

CDBG 101





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WELCOME & INTRO

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APPLICATION PROCESS



ALLOCATION

The money that Lackawanna County receives each year for the CDBG program is allocated to both Entitlement and Non-Entitlement Communities. There are 11 Entitlement Communities that receive funding based on their population. Non-Entitlement communities provide project proposals for consideration to receive part of Lackawanna County’s direct allocation. Funding for 2014 was distributed as follows:

Lackawanna County Non-Entitlements \$ 251,362	Admin/Delivery \$ 45,245	Funding available for projects \$ 206,117
Entitlement Communities \$1,124,092	Admin/Delivery \$ 202,337	Funding available for projects \$ 921,755
2014 CDBG Allocation \$1,375,454	2013 Allocation \$1,349,165	2012 Allocation \$1,337,330



APPLICATION PROCESS TIMELINE



APPLICATION ITEMS

1st Quarter -

- Mail Application Packets – includes entire application and Needs Assessment
- Advertise dates & times of each community's public hearings
- Public Hearings – review and edit Needs Assessments to assist in selecting a project

2nd Quarter -

- Communities submit projects to Office of Economic Development
- Project qualification will be done by survey unless presumed benefit

3rd Quarter

- Resolution needed from each community approving County to apply for the project on the community's behalf
- Cost Estimates and scope of work need to be supplied for each project

3rd/4th Quarter –

- Advertise and conduct second public hearing to discuss project proposals
- Application for Entitlement and Non-Entitlement Communities submitted to DCED
- Environmental Review Process Begins



APPLICATION PROCESS TIMELINE



- ▶ **Income Verification (Survey)**
- Income surveys are a vital part of the CDBG Program
- Service Area Determination
- Principal responsibility for determining the area surveyed by the project/activity rests with each sub-grantee. (Aerial map of the service area, narrative that defines the primary beneficiaries, discussions with project engineer.)
- The records needed to demonstrate compliance under LMA national objective include the boundaries of the service area and the basis in determining those boundaries and the percentage of Low to Moderate income persons in the service area and the data used for determining that percentage.
- Families vs. Households
 - Family – All persons living in the same household who are related by birth, marriage, or adoption
 - Household – All persons who occupy a housing unit
 - When we are conducting an income survey, we are measuring a 'TOTAL FAMILY INCOME'



APPLICATION PROCESS TIMELINE



- ▶ **Income Verification (Survey) Cont'd**
- Determining the type of survey to use:
 - ▶ Mail
 - ▶ Phone
 - ▶ Door to Door
- The size of the service area will help you determine the type of survey that you will use. On larger service areas you will use a combination of all three types. On smaller service areas you will likely use the door to door process.
- Questions that you can ask to residents to ensure the results are not biased:
 - ▶ “Your borough/township is applying for funding and must provide certain demographics of the service area”
 - ▶ “Your borough/township is applying for funding and must provide current estimates of the incomes of the residents in the service area.”



APPLICATION PROCESS TIMELINE



- ▶ U.S. Census Bureau – 2010
- The Census Block data may be used in place of a survey where applicable.



APPLICATION PROCESS TIMELINE



▶ Environmental Review Record (ERR) What it is and How it works

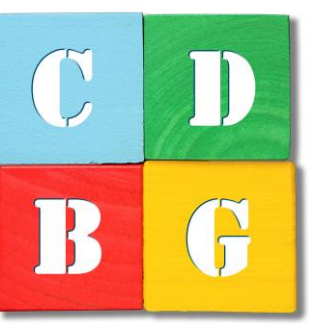
- ▶ **Overview:**
- ▶ Every project funded through CDBG is subject to the provisions of the “National Environmental Policy Act of 1969” (NEPA) and the “Code of Federal Regulations 24 part 50 and 58”(CFR). The Environmental Review Record (ERR) assures these policies and regulations are followed to HUD standards.
- ▶ The (ERR) is designed to be a planning tool used by jurisdictions and citizens *before* decisions are made, to determine if the impacts of federally funded projects will have an effect on the environment, or if the environment will have an effect on the project.
- ▶ Once the Environmental Review Record is approved, it is good for 5 years .
- ▶ If the scope of the project changes at any time a new ERR must be completed on the new course of the project.



APPLICATION PROCESS TIMELINE



- ▶ **Environmental Review Record (ERR)
What it is and How it works**
- ▶ **How it Works:**
- ▶ **Before taking any physical action at a site, and before making a commitment or expenditure of HUD funds, a number of forms must be completed:**
 - ▶ **Permit Application Consultation Tool (PACT)**
 - ▶ **Pennsylvania Natural Diversity Inventory (PNDI)**
 - ▶ **State Historic Preservation Officer (SHPO) Consultation Form**
 - ▶ **Statutory Checklist- Environmental Review for Activity/ Project cost 58.5 Form**
 - ▶ **Finding of No Significant Impact (FONSI)**
- ▶ **Once all the forms are completed the path to release of funding begins. On the whole, the process averages about 3.5 months from this point. Newspaper publication, letter notifications, and required waiting periods for public comments and local agency replies determine the timing.**



APPLICATION PROCESS TIMELINE



▶ ERR Typical Timeline

▶ Day One:

- ▶ Perform PACT
- ▶ Perform PNDI
- ▶ Mail SHPO Form
- ▶ Mail first round of local letters.

▶ Day 45:

- ▶ Provided there are no negative replies
- ▶ Mail Request for Release of Funds Form to DCED
- ▶ -If there are negative replies, they must be addressed and approved before the RROF can be mailed

▶ Day 30:

- ▶ Provided SHPO & PNDI Replies are Back
- ▶ Advertisement "Finding of No Significant Impact With Intent For Release of Funds" may be placed in Newspaper.
- ▶ Mail 2nd round letter with FONSI to local offices.

▶ Days 60 to 105:

- ▶ A signed "Authority to Use Grant Funds" form derived from the RROF should be received from DCED.
- ▶ The Receipt Date of the "Authority to use Grant funds is the official date the ERR is Active.



APPLICATION PROCESS



TIMELINE

1st Quarter – Following year

After the ERR process is finished and approved there is Engineering.

This may be done one of two ways:

- Your community secures and pays for an engineer to develop your plans for your project. This allows more money for your project directly.**
- Lackawanna County solicits engineering firms through an RFP process (approximately 2 months to complete) and decides on an engineer to develop plans for your project**
- Please keep in mind that the Engineering process takes time.**



APPLICATION PROCESS



TIMELINE

Your plans are finished. Lackawanna County needs to take time to review them and to insert some items before bidding can begin. Because these are Federal funds administered by the Commonwealth the following need to be included:

- **Bidding Documents-materials/quantities, scope of work and Invitation to Bid**
- **Wage rates (Davis/Bacon Determination)**
- **Minority Business Enterprise/Woman Business Enterprise & Section 3 List (MBE/MWB - 5 county distribution)**
- **NOTE: Even if your community is putting money toward your project, Federal CDBG Guidelines and Rules must be followed. Your project cannot start without notification from Lackawanna County.**

We are now ready to advertise!!!



APPLICATION PROCESS



TIMELINE

Advertisement for Bids to Contract Award : (this process can take 2-4 months)

- **Ad must run 2 times – within 10 days not less than 3 days apart. Example: 1st ad on Wednesday, 2nd ad would need to be the following Sunday or after but within 10 days of the first ad.**
- **Bid Solicitation - Bidding packets are available for pick up**
- **Pre-Bid Conference – all interested parties MUST attend. Any questions about the project scope will be covered at this time.**
- **Bids opened by the Controller – review of Unit Prices, contractor eligibility, MBE/WBE/Section 3 information**
- **Successful bidder notified of award**
- **Prepare Cooperation Agreement and Contract Award Resolution**
- **Pre-Construction Conference and Notice to Proceed**



APPLICATION PROCESS



NEEDS ASSESSMENT

Needs Assessments are necessary tools for both communities and for Lackawanna County. Not only are they an integral part of your planning process for choosing projects, but they are required to be included within the CDBG applications.

Needs Assessments are to be updated annually by each community.

Be advised that you may not have a need for items in all categories. It is required to list the need/problem, the area of the need/problem and the priority of the need. The following are the categories included on every Needs Assessment:

- Water System – includes inadequate water, water pressure and hydrants
- Sanitary Sewer System
- Storm Sewer System
- Housing Rehabilitation – owner-occupied or renter-occupied
- Housing Construction/Reconstruction – must have lack of affordable housing
- Public/Community Facilities – Senior or Health Centers, Shelters, Group & Nursing Homes
- Recreation Facilities



APPLICATION PROCESS



NEEDS ASSESSMENT

Continued:

- Public Services – child care, health care, recreation programs, public safety, job training
- Street/Road Improvements – paving, sidewalks, lighting, signals
- Parking facilities
- Historic Preservation
- Removal of Architectural Barriers
- Solid Waste Facilities
- Code Enforcement – Establishment of expansion of code enforcement
- Economic Development – infrastructure or direct assistance (loans) for businesses
- Acquisition, Clearance/Demolition – development purposes (economic development) or health and safety reasons, housing, etc.
- Utilities (other than water/sewer)
- Planning – comprehensive plans, zoning, subdivision, sewage facilities, housing planning, public/community facilities, etc.



APPLICATION PROCESS



Revisions & Modifications

- Revisions and Modifications are a vital step in the budgeting Process
- Revisions are completed by Lackawanna County Employees and submitted to DCED for approval when a Municipality has decided to move funds from one existing project to another existing project.
 - A Public Hearing is NOT required for Compliance.
 - Resolution must be adopted
- Modifications are completed by Lackawanna County Employees and submitted to DCED for approval when a Municipality has decided to delete or create a new project. Funds will be moved between the two projects.
 - A Public Hearing is required for Compliance.
 - Resolution must be adopted



Intermission



PRESUMED TO BENEFIT LMI RESIDENTS



▶ Removal of Architectural Barriers

- ▶ “Removal of architectural barriers to mobility for elderly or the severely disabled will be presumed to qualify under the Limited Clientele National Objective.”

- ▶ The following Activities may qualify under this Objective:

- ▶ Handicapped Curb Cuts
- ▶ Handicapped Accessible Bathrooms
- ▶ Handicapped Ramps (outside and inside)
- ▶ Elevator Installation



PRESUMED TO BENEFIT LMI RESIDENTS



Handicapped Curb Cuts



CDBG funding can be utilized for the installation of Handicapped Curb cuts throughout the applying Borough or Township.





PRESUMED TO BENEFIT LMI RESIDENTS



Handicapped Accessible Bathrooms



Municipalities can utilize CDBG funding at Public Facilities throughout the Municipality for the removal of architectural barriers. One of these activities are the installation of hand rails, lowering of sinks, and widening of doorways to allow handicapped access.





PRESUMED TO BENEFIT LMI RESIDENTS



Handicapped Ramps

This photo was taken at the Clarks Green Municipal Building and it illustrates the use of CDBG funds that can be used to assist handicapped persons in granting access to Public Facilities.





PRESUMED TO BENEFIT LMI RESIDENTS



Handicapped
Ramps

This photo was taken at the Newton-Ransom Recreation center that had received CDBG funding to assist Handicapped persons within their community to gain access to this Public Facility



PRESUMED TO BENEFIT LMI RESIDENTS



Elevator Installation

If a Public Facility has no other means of granting Handicapped Access throughout their Facility, CDBG funds may be used for the installation of ADA Compliant Elevators within the Facility.

For Federal Fiscal years 2011 and 2012 we used CDBG funds to fund two Elevator Projects within Lackawanna County.





PRESUMED TO BENEFIT LMI RESIDENTS



EQUAL HOUSING
OPPORTUNITY



CDBG funding is available for the acquisition and rehabilitation of homeless shelters or group homes for persons with special needs. These type projects are qualified under the Limited Clientele National Objective.



PRESUMED TO BENEFIT LMI RESIDENTS



This deck was added to the Moscow Senior Center with the use of CDBG funds. This was a fundable project based on Limited Clientele National Objective.



PRESUMED TO BENEFIT LMI RESIDENTS



► Historic Preservation

All CDBG assisted historic preservation and heritage tourism activities must meet a National Objective. The activity must benefit low and moderate-income persons, prevent or eliminate slums, or blight, or be designed to meet a community development urgent need.

For example:

The preservation of a building used for a community center that serves residents in an area that is 51% low and moderate income or a facility that serves residents who are presumed to be LMI.

Pictured to the right is Moffat Estate located in Covington Township. This structure received CDBG funding for Historic Preservation to house educational services.





PRESUMED TO BENEFIT LMI RESIDENTS



➤ Public Services

- The CDBG regulations allow the use of Grant funds for a wide range of public service activities that include:
 - Employment Services (i.e. job training)
 - Crime Prevention and public safety
 - Child Care
 - Health Services
 - Substance Abuse services (i.e. counseling and treatment)
 - Fair Housing Counseling



PRESUMED TO BENEFIT LMI RESIDENTS



➤ Public Services

- Education Programs
 - Energy Conservation
 - Services for Senior Citizens
 - Services for Homeless Persons
 - Welfare Services (excluding income payments)
 - Recreation Services
- CDBG Funds may be used to pay for labor, supplies, and material as well as to operate and/or maintain the portion of the facility in which the public service is located. This includes the lease of a facility, equipment, and other property needed for the public service.



ELIMINATION OF SLUM AND BLIGHT



- ▶ Clearance activities are usually related to demolishing structures or preparing a site for development. An example of this would be the demolition of a dilapidated structure to be used for a non profit establishment or youth park. Eligible Activities are as follows:
 - ▶ Demolition of buildings and improvements
 - ▶ Removal or demolition products, rubble, and other debris
 - ▶ Physical Removal of environmental containments or treatments of such containments to render them harmless
 - ▶ Movement of structures to other sites.
- ▶ Clearance may qualify under the Slum and Blight Area category if the clearance activities are in an area designated by the grantee as a slum or blighted area and address one or more conditions which contributed to the deterioration of the area. Clearance may also qualify under the Spot Blight category if the activity eliminates specific conditions of blight or physical decay on a spot basis not located in a designated slum/blight area.



PROJECTS THAT REQUIRE INCOME VERIFICATION



➤ Storm & Sanitary Water Reconstruction

▶ Examples:

- Archbald Borough Storm Sewer on Gaughan Court
- Dickson City Storm Water on Boulevard Avenue
- Old Forge Storm Sewer on Sampson Street
- Throop Borough Sanitary Sewer on Kossuth Street
- Jessup Borough Sanitary Sewer on Mylert Street
- Dickson City Sanitary Sewer on Grier and Main Ave.
- Mayfield Storm Sewer on Hill Street



PROJECTS THAT REQUIRE INCOME VERIFICATION



➤ Street Improvements

Examples:

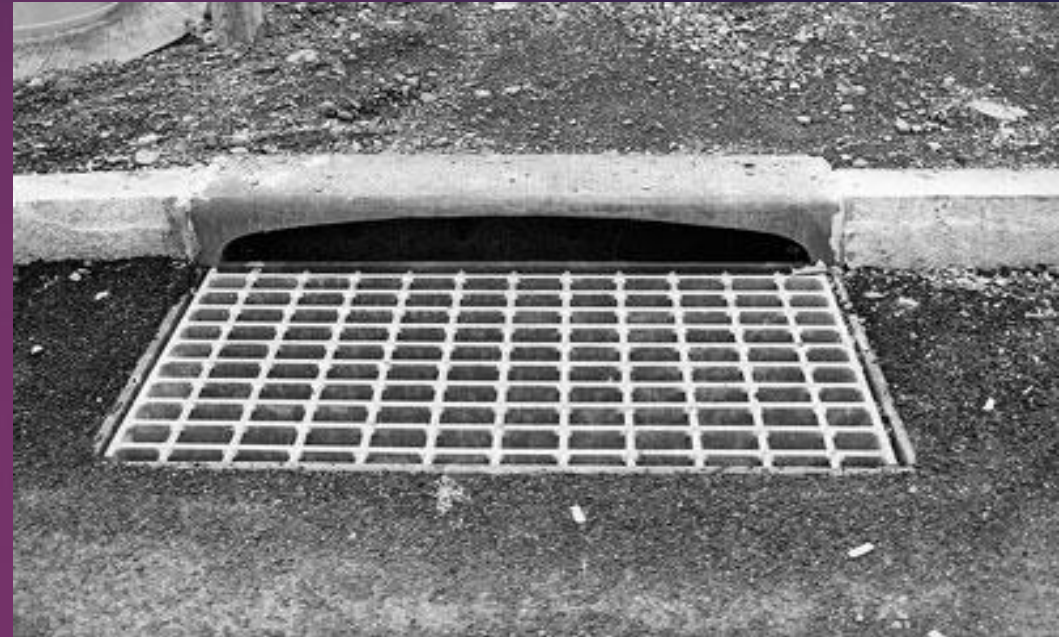
- Clarks Summit Street Improvements on Bedford St.
 - ❖ Curbs and Sidewalks
- Scott Township Street Improvements on Dennis Rd.
 - ❖ Paving
- Dunmore Street Improvements on Multiple Streets
 - ❖ Paving
- Jessup Street Improvements on Winton & Church St.
 - ❖ Paving
- Scott Township Street Improvements on Ackerly Rd.
 - ❖ Paving



PROJECTS THAT REQUIRE INCOME VERIFICATION



Street Paving, Storm Water work & Curbing/ Sidewalks are common projects that CDBG funds.





PROJECTS THAT REQUIRE INCOME VERIFICATION



► Housing Rehabilitation

- Subsidies will be awarded to individuals who complete a financial determination and eligibility interview designed by HUD and administered by the County. Participants must have verified annual gross household incomes at or below 80% of median income for Lackawanna County.
- Typical housing rehab assistance amounts to \$24,999.00 per unit. Any rehabilitation job that exceeds this amount will require lead abatement. All rehabilitation items needed to bring the property up to minimum code standard MUST be completed.
- Owners must provide proof that real estate taxes (local, county, and school) are paid and that their homeowners insurance policy is up to date.
- Items that are most commonly addressed include roofs, porches, windows, steps, electrical units and other structural issues, as well as plumbing.
- Sanitary sewers can also be covered under rehabilitation (both laterals and on-lots). When an on-lot sanitary sewer is installed, the house must also be rehabbed and brought up to code.



PROJECTS THAT REQUIRE INCOME VERIFICATION



► Housing Rehabilitation Cont'd

- There are legal instruments that are filed at the Lackawanna County Clerk of Judicial Records that enforce a repayment of the grant if the assisted homeowner sells the rehabbed structure. The regulations are as follows:
 - If the rehabilitated property is sold by the owners within one year of the date of Grant Award, the TOTAL GRANT (100%) must be repaid to the County
 - If sold within one to two years of the Grant Award, EIGHTY PER CENT (80%) of the grant must be repaid
 - If sold within two to three years, SIXTY PER CENT (60%) of the grant must be repaid
 - If sold within three to four years, FORTY PER CENT (40%) of the grant must be repaid
 - If sold within four to five years, TWENTY PER CENT (20%) of the grant must be repaid.
 - If sold after five years, there is no repayment.



PROJECTS THAT REQUIRE INCOME VERIFICATION



► Housing Rehabilitation Timeline

- Interested homeowners contact us
- Our Housing Rehab Team goes out to each house and assesses the issues
- Applications are sent out and applicants must come in for a full financial qualification (2 weeks)
- Once an applicant is qualified, an ERR must be completed before a job may start (up to 105 days)
- Applicants will be given a bid packet complete with write-up and must obtain bids from at least 2 contractors (up to 30 days)
- Once bids are received the lowest, most responsible bidder will be chosen for the job
- Grant awarded applicants must come in for a grant signing and are responsible to pay the filing fee for a property lien on their house
- Contractors have 60 days from the date of the proceed order to complete the rehab job
- Once a job is completed a final inspection is done and, if satisfactory, paperwork to pay the contractor can be submitted

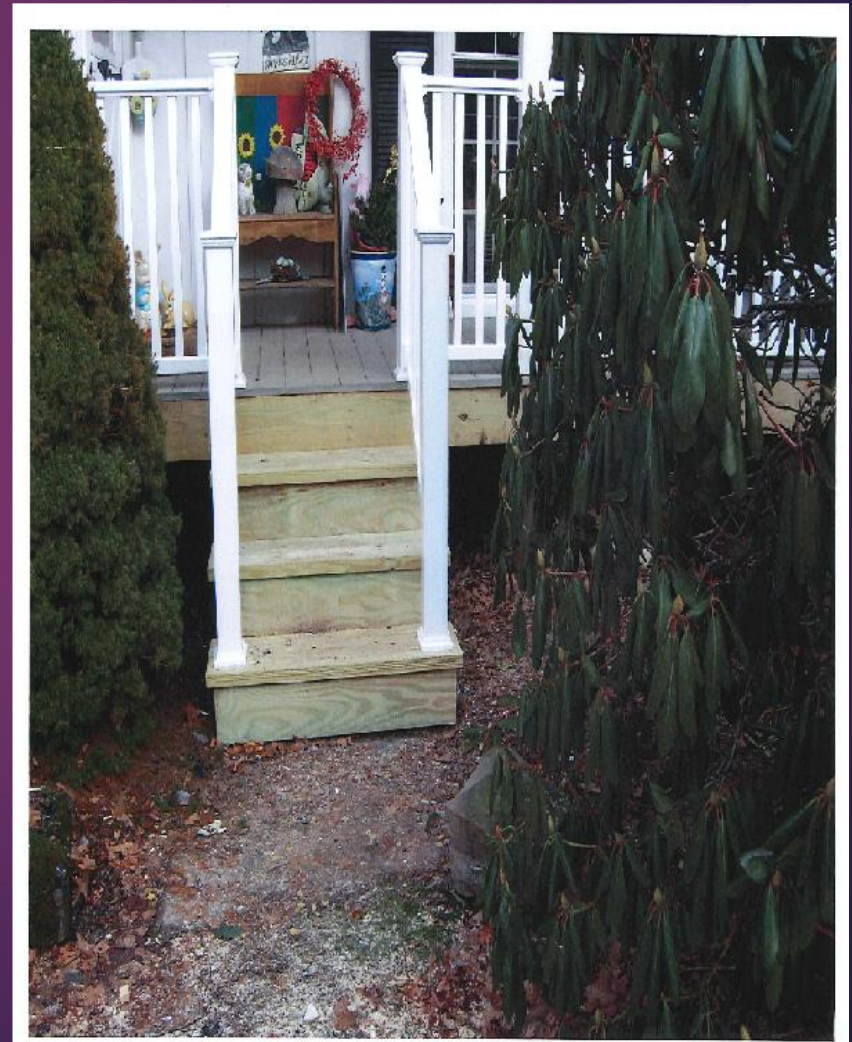


PROJECTS THAT REQUIRE INCOME VERIFICATION



▶ Before

After





PROJECTS THAT REQUIRE INCOME VERIFICATION



Before

After





PROJECTS THAT REQUIRE INCOME VERIFICATION



► Fire Hydrants

Municipalities can use their CDBG funding to fund a fire hydrant program within their community.

Residents who would primarily benefit from the installation of a fire hydrant would need to be surveyed and be at least 51% low to moderate income.





FAIR HOUSING INITIATIVE



Fair Housing Statement

- A notice that advises all residents of Lackawanna County, excluding the cities of Scranton and Carbondale, that the following actions, if based on race, color, religion, sex, national origin, family status, or handicapped are determined discriminatory:
 - Refusing to sell or rent to, deal, or negotiate with any person
 - Discriminating on terms or conditions for buying or renting housing
 - Discriminating by advertising that housing is available only to persons of a certain race, color, religion, sex, national origin, family status, or handicap
 - Denying that housing is available for inspection, sale, or rent when it really is available
 - Blockbusting-for-profit: persuading owners to sell or rent housing by telling them that minority groups are moving into the neighborhood
 - Denying or making different terms or conditions for home loans by financial institutions
 - Denying anyone the use of or participation in any real estate services, multiple-listing services or other facilities related to the selling and renting of housing

All Lackawanna County residents are notified that John Petrini is the Fair Housing Officer and if there are any complaints they can research our website or call him personally.



IMPORTANT UPCOMING DATES



- **June 18th – Non-entitlement proposals due**
- **June 18th- Entitlement projects submitted**
- **June/July – Review and qualify project proposals**
- **August 2015 – Application kit for FFY 2015 funds received by County**
- **September 2015 – Applications due to DCED for FFY 2015 funding**



QUESTIONS AND ANSWERS



- ▶ **What is “Disposition” :**
- ▶ **Disposition refers to the sale, lease, and donation of real property. When Grantees choose to dispose of real property acquired with CDBG funds, costs associated with the disposition are CDBG-Eligible. Examples of these activates are:**
 - ❑ **Preparation of Legal Documents**
 - ❑ **Surveys**
 - ❑ **Marketing**
 - ❑ **Financial services**
 - ❑ **The transfer of taxes**
 - ❑ **Other costs involved in the transfer of ownership**
 - ❑ **Reasonable costs of temporarily managing property acquired under urban renewal until final disposition is made. Costs of long-term management of properties for which there are no plans for disposition in the near future are not eligible.**



QUESTIONS AND ANSWERS CONT'D



- ▶ “Is paving of a volunteer Fire Departments parking lot that also serves the public as the general voting destination eligible and fundable?”
- ▶ Unfortunately, the answer to this question is, No. In order to do any work to a fire house or its property, the primary area benefited by the fire house must be of low to moderate income. CDBG funding must meet one of the three National Objectives set forth by HUD.



QUESTIONS AND ANSWERS CONT'D



Open Discussion



Thank You for your attendance!



APPENDIX



▶ ERR Form Descriptions:

- ▶ Permit Application Consultation Tool (PACT). By answering the electronic 48 question form, a response will be generated by the DEP outlining all applicable state agency permits necessary for the project.
- ▶ Pennsylvania Natural Diversity Inventory (PNDI). This electronic map must be completed on the proposed project and site. The PA Game Commission, Pa Department of Conservation and Natural Resources, Pa Fish and Boat Commission, and U.S. Fish and Wildlife Service will generate a response if more information is required before project may proceed.
- ▶ State Historic Preservation Officer (SHPO) Consultation Form. This form must be mailed to the Harrisburg historic preservation specialist along with an in depth project description of street maps, neighborhood maps, topographical maps of the area, and photos of the project/site area. If the project involves altering buildings or structures, digging in the ground, disposing of real property, or changing land use, there is probably the potential for effects on historic properties. The specialist will return the form with a determination of either historical /archeological significance requiring more information or a "no effect" determination.
- ▶ Statutory Checklist. This checklist is set out in the *Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Form*. The form covers 16 separate environmental compliance factors made up of statutes, executive orders, and/or regulations. Each topic must be researched to note the compliance of the project to the authority statute, regulation, and/ or executive order. Environmental factors include: Airport Hazards, Coastal Barrier Resources, Flood insurance, Clean Air, Coastal Zone Management, Contamination and Toxic Substances, Endangered Species, Flammable and Explosive Hazards, Farmland Protection, Floodplain Management, Historic Preservation, Noise Abatement and Control, Sole source Aquifers, Wetlands Protection, Wild and Scenic Rivers and Environmental Justice (Low/Mod Peoples). This form will determine if the project is exempt from environmental constraints or if more information must be compiled before the project may start
- ▶ Finding Of No Significant Impact (FONSI). Based on all of the above forms showing no environmental concerns, a finding of no significant impact may be written using a HUD template with required language for disbursement to local officials and for newspaper publication so that the process of releasing the project funding may begin.



APPENDIX



Eligible Activities

- » *Water/Sewer Improvements*
- » *Storm Water Improvements*
- » *Street Improvements*
- » *Parks, Recreation Facilities*
- » *Senior Center/Facilities*
- » *Fire Station/Equipment*
- » *Public Facilities - Other*
- » *Parking Facilities*
- » *Rehab: Single-Unit Residential*
- » *Rehab: Publicly or Privately Owned Comm/Ind.*
- » *Direct Homeownership Assistance*
- » *Construction of Housing*
- » *Acquisition - for Rehabilitation*
- » *Acquisition of Real Property*
- » *Relocation*
- » *Clearance and Demolition*
- » *Disposition*
- » *Non-Residential Historic Preservation*
- » *Interim Assistance*
- » *ED Direct Financial Assistance*
- » *Planned Repayment of Section 108 Loan Principal*
- » *Public Services*
 - » *Senior Centers*
 - » *Handicapped*
 - » *Youth Programs*
 - » *Child Care*
- » *Code Enforcement*
- » *Planning and Capacity Building, such as:*
 - » *Comprehensive Plans*
 - » *Zoning Ordinances*
 - » *Subdivision/Land Development Ordinances*
 - » *Building Codes*
- » *Program Administration Costs*



APPENDIX



Ineligible Activities

- ▶ »»
- « *Buildings or portions thereof, used for the general conduct of government*
- « *General Government Expenses*
- « *Operating and Maintenance Expenses*
- « *Political Activities*
- « *Purchase of Construction Equipment*
- « *Purchase of Fire Protection Equipment*
- « *Purchase of Furnishings and Personal Property*
- « *Income Payments*