work was completed in accordance with the approved plans, and in accordance with all applicable regulations, ordinances, and statutes the city shall issue the approved grant funds to the applicant subject to the city's normal claims process.

(B) If work is not completed within ninety (90) days of the date of the “Notification to Proceed” the application and award shall be voided. At the applicant’s discretion, a new application may be completed. However, the applicant may apply for, and the city may grant, an extension not to exceed ninety (90) days if said extension has been applied for prior to expiration of the ninety (90). If an extension is granted and work is not completed within the extension time period, the application shall be voided and grant funds forfeited.

§ 2.04 MAXIMUM GRANT AMOUNTS.

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| (A) | Improving parking for a person with qualified disability; or | \$750 |
| (B) | Creating new off-street parking for a residential structure; or | \$750 |
| | 1. Create one extra space*; or | \$250 |
| (C) | Paving an existing gravel driveway. | \$500 |

*Total parking spaces for a property must not exceed two spaces after project completion.

§ 2.05 APPLICATION PROCESS.

- (A) Application may be obtained in person at the Office of City Clerk/Treasurer.

§ 2.06 ELIGIBLE ACTIVITIES.

(A) Activities eligible for grant funding: construction of parking pad where none currently exists; construction of a driveway where none currently exists; construction of a garage where none currently exists; construction of a garage that increases the parking capacity by at least one parking spot; removal of any accessory structure that will create at least one new off-street parking; paving a non-conforming gravel parking space or driveway; installation of an automatic garage door opener on a garage belonging to a qualified handicapped individual; installation of a garage door with an automatic opener on a garage belonging to a qualified handicapped person.

(B) Other proposals will be considered on a case-by-case basis. The determining factor will be whether or not additional off-street parking is being created.

(C) Improvements to existing parking will not be considered where an applicant has failed to maintain the parking structure in substantial compliance with the city of Bellevue Property Maintenance Code.

Section 2 - Effective Date

This Ordinance shall be effective when read, passed, and advertised in accordance with Kentucky law.

Section 3 – Publication

This Ordinance shall be published in accordance with Kentucky Law.

Charlie Cleves, Mayor

ATTEST:

Mary H. Scott, City Clerk

1st reading: _____

2nd reading: _____

Publication: _____