

ORDINANCE NO. 86-66 AC CMS

AN ORDINANCE ESTABLISHING A NON-UNIFORM ACT RELOCATION
ASSISTANCE POLICY FOR THE CITY OF OBERLIN CDBG PROGRAM

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:


SECTION 1. That the City of Oberlin hereby establishes a Non-Uniform Act Relocation Assistance Policy for the City of Oberlin CDBG Housing Program, a copy of said policy being attached hereto, marked "Exhibit A", and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or 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 open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - September 8, 1986 - Emergency
2nd Reading -
3rd Reading -

ATTEST:


Clerk of Council


Chairman of Council

POSTED: September 10, 1986

ORDINANCE NO. 86-66 AC CMS

"EXHIBIT A"

STATE NON-UNIFORM ACT RELOCATION ASSISTANCE PLAN

This plan covers all CDBG related displacement activities by other than a state agency or housing authority whether the displacement is by a private for profit or non-profit entity. The only exception to this requirement is the displacement of persons by reason of substantial non-compliance of their lease agreements.

The plan provides that all persons who are involuntarily and permanently displaced by CDBG activities must be provided with rehousing that is affordable, decent, safe, and sanitary as defined by local housing codes and standards. In addition, the grantees shall also provide in their plans, reasonable assistance to small business establishments involuntarily displaced by such action.

The local relocation plan for Non-Uniform Act Assistance shall be adopted by ordinance or resolution. A public notice shall be made concerning the adoption of the plan, and that it is intended to mitigate adverse impacts placed on low and moderate income families as a result of CDBG funded activities, and the steps that will be taken for plan implementation consistent with the provision of OLGS Memorandum AR-1, Federal Regulations and the housing and Urban Rural Recovery Act of 1983 as Amended.

The plan shall be placed in the grantee's CDBG central files along with CDBG grant agreements, a copy filed in the local project office and a copy mailed to OLGS no later than March 1, 1986.

I. DEFINITIONS

A. Involuntary Displacement

- (1) Occupants who are issued a 60-day notice to move; and
- (2) Occupants who are required to move as the direct result of the acquisition or substantial rehabilitation of the property in which they are residing.

B. Permanent Displacement

- (1) Any relocation that would exceed 12 months in duration.

C. Affordable Housing

- (1) Where the gross contract rent plus the cost of basic utilities, rent, or monthly housing payment does not exceed 30% of the family's combined gross income.

II. MINIMUM STANDARDS

The following outlines state threshold requirements to assist involuntary displacements that are not protected under the provisions of the Uniform Act.

A. Minimum Notices

The local plan shall provide each displacee with at least sixty (60) days notice in advance of the date the displacee will be required to permanently move from the site.

B. Technical Assistance

Technical assistance shall be provided to the extent needed by the displacee, including but not limited to the following:

- (1) Social services designed to mitigate adverse effects of displacement on low and moderate income persons;
- (2) Determination of family housing needs and referrals (private, public assisted private housing); and
- (3) Assist low income marginal businesses in finding suitable alternative locations and/or facilities.

C. Financial Assistance

The local plan shall provide for basic financial relocation assistance to mitigate financial hardships on low and moderate income households and small and marginal businesses.

(1) Source of Funds

Funds to cover local costs under this plan may be derived from any/or combination of the following sources:

- (a) CDBG Formula funds or competitive grant proceeds for the activity affected;
- (b) Local government or CIC funds;
- (c) Private developer or beneficiary of CDBG financial assistance;
- (d) Other

(2) Moving Expenses

Reimbursement of moving expenses and other services may not be less than that provided under the following schedule:

(a) Residential-Tenants

(i) When the relocatee owns the furnishings, payment will be \$100 for the first room, and \$50 for each additional room to a \$300 maximum.

(ii) Relocatee in a furnished dwelling receives \$100.

(iii) Owner/occupant assistance at grantee's discretion.

All schedules shall receive an additional \$200 for dis-location allowance.

(b) Non-Residential-Tenants

(i) Documented actual moving expenses not to exceed \$2,500.

(ii) Owner/occupant assistance at grantee's discretion

(3) Replacement Housing Payments

(a) Homeowner - Payments and/or services at grantees discretion.

(b) Tenants - The Grantee must provide a written referral to affordable decent, safe, and sanitary housing. If such housing cannot be made available, the Grantee shall provide financial assistance to make the referred housing affordable for a 24-month period.

Example:

Family's income - \$9,600 per year, \$800 per month

Maximum can pay = \$240 per month for rent and utilities

(1) Find and refer housing unit @ \$240/month - no payment

(2) Find and refer housing unit @ \$300/month - \$60/month x 24 months =
\$1,400