

ORDINANCE _____ - 2023

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTER 5, ARTICLE VII OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CODE OF ORDINANCES, PERTAINING TO THE RELOCATION ASSISTANCE PROGRAM FOR TENANTS: SECTION 5-104 RELATED TO PROGRAM CREATION TO CLARIFY THE SCOPE OF ASSISTANCE AVAILABLE UNDER THE PROGRAM, AND TO REASSIGN PROGRAM ADMINISTRATION FROM THE DEPARTMENT OF SOCIAL SERVICES TO THE DEPARTMENT OF HOUSING ADVOCACY & COMMUNITY DEVELOPMENT; SECTION 5-105 RELATED TO PROGRAM ELIGIBILITY TO ADJUST THE ELIGIBLE INCOME CRITERIA AND EXPENSES; AND SECTION 5-107 RELATED TO APPROPRIATION OF PROGRAM FUNDS TO REASSIGN CERTAIN DUTIES FROM THE DEPARTMENT OF SOCIAL SERVICES TO THE DEPARTMENT OF HOUSING ADVOCACY & COMMUNITY DEVELOPMENT.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 5-104 of the Code of Ordinances, Lexington-Fayette Urban County Government, is hereby amended and reenacted, so that when amended and reenacted the same shall read as follows:

Sec. 5-104. Creation.

- (a) The Relocation Assistance Program for Tenants is hereby created to assist tenants displaced from low-income housing by rezoning, redevelopment or change in use of property with the expenses associated with relocation, or to assist tenants displaced from low-income housing due to conditions that make it permanently unfit for human occupancy (condemnation) with the expenses associated with relocation to a safe housing unit.
- (b) For the purposes of this article, a dwelling and/or the property upon which it is located is “permanently unfit for human occupancy” whenever a determination of blight or deterioration has been made and that failure to eliminate the conditions causing the blight render the property subject to condemnation by the urban county government under Chapter 12 of this code and KRS chapter 99.
- (c) The Relocation Assistance Program for Tenants shall be administered by the Department of [~~Social Services~~] Housing Advocacy & Community Development. The department shall develop the application and procedures necessary for the administration of the program in accordance with this article.

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Section 2 – That Section 5-105 of the Code of Ordinances, Lexington-Fayette Urban County Government, is hereby amended and reenacted, so that when amended and reenacted the same shall read as follows:

Sec. 5-105. Eligibility.

- (a) Any person or family whose income is no more than ~~[forty (40)]~~ eighty (80) percent of the area median income in Lexington-Fayette County displaced from rental housing, whether a dwelling or property upon which the dwelling is located, by rezoning and/or redevelopment and/or change in use, or by condemnation, is eligible for funds from the Relocation Assistance Program for Tenants to assist in locating replacement affordable housing and the costs of relocation.
- (b) A person or family eligible for assistance from the Relocation Assistance Program for Tenants may receive up to one thousand dollars (\$1,000.00) to assist in payment of utility deposits and/or arrearages (up to \$500.00), security deposits, first month's rent and moving expenses. The assistance provided shall not exceed the actual cost of these expenses. ~~[Moving expenses includes only those costs resulting from rental of equipment or hiring of licensed professionals to assist with the move.]~~ All assistance payments from the Relocation Assistance Program for Tenants shall be made directly and only to vendors providing the foregoing services.
- (c) Any monetary assistance provided by the Relocation Assistance Program for Tenants is secondary to any other funds available to a household for relocation. The fair market value of any relocation assistance provided to a tenant by the owner and/or developer of the property on which the relocating tenant resides shall also be an adjustment to any payment provided by the Relocation Assistance Program for Tenants. In no event shall the amount of assistance from the Relocation Assistance Program for Tenants combined with any other relocation assistance exceed one thousand dollars (\$1,000.00).
- (d) In order to be eligible for assistance, a tenant shall make application prior to moving from the property from which the tenant is being displaced.

Section 3 – That Section 5-107 of the Code of Ordinances, Lexington-Fayette Urban County Government, is hereby amended and reenacted, so that when amended and reenacted the same shall read as follows:

Sec. 5-107. Appropriation.

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In order to ensure that the Relocation Assistance Program for Tenants remains viable, any funds appropriated to the program shall remain available to the program in subsequent fiscal years. The fund for the program shall be maintained as an open fund. Funds from the program shall be available on a first come-first served basis. If the fund is exhausted in any fiscal year, no further assistance shall be available from or provided by the program and no person or household shall be eligible for assistance from the program unless additional appropriation of funds is made by the LFUCG. Any amount in excess of two hundred thousand dollars (\$200,000.00) remaining in the fund may be allocated to other relocation assistance programs administered by the Department of ~~[Social Services]~~ Housing Advocacy & Community Development.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

Published:

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