

**CITY OF MT. WASHINGTON
BULLITT COUNTY, KENTUCKY
ORDINANCE NO. 2021-18**

**AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE MT. WASHINGTON,
KENTUCKY CODE OF ORDINANCES CREATING A DOWNTOWN COMMERCIAL
BUILDING EXTERIOR IMPROVEMENT PROGRAM.**

WHEREAS Mt. Washington Code of Ordinances regulates the Downtown Business District to provide an inviting area in which to work and involve the public for the welfare of the community, and

WHEREAS the City Council finds that downtown exterior buildings are an important feature in the ability of a business to succeed, and that the appearance of the exterior buildings influence the streetscape of areas and enhance or detract from an area depending upon their maintenance, and

WHEREAS the City Council finds that a civic contribution to the maintenance and enhancement to downtown building exterior is an appropriate means to encourage improvements thereof, and

WHEREAS the City Council finds that a new Chapter is necessary to accomplish this beneficial public purpose.

**NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF
MT. WASHINGTON, KENTUCKY, AS FOLLOWS:**

Section 1. A new Chapter of the aforesaid Code of Ordinances is added to provide as follows:

**MT. WASHINGTON DOWNTOWN COMMERCIAL BUILDING EXTERIOR
IMPROVEMENT PROGRAM.**

(A) *Title.* This section and all ordinances supplemental or amendatory hereto, shall be known as the "Mt. Washington Downtown Commercial Building Exterior Improvement Program."

(1) Definitions pertaining to this chapter as follows:

Exterior Building: includes all sides of the exterior building and eligible costs listed in section (K).

Fiscal Year: July 1 through June 30 each year.

Property Owner: The person or entity named on the deed of the property. Tenants are not eligible.

Overhang: a part of something that sticks out or hangs over the roofline.

Facade: The face of a building, especially the principal front that looks onto street or open space.

(B) Purpose. The purpose of this section is to give downtown commercial building owners an incentive to improve the exterior of their buildings in a way that enhances the look of the downtown and maintains a reasonable historic consistency in design.

(A) Area covered: Map Area covered is defined as being both sides of South Bardstown Road and both sides of North Bardstown Road ending at the BP (Express Mart). A map of the defined area is attached hereto

(B) Funding of Grant.

- (1) Funding for this Grant will be awarded according to funding available each fiscal year and in compliance with this chapter. There is no guarantee of funding each year. Grant incentives shall not exceed the annual amount made available within the City's annual fiscal budget, as set forth within a current approved budget.
- (2) Funding will be based on a 60% contribution by the building owner and 40% by the City of Mt. Washington. The building owner must make a minimum investment of \$10,000 which will equal a \$4,000.00 reimbursement grant up to a maximum grant reimbursement of \$40,000 for an investment of \$100,000.00 or more.
- (3) If a project is not funded, because of limited funds, a new application will need to be submitted in future years for consideration.

(E) Application deadlines.

- (1) Applications will be accepted from July 1 through December 31 each fiscal year.
- (2) All projects must be completed on or before June 30 each fiscal year.

(F) Eligibility.

- (1) The applicant must be the owner of the property where the grant funds are to be applied.
- (2) The applicant must demonstrate that it is currently engaged in improving an existing exterior building, that the applicant has incurred costs for which it is seeking reimbursement, and that the improvement of the existing building exterior is of architectural significance to both the structure and the streetscape.
- (3) Only buildings in the area defined and set forth by map attached hereto will be eligible and the property location must be a commercial zone.
- (4) The Applicant/property owner must be in compliance with all City Code of Ordinances, Building and Fire codes. Applicant must also be current on all applicable taxes, licenses and permitting. Provided further, there shall be no mechanics liens attached to the property at the time of application and throughout all phases, including disbursement of payment.

- (5) Only those property owners that submit complete and comprehensive applications will be eligible.
- (6) Grant Recipients may not apply for funds covering two consecutive years; however, applicants can apply each year until awarded funds.
- (7) Property owners shall not apply for multiple property locations in the same year.
- (8) City employees and members serving on a city committee are not eligible to receive the grant.

(G) Design.

- (1) The City must approve the design of the project and comply with Chapter 158 Commercial Planning and Design for any funding of the project to occur.
- (2) A concept rendering of the exterior building improvement must be attached to the application.

(H) Oversight.

- (1) Applications will be accepted and reviewed by the City Administrator to ensure compliance with this ordinance. The City Administrator or his/her designee will have inspected the completed project and certify that the project is eligible according to provisions (E) *Eligibility* and (F) *Design* above.

(I) Forms.

- (1) Application. Applications will be available in a form created and maintained in the office of the City Administrator. A checklist will be attached to the application for validation of compliance with this ordinance.
- (2) Request for reimbursement. A request for “Reimbursement Form” will be available in the office of the City Administrator and created in accordance with this ordinance and shall be maintained as a record in accordance with the records retention set forth by the Kentucky Revised Statutes.

(J) Reimbursement.

- (1) Reimbursement will occur when the owner submits a request for reimbursement supported by an invoice by the contractor and supporting receipts. The request for reimbursement will not be processed or approved until the project is complete and the city's certified building official has approved the construction of the property location.

(K). Eligible Costs:

- (1) The following improvement costs are eligible for the grant:
 - a. All exterior sides of the building
 - b. Fixtures that are attached to the building
 - c. Streetscape and green space

- d. Repair, replacement, or addition of exterior shutters and awnings
- e. Repair and replacement of signs that are currently attached to the building
- f. Installation, repair, and replacement of exterior exit doors to provide public access, meet current Building and Fire Codes, and/or improve the overall appearance of the building
- g. Repair, replacement, and installation of exterior stairs, porches, railings
- h. Overhang extending out from the roofline on the front façade of the building
- i. Roofs, plumbing and any interior renovations are not eligible.
- j. Building permits and preparation of plans cost are not eligible.

(L) Contractor.

- (1) The owner is responsible for selecting, paying, and overseeing the contractor. This section does not create a relationship between the City, owner or contractor. This Ordinance does not guarantee payment to the contractor.

(M) Final decision.

- (1) This section is drafted to meet the intended purpose, if any clarification is needed it will be done by contacting the City Administrator.

Section 2. This Ordinance shall become effective upon passage.

Section 3. Should any section, clause, line, paragraph or of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

First Reading: October 25, 2021
 Second Reading: November 8, 2021
 Adopted this 8th day of November 2021
 Results of the Roll Call Vote are as follows:

	YES	NO	ABSTAIN
George Maddox	X	_____	_____
Dustin Armstrong	X	_____	_____
Greg Gentry	X	_____	_____
Sandra Hockenbury	X	_____	_____
Gayle Troutman	_____	_____	_____
Troy Barr	X	_____	_____

ATTEST:

 Barry Armstrong
 Mayor

 Elizabeth D. Hardin
 City Administrator