

Mossotti, Chair
Scutchfield, Vice Chair
Kay
Stinnett
Akers
Gibbs
Lamb
Farmer
Bledsoe
Henson

A G E N D A

Planning & Public Safety Committee

October 13, 2015

1:00 P.M.

1. September 8, 2015 Committee Summary (1-4)
2. Drones (Unmanned Aircraft Systems-UAS) – Moloney (5-7)
3. Insurance for Fireworks Displays – Bledsoe (8-10)
4. Code Compliance Assistance – Akers (11-33)
5. Items Referred (34)

“Planning and public safety committee, to which shall be referred matters relating to the division of planning and including, but not limited to, matters relating to housing, infill and redevelopment, purchase of development rights and historic preservation, and any related partner agencies and to which shall be referred matters relating to the department of public safety and its related divisions.”

- Council Rules & Procedures, Section 2.102 (1) Effective January 1, 2015. adopted by Urban County Council September 25, 2014

2015 Meeting Schedule

January 13	February 10
April 14	May 12
June 9	August 11
September 8	October 13



Planning & Public Safety Committee

September 8, 2015

Summary and Motions

Chair Mossotti called the meeting to order at 1:00 p.m. All Committee Members were present. Council Members Moloney and F. Brown were also in attendance.

I. Approval of August 11, 2015 Planning & Public Safety Committee

A motion was made by Henson to approve the August 13, 2015 Planning & Public Safety Committee Summary and Motions, seconded by Scutchfield. The motion passed without dissent.

II. Design Excellence Standards/Guidelines & Design Excellence Zoning Ordinance Text Amendment

Vice Mayor Kay gave a history of the Design Excellence Standards and Guidelines and voiced his desire to see the item move forward.

Akers asked to hear any specific changes that have been made following input from previous meetings. Kay noted there was a change to the appeals process from a one year window granted for response to 90 days.

Mossotti inquired if half of a million dollars in the incentive fund is enough to attract new development. King stated it is not an insignificant amount, adding that the request they receive most often is for assistance in providing parking downtown. King noted this money could be used to work with the Parking Authority and others for that end. Mossotti inquired if the parking situation has been resolved enough to satisfy future applicants. King stated he feels this is evolving.

Henson inquired if King feels the guidelines are complex. King stated he does not and they are cleaner than the current Courthouse Area Design Review Board and those of some other cities. Henson stated that some feel the standards would impede developers and stated her desire for all voices to be heard. Henson suggested a forum similar to a zone change where input could be used to make changes.

Lamb inquired about the appeals process, and if the only option is to go to the Fayette Circuit Court. King affirmed, stating the recommendation is intended to prevent added layers to the appeals process. Lamb further inquired if there is a reference to the design standards and guidelines in the zoning ordinance. King stated they are referred to both as what you refer to in evaluating proposals and it refers to the body who adopts them. Lamb inquired if approving the

proposed amendments to Article 27 would allow Planning to move forward with the proposed positions. King replied that Council already authorized the creation of one position which they are in process of hiring. King stated if they enact the ordinance, the ordinance would need the guidelines and standards, and Council could make the effective date when adopting the standards.

There was public comment.

A motion was made by Farmer to extend Mr. Scanlon's time by three minutes, seconded by Henson. The motion passed without dissent.

Gibbs stated his support of the guidelines and feels they are not particularly onerous; he feels they take a holistic view of various needs, including parking, pedestrians, bicycles, and concerns beyond those of the building owners.

Kay related that he feels the feedback received does not give specifics for change. He further stated he believes there has been enough time to vet the issue and hopes it will move forward.

Henson states the downtown belongs to everyone and that the decisions made need to be inclusive. She further stated she was unsure how to move forward, given the amount of concerns.

Moloney stated he does not want to deter development downtown, noting the lessons learned from Center Pointe. Moloney stated he feels there needs to be collaboration with developers, and noted he has not seen any developers support the Design Excellence guidelines.

Akers stated her agreement that it would be helpful to hear from developers and the rest of Council to make changes to the document.

Bledsoe stated she agrees with the spirit of the guidelines, but is hesitant to add any restrictions on developers. Bledsoe stated she is also unsure of the most appropriate way to move forward.

Kay suggested the item should be left in Committee, and a special Committee of the Whole be called, where members of Council can bring forward specific recommendations at that time.

Bledsoe clarified she feels a focus group should include developers and the DDA, not just Council.

Stinnett stated he feels the document needs to come back in a different form for discussion. He suggested the Vice Mayor set up a sub-committee including the DDA, Fayette Alliance and others to be representative of the development community and return to the committee with a revised document.

Kay stated he will appoint a committee and will come back to the Committee at a later date.

Mossotti cautioned there would not be room on the agenda for the item until after the new year.

III. Insurance for Firework Displays

Bledsoe introduced the item and proposed a discussion of the insurance premium requirements for fireworks permits. Patrick Johnson, Director of Risk Management, provided an explanation of firework insurance policies.

Farmer stated his frustration regarding the lack of notice given to Council prior to the recent changes in the insurance premium amount. Chief Farmer, Fire Marshall, Division of Fire, stated there could have been better communication and would like to make sure Council has input in future policy changes.

Lamb inquired about the process to apply for a permit, and Chief Farmer provided an explanation. Lamb inquired if it would be possible to find more information about private settlement amounts for damages incurred by fireworks lawsuits. Mike Scanner, from Law, stated this would be hard to find because the private claims are not made available for review. Lamb stated she would like to a compromise.

Akers inquired how the city would be responsible for damages incurred during a fireworks disaster. Johnson stated the city should be named as an “additional insured”, because the Fire Marshall inspects the firework displays, it holds the city harmless from a lawsuit. Akers inquired if every business who receives a permit or inspection from the Fire Marshall’s office needs a high liability insurance policy. Chief Farmer stated fireworks fall under special events and he is not sure if other permit seekers would need high policies.

Stinnett inquired if the Fire Marshall inspects every firework display and remains on the premise for the duration of the display, which Chief Farmer affirmed. Stinnett inquired about Louisville’s recent raise in their policy amount and Johnson replied the increase went from \$1M to \$2M. Stinnett stated he would like to see justification for the amount of \$5M. Johnson stated they feel \$5 million is a good mid-range to cover possible damages. He further noted the ordinance is 20 years old and costs have become much higher. He feels a raise of the rate is necessary. Additionally, Johnson stated the city needs higher amounts for part-time fireworks companies because they are a riskier investment.

Mossotti requested a return to the Committee with more information. Chief Farmer stated he was willing to provide the Council with relevant paperwork and any additional training on the permitting process.

Bledsoe stated she believes their insurance requirements should be consistent with Louisville. Bledsoe voiced concern that the higher premium could make it difficult for smaller entities to

afford the fireworks, prompting more uninsured and unpermitted displays. Bledsoe stated her preference to raise the limit to \$5M for city events and \$2M for other groups seeking permits.

Akers stated her preference for Louisville's amount of \$2M and inquired if the KRS Statute dictates the minimum amount. Chief Farmer stated the amount given in the Statute is \$1M. Akers suggested the Fire Marshall's office provide information about potential risk and liability to permit seekers. Chief Farmer advised that applicants arrive at this his office at a late point in the process and his office may not be the most appropriate to provide that education. Akers noted the proposed changes may lead to multiple HOA's coming together to host fireworks displays.

Bledsoe inquired if the Administration has any comment. CAO Hamilton stated if they want to start at a \$2 million limit for now and look into more research they would support that.

A motion was made by Bledsoe to approve the Administration's return to Committee with a recommended policy for the best pricing of insurance for firework displays, seconded Henson. The motion passed without dissent.

IV. Items Referred

A motion was made by Farmer to adjourn, seconded by Henson. The motion passed without dissent.

The meeting was adjourned at 2:58 p.m.

D.S. 9-8-2015

DRONE REGULATION



Control Tower



Helipad



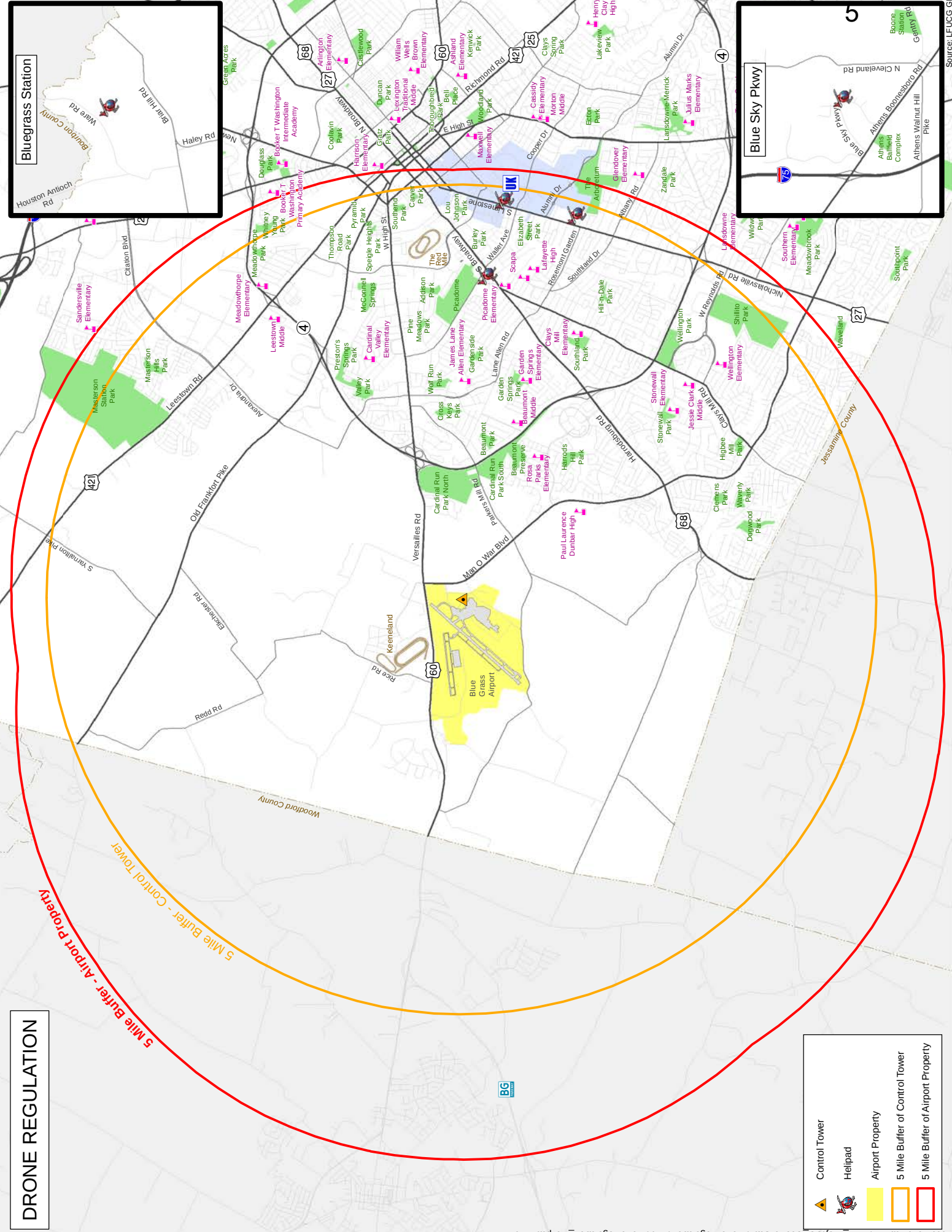
Airport Property



5 Mile Buffer of Control Tower



5 Mile Buffer of Airport Property





Overview of Small UAS Notice of Proposed Rulemaking

Summary of Major Provisions of Proposed Part 107

The following provisions are being proposed in the FAA's Small UAS NPRM.

Operational Limitations	• Unmanned aircraft must weigh less than 55 lbs. (25 kg). • Visual line-of-sight (VLOS) only; the unmanned aircraft must remain within VLOS of the operator or visual observer. • At all times the small unmanned aircraft must remain close enough to the operator for the operator to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses. • Small unmanned aircraft may not operate over any persons not directly involved in the operation. • Daylight-only operations (official sunrise to official sunset, local time). • Must yield right-of-way to other aircraft, manned or unmanned. • May use visual observer (VO) but not required. • First-person view camera cannot satisfy "see-and-avoid" requirement but can be used as long as requirement is satisfied in other ways. • Maximum airspeed of 100 mph (87 knots). • Maximum altitude of 500 feet above ground level. • Minimum weather visibility of 3 miles from control station. • No operations are allowed in Class A (18,000 feet & above) airspace. • Operations in Class B, C, D and E airspace are allowed with the required ATC permission. • Operations in Class G airspace are allowed without ATC permission • No person may act as an operator or VO for more than one unmanned aircraft operation at one time. • No careless or reckless operations. • Requires preflight inspection by the operator. • A person may not operate a small unmanned aircraft if he or she knows or has reason to know of any physical or mental condition that would interfere with the safe operation of a small UAS. • Proposes a microUAS option that would allow operations in Class G airspace, over people not involved in the operation, provided the operator certifies he or she has the requisite aeronautical knowledge to perform the operation.
Operator Certification and Responsibilities	• Pilots of a small UAS would be considered "operators". • Operators would be required to: ○ Pass an initial aeronautical knowledge test at an FAA-approved knowledge testing center. ○ Be vetted by the Transportation Security Administration.

	- o Obtain an unmanned aircraft operator certificate with a small UAS rating (like existing pilot airman certificates, never expires). - o Pass a recurrent aeronautical knowledge test every 24 months. - o Be at least 17 years old. - o Make available to the FAA, upon request, the small UAS for inspection or testing, and any associated documents/records required to be kept under the proposed rule. - o Report an accident to the FAA within 10 days of any operation that results in injury or property damage. - o Conduct a preflight inspection, to include specific aircraft and control station systems checks, to ensure the small UAS is safe for operation.
Aircraft Requirements	• FAA airworthiness certification not required. However, operator must maintain a small UAS in condition for safe operation and prior to flight must inspect the UAS to ensure that it is in a condition for safe operation. Aircraft Registration required (same requirements that apply to all other aircraft). • Aircraft markings required (same requirements that apply to all other aircraft). If aircraft is too small to display markings in standard size, then the aircraft simply needs to display markings in the largest practicable manner.
Model Aircraft	• Proposed rule would not apply to model aircraft that satisfy all of the criteria specified in Section 336 of Public Law 112-95. • The proposed rule would codify the FAA's enforcement authority in part 101 by prohibiting model aircraft operators from endangering the safety of the NAS.



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Fire and Emergency Services
Fire Prevention

Keith Jackson, Fire Chief

Michael Farmer, Fire Marshal

APPLICATION FOR PERMIT OF SUPERVISED PUBLIC DISPLAY OF FIREWORKS

(Revision 9/2015)

Application Name _____ Phone Number () _____
(Group, individual or organization sponsoring the event)

Address of Applicant _____
(Street) (City) (State) (Zip Code)

Date/Time _____ Alternate Date/time _____
(Of Production) (Rain/wind date/time)

Location of Production _____ Lexington, KY _____
(Street) (Zip Code)

TYPE OF PRODUCTION:

- ☐ Indoor
☐ Outdoor

Indoor & Outdoor display of pyrotechnics before a proximate audience shall comply with NFPA 1126 (current adopted edition) and NFPA 1123 (current adopted edition)

Flame Effect devices shall comply with NFPA 160 (current adopted edition)

A fee for a minimum of two onsite fire inspectors may apply for all pyrotechnics displays at a rate of their current overtime pay (approximately \$60.00 per hour for each inspector), if outside of regular working hours (M-F 7am-5pm). Invoice will be sent after event.

Permits are granted at the sole discretion of the local official having jurisdiction. This document must be completed and signed by the FIRE CHIEF or FIRE MARSHAL.

THE FOLLOWING INFORMATION AND DIAGRAM SHALL BE PROVIDED:

- **ATF License required for all display fireworks shows**
- A picture ID and résumé of the competent pyrotechnic operator
 - A picture ID for all assistants
 - [KRS 227.710 \(1\)\(c\) & \(1\)\(d\)](#)
- CERTIFICATE OF INSURANCE for the production. **(SEE INSURANCE REQUIREMENTS ADDENDUM)**
- Names, types, size and quantities of devices. Description of the operator's experience with these devices.
 - **Describe in detail any onsite assembly of devices**
- Place and manner of storage for pyrotechnic devices.
- A diagram, cut sheets and listings on each type of device used
- Material Safety Data Sheets (MSDS) for the Pyrotechnic Materials to be used.

H O R S E C A P I T A L O F T H E W O R L D

- Certification that the set, scenery and rigging materials are flame retardant or equivalent.
 - (Include any clothing worn by operators, assistants, and performers)
- Diagram of the Grounds or Facilities where the production is to be held indicating the following:
 - Location of control equipment or fire location
 - Location of devices and approximate distance to audience
 - Identify each device type, method of placement and elevation.
 - Fallout radius of each device used in the production
 - Minimum distance for any consumer fireworks show is **200'** from any structure, vehicle, or any other person
 - [KRS 227.715 \(11\)\(b\)](#)

NEPA 1123 (2010 edition)

Table 5.1.3.1

Distances for Outdoor Aerial Shell Display Sites:

Minimum Separation Distances from Mortars to Spectators for Land or Water Displays

Mortar Size		Minimum Secured Diameter of Site		Vertical Mortars		Angled Mortars 1/3 offset		Mortars to Special Hazards	
Inches	mm	ft	m	ft	m	ft	m	ft	m
≤ 1	25	150	46	75	23	75	23	150	46
1.5	38	210	64	105	32	75	23	210	64
2	50	280	85	140	43	95	29	280	85
2.5	63	350	107	175	54	115	35	350	107
3	76	420	128	210	64	140	43	420	128
4	102	560	171	280	85	190	58	560	171
5	127	700	213	350	107	230	70	700	213
6	152	840	256	420	128	280	85	840	256
7	178	980	299	490	149	320	98	980	299
8	203	1120	341	560	171	370	113	1120	341
10	254	1400	427	700	213	460	140	1400	427
12	305	1680	512	840	256	560	171	1680	512

All projectiles shall be set up so that they will fire as nearly vertical as possible. Although they may be fired over water, the distances set out in the above table still apply.

Any fireworks that remain unfired after the display is concluded shall be immediately destroyed by the operator.

No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than **15 mph**. Extremely dry conditions may govern also. In such cases, the local Fire Chief may authorize the display to be rescheduled.

All debris resulting from any display shall be cleaned up and removed immediately by the operator at the conclusion of the display.

At least two approved Class A (water type) fire extinguishers of at least 2 ½ gallons capacity each shall be kept at widely separated points as possible within the actual area in which the discharging is being done.

This application and required information shall be submitted for review 30 days prior to the event.

RETURN COPY TO: Lexington Fire Department
Fire Inspections
211 E. Third Street
Lexington, KY 40508

Email addresses:
volpenhr@lexingtonky.gov
stipps@lexingtonky.gov
farmerm@lexingtonky.gov

 Signature of Applicant

 Print Name

 Date

PERMIT IS HEREBY GRANTED PURSUANT TO KRS 227.710 (1)

 Signature of Fire Chief or Fire Marshal

 Date Approved

INSURANCE ADDENDUM (Please read carefully)

INSURANCE REQUIREMENTS and INDEMNIFICATION:

The governing body of any city/county shall require insurance amounts deemed adequate by them in accordance with [KRS 227.720](#). Licensee shall give a **Bond or evidence of liability insurance deemed adequate by the official to whom application for the permit is made** for all firework displays for which a permit is granted.

Please check the appropriate box for your show:

- ☐ City sponsored event (\$5,000,000 minimum insurance requirement)
- ☐ Event held on city property (\$5,000,000 minimum insurance requirement)
- ☐ Fireworks operating on a public roadway (\$5,000,000 minimum insurance requirement)
- ☐ Private entity on private property (\$2,000,000 minimum insurance requirement)

A valid Certificate of General Liability Insurance placed with a licensed or approved surplus lines insurer in Kentucky with a satisfactory A.M. Best solvency rating must be attached to the application. The Certificate shall clearly state that the coverage afforded thereunder will be in full force and effect for the duration of the performance/event. The amount of coverage afforded by said Certificate of General Liability Insurance shall not be less than the stated limits in the Insurance Addendum for the particular fireworks display. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG), its elected and appointed officials, employees, agents, volunteers, and successors in interest must be clearly shown within the body or upon the face of the Certificate of General Liability Insurance, to which reference is made above, as additional insureds. ***Owner agrees to indemnify and save them, and each of them, fully harmless to the extent of any and all claims, damages, losses, expenses, attorneys' fees, or other costs, that may result, directly or indirectly, from owner's fireworks or pyrotechnic displays. The obligation of the owner/applicant to indemnify and fully save harmless Lexington-Fayette Urban County Government, and the persons and entities herein identified is not limited to the coverage afforded by the Certificate of Insurance, and the owner's/applicant's obligation to indemnify shall be signified by the filing of said application, fully executed. The stated minimum amount of insurance coverage, \$2,000,000 per occurrence (private) or \$5,000,000 per occurrence (public) may, in the sole discretion of Lexington-Fayette Urban County Government, be increased based upon the size, scope, and perceived hazards of the performance/event, once the application, in all its parts, and the premises where the performance/event is to be presented, have been reviewed.*** Nothing in this provision, or in this subchapter, should be deemed, or considered to be a waiver of any form of immunity enjoyed by Lexington-Fayette Urban County Government, its elected and appointed officials, employees, agents, volunteers, and successors in interest, such immunity being specifically reserved.



Lexington-Fayette Urban County Council

TO: Shevawn Akers, Councilmember
1st District

FROM: Paul Schoninger
Research Analyst

DATE: September 14, 2015

SUBJECT: Assistance for Housing Code Compliance

This is in response to your recent request for information pertaining to the issue of financial assistance offered by other local governments for housing code compliance matters.

Numerous local governments offer financial assistance, including Lexington-Fayette County, for housing code compliance. The support comes in the form of federal funds, local general funds, housing trust fund proceeds and in at least 2 cases special revenue funds.

The federal funds come almost exclusively from the Community Development Block Grant (CDBG) programs. These funds are limited to income eligible owner occupied housing. Lexington currently uses a small portion of its CDBG funds for housing code compliance issues. Other communities that utilize federal CDBG funds for housing code compliance include Bellevue, WA; Grand Rapids, MI; Holland, MI; Atlanta, GA; New York City, NY; Richmond, VA; Ft. Wayne, IN; Cincinnati, OH; Chandler, AZ; Seminole County, FL; St. Petersburg, FL; Albany, NY; Providence, RI; and Baltimore, MD.

Local governments that utilize local or state housing trust fund monies to support code compliance issues include Charlotte, NC; Tampa, FL; Washington, DC; Madison, WI; Pittsburgh, PA; Charleston, SC; and Ann Arbor, MI.

Governments that utilize local general funds to support code compliance issues include Jersey City, NJ; Atlanta, GA; Albany, NY; Indianapolis, IN; Cleveland, OH; and New York City, NY. Both Buffalo, NY and Niagara Falls, NY utilize local casino tax revenue to support housing code compliance programs.

In addition to restricting support to income eligible owner occupied homes many of the communities limit or direct funds geographically to certain neighborhoods

If, after reviewing this memo and attached materials, you have any questions, comments or need clarification, please don't hesitate to contact me.

Paul Schoninger
Research Analyst

c: Sharon Murphy

Code Compliance Assistance

Planning and Public Safety Committee

October 13, 2015

Department of Planning, Preservation, and Development

Presentation Outline

- Overview
- Code Enforcement Process
- Assistance Programs
- Housing Violation Statistics
- Proposed Pilot Program

Overview

- The goal of code enforcement is a safe, well maintained community.
- Notices of violation, civil penalties and liens are tools to achieve compliance.
- These tools are effective in some cases, but not in others.
- Assistance programs can help get some properties to compliance more efficiently.



Code Enforcement Process

- Housing Cases
 - Violations of the International Property Maintenance Code.
- Nuisance Cases
 - Tall grass, trash and debris, indoor furniture outside, junk vehicles and other nuisances found in the Code of Ordinances.
- Sidewalk Cases
 - Failure to maintain sidewalks adjacent to property.



Code Enforcement Process

- Housing violations cannot be abated by LFUCG.
- Nuisance violations can be abated LFUCG.
- An appeal or eligibility for assistance programs stops the Code Enforcement process.
- Code Enforcement only inspects the exterior of a building, unless given permission to enter.



Assistance Programs

LFUCG

- Sidewalk Assistance Program
 - Covers 100% of cost for those that meet income requirements, 50% match for all others.
- Emergency Repair Program
 - HVAC, Plumbing, and Electrical up to \$5,000.
- Housing Rehab Program
 - Whole house rehab, does not include accessory structures.
 - Limited to \$25,000, except in the case of historic properties or environmental concerns.
 - Waiting list is currently one year long.



Assistance Programs

Outside Agencies

- Realtors Community Housing Foundation
 - Exterior home repairs.
 - Emergency repairs for HVAC, plumbing, and roofing.
 - Accessibility ramp program.
 - For elderly residents that meet income requirements.
- Community Action Council
 - Weatherization program.
 - Income eligibility requirements.
- Assisting Better Living Everywhere (ABLE)
 - Interior and exterior home repairs.



Assistance Programs

Opportunities

- There are gaps in assistance programs due to specific eligibility requirements and scope of eligible work.
- The escalating fine structure in the Code of Ordinances continues to increase civil penalties for un-repaired violations.
- With no ability to abate housing violations, LFUCG has limited options to help low-income homeowners with code compliance.

Housing Violations

Most Common Housing Violations in Last 12 Months

Violation	Number	Percentage
Paint Trim	1,793	3.6%
Paint Window	1,660	3.4%
Cornice Damage	1,474	3.0%
Repair Siding	1,005	2.0%
Window Glass	1,000	2.0%
Paint Exterior Door	973	2.0%
Structural Damage	899	1.8%
Paint Siding	887	1.8%
Downspouts	784	1.6%
Fences	722	1.5%
Gutters	689	1.4%
Total	11,886	24.1%

Housing Violations

Minor Exterior Violations in Last 12 Months

The following violation types accounted for 30% of all housing violations.

Paint Trim	Outbuilding Paint
Paint Window	Paint Columns
Cornice Damage	Paint Ceilings
Repair Siding	Paint Cornice/Trim
Window Glass	Paint Railings
Paint Exterior Door	Repaint Brick
Paint Siding	Paint Shutters
Downspouts	Paint Floor
Fences	Paint Exterior Stair
Gutters	Spot Paint
Paint Ceiling	Spot Paint Trim
Loose Gutter/Downspout	Dormer Cornice Paint
Outbuilding Paint	Dormer Siding Paint
Paint Columns	



Housing Violations

Civil Penalties

		Number of Re-Inspections				
		1	2	3	4	5+
Violations at Inspection	1 – 5	\$100	\$200	\$300	\$400	\$500
	6 – 10	\$200	\$300	\$400	\$500	\$750
	11 – 15	\$300	\$400	\$500	\$750	\$1,000
	16 – 20	\$400	\$500	\$750	\$1,000	\$1,500
	21 or More	\$500	\$750	\$1,000	\$1,500	\$2,000

Estimated Cost of Repairs

Common Violations

- Painting
 - \$65 per hour
 - \$100 per window
- Windows
 - Panes Replaced - \$50 per pane
 - Full Replacement - \$400 per window
- Siding
 - Minor Wood/Vinyl Repair – \$65 per hour
- Gutters
 - Under 50' – \$150 minimum
 - Over 50' – \$4.56 per linear foot
- Decks and Porches
 - Non-Structural Repairs - \$125 1st Hour, \$70 2nd Hour

Proposed Pilot Program

Homeowner Assistance Program

- Worked with the 2014 Leadership Lexington class to develop a program to assist low-income homeowners with code violations.
- The program is modeled after the sidewalk assistance program.
- Qualified property owners would be reimbursed for eligible repairs that have been cited by code enforcement.



Proposed Pilot Program

Guidelines

- The program is open to homeowners who have received a housing violation notice at their primary residence and who meet income and asset guidelines.
- The program provides a maximum of \$1,000 toward exterior repairs that have been cited by Code Enforcement.
- A homeowner may only receive assistance once within any 12 month period.
- Their must not be any outstanding liens or other debts owed to the LFUCG.
- The homeowner is required to pay for any work beyond the grant amount in order to become code compliant.



Proposed Pilot Program

Eligibility

- Eligibility will be determined using the same criteria as the sidewalk assistance program:
 - Income
 - At or below 125% of the current federal poverty guideline.
 - Currently \$30,312.50 for a family of four.
 - Assets
 - Liquid assets of \$5,000 or less; or
 - Equity in assessed value of non-homestead property of \$5,000.



Homeowner Income

Household Income in the Last 12 months

Income	Estimate	Percentage
Less than \$10,000	1,156	1.5%
\$10,000 to \$24,999	6,163	8.0%
\$25,000 to \$34,999	4,854	6.3%
\$35,000 to \$49,999	7,781	10.1%
\$50,000 to \$74,999	16,795	21.8%
\$75,000 to \$99,999	13,713	17.8%
\$100,000 to \$149,999	14,715	19.1%
\$150,000 or more	11,864	15.4%



Proposed Pilot Program

Process

1. Information about the program included with notices of violation.
2. Homeowner completes program application.
3. The Department of Social Services performs the income/asset qualification.
4. The Division of Code Enforcement will verify that the applicant meets all other guidelines.
5. If eligible, the homeowner will acquire three estimates for the work and submit them to Code Enforcement for approval.
6. The homeowner will select a contractor to perform the work.
7. Code Enforcement will inspect the work when complete, and issue a reimbursement to the homeowner.



Proposed Pilot Program

Funding

- Funding for the pilot is proposed in the amount of \$10,000 to be allocated from the nuisance abatement fund.
- Future funding will be evaluated based on the results of the pilot program.



Questions?

Housing Violation Process

- Complaint is inspected by Code Enforcement.
- Owner is given 30 days to repair or 20 days to appeal.
- If no action is taken, a final compliance letter is sent stating when civil penalties will be issued.
- Civil penalties are issued based on the number of violations and the number of re-inspections.
- Liens are filed based on unpaid civil penalties.
- The LFUCG can initiate foreclosure.



Nuisance Violation Process

- Complaint is inspected by Code Enforcement.
- Owner is given 14 days to address issue or 10 days to appeal.
- If no action is taken, Code Enforcement can abate the nuisance or issue civil penalties.
- Civil penalties are issued based on the number of complaints within a 12-month period.
- Liens are filed based on unpaid civil penalties.
- The LFUCG can initiate foreclosure.



Sidewalk Violation Process

- Complaint is inspected by Code Enforcement.
- Owner is given up to 60 days to repair or 20 days to appeal.
- If no action is taken, a final compliance letter is sent stating when civil penalties will be issued.
- Civil penalty are issued based on the square footage of unrepaired sidewalks.
- Liens are filed based on unpaid civil penalties.
- The LFUCG can initiate foreclosure.



Planning & Public Safety Committee Referrals

<u>Items</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
H-1 Notification Process	Farmer	1.19.13	Fall 2015-Winter 2016
Greenway Manual & Plan	Mossotti	10.8.13	June 2015
Explore Providing Assistance to Low Income Homeowners with Code Compliance	Akers	12.5.13	October 2015
Downtown Traffic Study	Farmer	4.13.12	May 2015
Merge Division of Emergency Management (DEM) into Fire & Em. Management Services	Public Safety Link	6.19.14	Winter-Spring 2015
Scrap Metal Dealers UCG Code 13.54-3	Farmer	6.23.14	Fall 2015-Winter 2016
Sky Lanterns	Farmer	6.24.14	Fall 2015-Winter 2016
Distribution of Unsolicited Advertising Supplements	Henson	4.21.15	Spring 2015
Armstrong Mill Small Area Plan	F.Brown	5.12.14	August 2015
Cardinal Valley Small Area Plan	Henson	5.19.15	Fall 2015-Winter 2016
Fireworks' Display Insurance	Bledsoe	7.2.15	September 2015
Drones - Unmanned Aircraft Systems (UAS)	Moloney	8.18.15	October 2015
Community and Market Gardens	Kay	8.18.15	Fall 2015-Winter 2016
Design Excellence ZOTA	Kay	8.18.15	September 2015
Design Excellence Standards & Guidelines	Kay	8.18.15	September 2015
Taxi Cab Ordinance	Henson	8.27.15	Fall 2015-Winter 2016
Snow Removal on Sidewalks Enforcement	Gibbs	8.18.15	November 2015
Officer Turnover in Community Corrections	Evans	9.1.15	Fall 2015-Winter 2016
Review Nuisance Ordinances	Gibbs	9.1.15	Winter-Spring 2016
Fire & EMS Vehicle Replacement Plan	F.Brown	9.8.15	Winter-Spring 2016
Body Cameras	Mossotti	9.22.15	November 2015