

ARTICLE VII. NEIGHBORHOOD IMPROVEMENT PROGRAM

Sec. 6-95. Purpose and uses.

The purpose of this article is to provide guidelines for implementation of the neighborhood improvement program (NIP). Implementation shall comply with the intent and purposes as approved by the City Commission. The article provides a description of the involvement and responsibilities of property owners and City departments.

(Ord. No. 19-9-1, § 2, 9-24-19)

Sec. 6-96. Introduction.

(a) *Neighborhood improvement program (NIP)*. It is the intent of the City Commission to implement a revolving loan program in order to promote proper maintenance of properties throughout the City. The loan program is intended to assist homeowners who have homes in disrepair and/or code violations who could not otherwise afford to bring their properties up to City standards. The City Commission has made a legislative finding that the expenditure of City funds to assist in maintaining private property serves a legitimate public purpose in enhancing and maintaining property values throughout the community.

The program is a comprehensive code compliance and property improvement program designed to help property owners improve properties and neighborhoods with the assistance of interest-free loans and other incentives, as further described in this article.

The City has adopted Code standards that include paved driveways, landscaping, and exterior housing conditions. Also, the City is required to insure that properties meet Broward County's drainage codes.

In addition, many owners have allowed their properties to deteriorate due to the lack of sufficient funds to make required repairs and improvements. As a result, signs of deterioration and blight are evident throughout many of the City's older subdivisions. These negative effects reduce property values and the standards of living.

Owners of eligible properties will be financially assisted to achieve compliance with code requirements and property maintenance.

Property owners will be responsible for the following, as applicable:

- (1) Compliance with parking requirements such as, installation or repairs to new or existing parking and paved driveway aprons;
- (2) Replacement of landscaping such as sod, shade trees and perimeter hedges;
- (3) Abate other apparent existing violations, such as zoning and general property maintenance deficiencies;
- (4) Improve structure appearance and deterioration such as cleaning and/or painting of exterior walls, repair or replace broken windows, doors and roof.

The City Manager implements the program in accordance with City Commission approvals. The City Manager is also authorized to resolve and approve NIP issues and modifications which do not constitute a change in the concept of the program.

(b) *NIP elements.* In order to address different types of code corrections and improvements to properties in the priority areas, the City Commission approved the following NIP program elements:

- (1) *Drainage and parking program.* It assists property owners in complying with the City's onsite parking, landscaping and drainage requirements. It provides for:
 - a. Installation of new or additional onsite paved parking and driveway apron for the required number of parking spaces;
 - b. Reconstruct asphalt or concrete pavement;
 - c. Repair sidewalks;
 - d. Wheel stops; and/or
 - e. Re-grading of swales and installation of storm drainage improvements.
- (2) *General property maintenance and repairs program.* It assists owners to improve the exterior condition of the property and eliminate other code violations, such as:
 - a. Repair or replace existing fences;
 - b. Repair broken or energy deficient windows and doors, and repair or replace roof;
 - c. Replace sod;
 - d. Replace shade trees;
 - e. Replace hedges, including dead or missing plant materials; and/or
 - f. Repair existing irrigation systems.
- (3) *Exterior paint.* It provides assistance for painting of the exterior of the structure, including painting tile or cement roofs. Interior painting is excluded.

Under the paint program property owners would pressure clean, paint and seal building exteriors to upgrade the appearance and durability of structures. Pressure cleaning and sealant application are required to ensure a quality and longer-lasting paint application.

The loan limits for the program are as follows:

- a. Parking, general property maintenance and repairs (total for programs 1 and 2, above): \$5,000.00 for single-family and residential properties, up to four units.
- b. Painting (total for program 3, above): \$1,500.00 for single-family and residential properties, up to four units.

(c) *Program Administration.* The Director of Growth Management is the NIP project manager. The Director reports to the City Manager and is responsible for the administration, monitoring, and all required coordination to effectively implement the program.

The Planning Division is the centralized point of contact and will coordinate, maintain and provide all technical, legal and financial information on properties participating in the NIP program.

(Ord. No. 19-9-1, § 2, 9-24-19)

Sec. 6-97. NIP program eligibility.

(a) *Priority areas and properties.* Properties which have outstanding code compliance citations or a report of structural and/or code deficiencies certified by the Building Division shall have priority over other properties within the program.

(b) *Types of properties.* Eligible types of properties under the NIP program, include the following:

- (1) Single family residences; and
- (2) Duplex and other structures containing up to four residential units.

Residential units are defined as units providing complete, independent living facilities for families, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(c) *Building Division inspection and survey of eligible properties.* The Building Division is responsible for the enforcement of health, safety, sanitation, and other City codes. It conducts daily inspections in designated areas of the City, to ensure all residential and nonresidential properties are maintained in accordance with City codes, and to identify violations. When necessary, notices of violation are issued to owners and tenants to obtain compliance with applicable codes. In cases of noncompliance, the Division issues civil citations to violators.

Owners of properties surveyed, regardless of the degree of noncompliance exhibited, will be given notification of deficiencies, obtained from the survey. They will also be provided notification packets containing the corrective actions and available NIP program incentives and application documentation.

To be eligible for participation in the NIP program, property owners must respond to the City's offer for a loan within 90 days of receipt of notice.

Owners failing to apply for a loan within 90 days will be ineligible for that assistance, and may be subject to issuance of notices of violation and further enforcement action to ensure compliance.

(d) *Owner's inquiry on the NIP program.* If a property owner has not received notification of deficiencies from the City and is interested in obtaining information on the NIP program and/or eligibility for his/her property, he/she must contact the Planning Division and provide personal and property information. The Planning Division will verify the information received and the case will be referred to the Building Division for inspection and survey.

(e) *Waiting list.* If NIP program funds are not available at the time an application for loan is submitted to the City, owner's name and location will be placed on a waiting list. The waiting list will be maintained by the Planning Division and organized by the date the application was received by the City. Processing of cases in the waiting list will be subject to availability of funds. Priority will be given to those requests involving health and welfare matters over aesthetics, i.e., roof repairs over landscaping and/or painting.

(Ord. No. 19-9-1, § 2, 9-24-19)

Sec. 6-98. Loan application and processing.

(a) *Application form and attachments.* The application form constitutes the main source of information to evaluate the applicant and the property. A sample of the application form may be obtained in the offices of the Planning Division during normal business hours. In addition to the application form, the applicant must also submit photocopies of the following documents:

- (1) Letter from the Building Division with a list of Code deficiencies.
- (2) Estimated price proposal from a minimum of three contractors.
- (3) Property deed.
- (4) Most recent property tax bill from Broward County.
- (5) Homeowner's insurance and flood insurance policies.
- (6) Recent mortgage statement, showing current balance.

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- (7) Two years of tax returns, including W-2's.
 - (8) Bank statement for checking and savings accounts.

As a condition to be eligible, existing City service charges, City lien payments, property taxes and insurance must be current. If the review of the application shows any amount due, the applicant will be notified of the requirements before the review can proceed. Only those owners of record at the Broward County Property Appraiser's Office, or those with other supportive legal documentation are allowed to complete and submit an application for an NIP loan. Incomplete applications and/or missing attachments will delay the acceptance and review of the loan application.

- (b) *Eligible work.* The items listed in section 6-96(b) hereof are eligible for funding under the neighborhood improvement program. Any item not listed in the program can only be included, if such item is already installed on the property and needs to be repaired or replaced. For example, the improvement will not be a new addition to the property. Further, an item not included on the list of eligible work and requested by the property owner, must be reviewed and approved on a case-by-case basis by the Director of Growth Management.
- (c) *Additional monies/funds from owner.* Property owners must contribute a minimum of 25 percent of the value of the proposed improvements. No final disbursement will be approved on the loan until all the proposed improvements have been completed, including those not directly funded by the NIP loan.
- (d) *Review of the application form.* If the application is complete, it will be reviewed by the Planning Division to determine eligibility, property condition, and that improvements are in accordance with program requirements. This review will include an inspection of the property to verify proposed repairs and/or improvements are comprehensive of actual work required to conform to the minimum code standards as well as Building Division survey, and to substantiate that the loan amount requested by the property owner is relative to the submitted cost estimates and scope of work. Following the review by the Planning Division the application will be forwarded to the following departments for review and comments:
 - (1) Finance;
 - (2) Growth Management;
 - (3) Public Works (if required by type of proposed improvements); and/or
 - (4) Building.
- (e) *Loan approval.* Upon the review and approval of all the departments, the Planning Division will issue a conditional loan approval letter. The loan closing will be subject to the receipt of contractor's proposal(s), building permit(s), and signing of the loan promissory note. From the date of notification of approval of the application, the property owner will be required to submit contract(s) from the contractor(s) and permit application(s) to the Building Division within 60 days. Failure to comply may result in the revocation of application approval. Improvements must be completed within 120 days from the date of loan closing or as otherwise determined by staff based on the type and extent of work.
- (f) *List of contractors.* The City, in an effort to assist applicants, will provide, upon request, a list of contractors that have agreed to respond to requests for estimates from property owners within a few working days. Owners may utilize one or more of the names or obtain a contractor of choice. Names of contractors may be available in the following categories:
 - (1) General contractors.
 - (2) Specialty contractors for paving, painting, roofing, replacement of doors and windows.

The City will not be responsible for any action, occurrence, negligence or omission on the part of any contractor or resulting from a contractor whose name was provided. The City is providing owners with referral names, stipulating only that such contractors are properly registered with the City, have required licensing and

posted a certificate of insurance with the City. The City takes no responsibility for the quality of the contractor or the work to be performed and the provision of said list is in no way intended as any guarantee or warranty of workmanship or merchantability.

- (g) *Construction contracts and scope of work.* Following review of the contractor's proposals, owners may enter into contracts with one or more of the contractors for the needed improvements. Contracts must be specific and detail all improvements and related costs, must be reasonable and include signatures and dates of acceptance from both, the contractor and the property owner. Applicants must submit contract(s) for repairs and/or improvements and apply for building permits within 30 days following approval of the application.
- (h) *Completion of improvements.* Improvements to the property must be completed within 120 days from the date of loan closing, or as otherwise approved by the City.

(Ord. No. 19-9-1, § 2, 9-24-19)

Sec. 6-99. Loan closing and construction.

- (a) *Requirements for loan closing.* If an application has been reviewed and approved, the Planning Division will notify the property owner of loan approval. From the date of notification, the property owner will be required to submit work contract(s) from the contractor(s) and permit application(s) to the Building Division within 60 days. Failure to comply may result in the revocation of loan approval. The Finance Department will prepare the required loan promissory note, to be executed by the owner(s) at the day of closing.
- (b) *Building permit.* Required building permits must be obtained before any construction work is started. The City will waive the cost of City required permit fees associated with the improvements to be completed under the NIP program. The property owner and/or contractor(s) will be notified of building permit approval following review by the appropriate City staff. Within 30 days of notification, the owner and/or contractor must acquire the actual permits from the Building Division. Failure to acquire the permits within this time period may result in cancellation of the permit(s) and cause revocation of the loan approval.
- (c) *Promissory note and lien.* As part of the requirements for closing on the loan, owners must execute a loan promissory note. The Finance Department may record a lien for the full amount of the loan in the public records of Broward County.
- (d) *Inspections and disbursements.* All requests and information regarding property inspections, approvals, requests for payments and other issues related to the NIP program are to be directed to the Planning Division. The Planning Division will:
 - (1) Have an inspection of the property conducted by the Building Division to verify proposed repairs and/or improvements noted on the submitted cost estimate(s) are comprehensive and include all work required to conform to the minimum code standards as well as the Building Division survey.
 - (2) Substantiate that the loan amount requested by the applicant is consistent with the submitted contracts and scope of work.
 - (3) Be advised by the property owner of any difference or discrepancies with the approved scope of work and also be notified of start and completion of the different construction activities.
 - (4) Coordinate and obtain necessary building permit information and required inspections and approval from the Building Division.
 - (5) Receive requests for loan disbursements and process same in accordance with the requirements set by the Finance Department, including necessary back-up documentation and proper verification of work completed. The City will issue two-party checks, with both names, property owner and contractor.

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- (e) *Final inspection and disbursement.* The Planning Division will process the final disbursement of the loan in accordance with the requirements set by the Finance Department, including necessary back-up documentation and proper verification of work completed. The Building Division will conduct required final inspections based on the building permits.
 - (f) *Notification to Broward County Property Appraiser.* After completion of the improvements and required final approvals, the Building Division will send the permit information to the Broward County Property Appraiser to properly update the assessed value of the property.
 - (g) *Loan payments and responsibilities of property owner.*
 - (1) Only 50 percent of the loan amount is to be paid interest free over a period not to exceed ten years, and as further detailed in the loan promissory note. The balance of the loan shall be waived, subject to the provisions of paragraphs (7), (8) and (9) below.
 - (2) The required minimum payment is \$75.00 per quarter. Staff will work with owners who wish to accelerate the repayment schedule or who wish to make payments other than monthly.
 - (3) An application fee of \$100.00 is required at closing, which may be included in the loan amount.
 - (4) An incentive will be offered for owners wishing to prepay the loan whereby the City will refund the application fee.
 - (5) All payments and penalties on loans will accrue to the loan fund and will be placed in a special account to be used to issue new loans in the future, as determined by the City Commission.
 - (6) The Finance Department will produce a periodic billing for the loan and will assess a \$10.00 late fee if payment is not received within ten days of the due date. If payment is not received after 30 days, an additional \$30.00 will be added to the bill. If no payments are made for a three-month period, except for required quarterly payments, the loan will be considered in default and the loan amount granted by the City, plus penalties, may be pursued legally.
 - (7) Failure to maintain current loan payments, payments for City services, current property taxes and insurance and/or properly maintaining the completed improvements may result in a request for payment in full.
 - (8) If property is transferred within three years of loan closing, the full amount loaned plus six percent interest must be paid to the City.
 - (9) If property is transferred after three years of loan closing, the balance of the loan minus 50 percent of the amount loaned must be paid to the City, and as further detailed in the loan promissory note.

(Ord. No. 19-9-1, § 2, 9-24-19)

Sec. 6-100. Reporting.

- (a) *Quarterly reports.* A quarterly report on the NIP program will be prepared by the Planning Division, to include:
 - (1) Information on properties surveyed by the Building Division;
 - (2) Waiting list cases;
 - (3) Loan applications submitted and approved;
 - (4) Loans closed; and
 - (5) Loan disbursements.

The report will be submitted to the office of the City Manager by the 10th day following the end of each quarter.

(Ord. No. 01-5-2, § 1, 5-22-01; Ord. No. 19-9-1, § 2, 9-24-19)

Secs. 6-101—6-109. Reserved.