

CITY OF WINCHESTER, KENTUCKY
ORDER NO. 2019-165

**AN ORDER APPROVING THE HISTORIC
DOWNTOWN GRANT PROGRAM**

WHEREAS, The City of Winchester implemented a Main Street Winchester Program to enhance and assist with businesses and residents in the historic downtown district; and

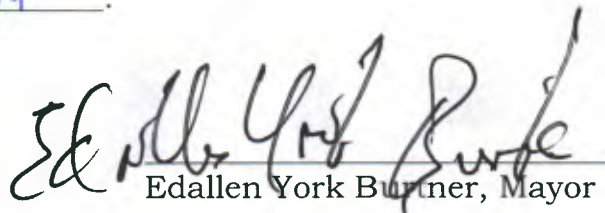
WHEREAS, To enhance the historic downtown, the City of Winchester has entered into a Tax Increment Finance program and established a Downtown Development Fund to provide matching funds for said program areas for the downtown; and

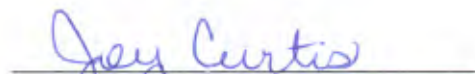
WHEREAS, The City is committed to making the historic downtown a vital place to live and shop.

NOW THEREFORE, be it ordered that the City of Winchester has established the following programs to assist businesses and property owners/residents in the historic downtown with the following programs:

1. City of Winchester Historic Downtown New Business Grant Program;
2. City of Winchester Historic Downtown Façade Grant Program;
3. Roof Stabilization Program; and
4. City of Winchester Upper Story Residential Grant Program.

Introduced and adopted by the Winchester Board of Commissioners at a regular meeting on August 20, 2019.


Edallen York Burner, Mayor


City Clerk

City of Winchester Historic Downtown New Business Grant Program



We put the "wow!" in downtown!

For Additional Information Contact
Rachel Alexander, Main Street Director
859-737-0923
ralexander@winchesterky.com

HOW TO REQUEST ASSISTANCE

Please read attached ORDER # _____, complete this application, and return it to the City of Main Street Winchester Department located at 32 Wall Street, Winchester, Kentucky. This information will provide staff with the information needed to determine your eligibility. This program cannot be applied for retroactively. All applications need to be submitted no later than 30 days after receipt of your certificate of occupancy.

Historic Downtown New Business Grant Application

Date _____

Applicant Information

Applicant: _____

Property Address: _____

Mailing Address (if different): _____

City _____ State _____ Zip Code _____

Telephone Numbers: Home: (_____) _____

Mobile: (_____) _____

Fax: (_____) _____

E-mail Address: _____

Property Information

How long has leased or owned space been vacant? _____

Proposed use of building _____

Name of contractor (if applicable)? _____

Total projected location costs _____

Number of employees being hired: Full-Time _____ Part-Time _____

Amount of square footage to be leased or occupied? _____

Total capital commitment to rehabilitate the structure _____

Is this address located within the Project Area (Map #1)? ☐ Yes ☐ No

Is the structure a contributing structure within the Downtown Historic District ☐ Yes ☐ No
For verification contact the Main Street Winchester Department @ 859-737-0923.

Do you own the property? ☐ Yes (Attach a copy of deed or sales contract) ☐ No

Are you leasing the property? ☐ Yes (Attach a copy of signed lease contract) ☐ No

All grant fund requests for leased properties need to be submitted after final move in and business license and occupancy permit approved.

Have/will you meet the \$10,000 investment requirement with eligible expenses? Yes ☐ No ☐

Are the property taxes paid up to date? ☐ Yes ☐ No

Are there any current code violations pending on the property? ☐ Yes ☐ No
If you checked yes, please attach a copy of the Code Enforcement Department's report to this application.

Do you have property Insurance? ☐ Yes ☐ No

In an attached letter please include the following:

- Description of Proposed Business and History
- Why you feel the business will be an asset to the Historic Downtown?
- Projected Pedestrian Impact of business (number of customers per day)
- Potential number of new employees (may include owners)
- Capital commitment by building owner to rehabilitate entire structure
- Capital commitment by business owner to rehabilitate occupied space

NOTE: Please attach photographs or photocopies of the property that clearly show the physical conditions. If proposing changes to the interior and exterior of structure, please describe below or provide attachments:

REQUIRED DOCUMENTATION

The following documentation MUST be submitted with your application or it cannot be processed.

- ☐ A current list of owners/partners or officers/directors who have ownership in the property or business.
- ☐ Copy of property Deed, Signed Sales Contract or Signed Copy of Lease

- ☐ Copy of Business Plan- (if not complete we have information for assistance)
- ☐ Proof of financial ability to complete the project or open business
- ☐ Financial Statement with projected eligible costs detailed
- ☐ Copy of Current Business License
- ☐ Copy of Certificate of Occupancy or Building permit (if under construction)
- ☐ Complete Application

APPLICANT ACKNOWLEDGEMENT OF UNDERSTANDING

I certify that all statements on this application are true and correct to the best of my/our knowledge. My signature below means that I have read the Historic Downtown New Business Grant ORDER # _____ and that I understand the City's program. I hereby grant permission for the Main Street Winchester program to verify the information supplied on my application.

I understand that this program is funded by the City of Winchester Downtown Development Investment Fund and monies may or may not be available on a yearly basis. Therefore, by signing this application, I understand there is no guarantee of grant funds being made available.

I understand that the Main Street Winchester program will review all applications and further reserves the right to approve or deny any application.

I agree to allow the City of Winchester to use illustrations, photographs, and/or other images of this project for reports, publications and advertisements both print and electronic.

I understand that as a participant in this program, I will be issued a 1099 for the amount received.

I have read, understand and agree to all requirements within ORDER# _____ Historic Downtown New Business Grant Program.

Applicant Signature

Date

Title

Company

Submissions are to be made to:

Main Street Director
32 Wall Street
P.O. Box 40
Winchester, Kentucky 40392-0040
Tel (859) 737-0923

Historic Downtown New Business Grant Application Instructions & Guidelines

The purpose of the Historic Downtown New Business Grant Program is to provide for the creation of new businesses and employment opportunities within the Historic Downtown District (Map #1). This is intended to complement and support the City of Winchester's other existing business programs, such as the Upper Story Residential Grant Program and the Roof Stabilization Assistance Program. The redevelopment of buildings is crucial to maintaining an economically strong Downtown Commercial District – a commercial area where the image, appearance and environment encourage the attraction of shoppers. The intention of this program is to provide financial resources to assist new business owners that are locating to Historic Downtown Winchester (Map #1).

Applicant – A business entity owning or leasing a vacant structure located on property within the Historic Downtown District (Map #1).

Building – Any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

Business – As defined in Section 9-4 of the Code of Ordinances for the City of Winchester.

Business Entity – As defined in Section 9-68 of the Code of Ordinances for the City of Winchester.

FTEs – Full-time employees as defined by KRS 154.32-010 (18) hired by applicant which are subject to the City's business license fees as defined under Chapter 9 of the Winchester Code of Ordinance.

GENERAL PROVISIONS

Eligibility:

- A. Applications for a grant under the program will be reviewed by the Main Street Winchester (MSW) Program upon the criteria outlined herein to determine eligibility.
- B. All property receiving financial assistance under the program (i) shall be located within the Historic Downtown District, and (ii) shall be the location of a new business or the relocation of an existing business by the applicant from outside the Historic Downtown District.

C. Program parameters include:

1. The financial assistance provided shall only be used to defray the following eligible costs: the initiation and hookup of new utility services, purchase of new equipment, setup costs of new equipment, interior renovations, exterior signs, and other moving incidentals as approved by the MSW Program.
2. All required permits (i.e., zoning, building, etc.) must be obtained and the property must be free of any liens held by the City of Winchester and all property taxes, and any and all other governmental levies, assessments or taxes of every kind and nature whatsoever, which are assessed, levied, imposed upon, or would become due and payable out of or with respect to the property must be paid, including without limitation, business license fees.
3. A minimum cash investment of \$10,000 by applicant in the building or property, which may include eligible cost, is required.
4. Once approved, applicants under the New Business Program are eligible to receive grants as follows:
 - a. 25% reimbursement of the first \$10,000 of eligible costs, and 25% reimbursement of eligible costs above \$10,000 not to exceed \$5,000 total.
 - b. The Downtown New Business Grant has an annual cap of \$15,000. Grants are subject to the availability of funds.
5. Applicants shall comply with all applicable building codes and the Winchester Zoning Ordinance.

ADMINISTRATION

Staff – The MSW Program shall perform the following duties:

- A. Review the eligibility of the applicant based on the requirements of the Order.
- B. Determine whether the proposed work to be performed meets the parameters of the Order and whether the cost to complete that work is reasonable. Said determination shall be in writing and kept on file as part of the application.
- C. Conduct appropriate, periodic inspections of the work being done in accordance with Planning & Zoning building inspector and when satisfactorily completed, issue a certificate of compliance being the date the certificate was issued. A copy of this certificate shall be kept as part of the file.

Funding – The City of Winchester may make annual budgetary appropriation as it deems necessary to fund the program established by ORDER# _____ and the administrative costs associated therewith.

PROCEDURES FOR MAKING APPLICATION, REVIEW & APPROVAL

Application

- A. Applications will only be accepted as funds are available.
- B. A sales contract or signed lease and a business plan in a form acceptable to the MSW Program shall accompany the completed application.
- C. Applications and other required forms shall be prescribed by the MSW Program and shall be filed in the manner prescribed by the MSW Program. Technical assistance shall be available from that office to assist applicants in completing and submitting an application.

Review

- A. The MSW Program shall determine the completeness of the application. Incomplete applications will not be processed.
- B. Upon a determination of completeness, the MSW Program shall make a determination as to whether the applicant meets the eligibility criteria under the program.
- C. Upon a determination that the applicant is eligible under the program, the MSW Program shall forward the application to the Main Street Winchester Design Committee, if it is determined that the exterior portions of the structure that are ordinarily visible from the public right of way are being altered. The Design Committee shall make written design recommendations to the MSW Program within 15 days of receipt of the application. If the Design Committee fails to make the aforesaid recommendations within this 15-day period, the design alteration shall be deemed approved and the application shall proceed back to the Project Manager for approval.
- D. The applicant must provide a Certificate of Appropriateness issued by the Historic Preservation Commission if exterior portions of the structure are being altered.
- E. If multiple applications are received, the MSW Program shall evaluate applicant eligibility in accordance with the following criteria:
 - a. Total location costs – 25%
 - b. Compatibility of proposed use within the Historic District and projected pedestrian impact within the District.
 - c. Number of FTEs to be hired by applicant (may include applicant) – 25%
 - d. Capital commitment of applicant to rehabilitate structure (façade, roof, retail space) – 25%
- F. Program Grant awards may be given based on availability of funds.

RECIPIENT APPLICANTS' OBLIGATIONS UPON GRANT APPROVAL FROM THE CITY OF WINCHESTER

- A. Recipient applicant shall deliver to the MSW Program the following documents in fully executed form:
 - a. Any and all documents requested by the MSW Program evidencing recipient applicant's expenditure of eligible costs to be reimbursed by this grant as required herein.
 - b. Certificate of occupancy issued by the appropriate governmental entity.
 - c. Written reports, with supporting documentation, of the recipient applicant's progress in completing the improvements to the property and satisfying the employment commitments upon the request of the MSW Program.
- B. The recipient applicant shall complete the improvements to the property and shall be open for business within 12 months from the date of the grant award, unless granted an extension in writing by the MSW Program. In no case shall the application be extended beyond six additional months. Any program grant awarded but not acted upon by the recipient applicant shall become void from the date of the award and shall be purged from the files of MSW Program.

DISBURSEMENT OF GRANT

- A. Subject to the terms and conditions hereinafter provided, the applicant shall be entitled to draw grant funds when a certificate of occupancy has been issued. Under no circumstance will grant funds be advanced. However, notwithstanding the foregoing, disbursement shall only be made when the following condition precedents shall have been satisfied:
 - a. The recipient applicant shall submit for the MSW Program review a written request for reimbursement of eligible costs. The written request shall be signed by the recipient applicant and approved contractor if construction work was completed.
 - b. The recipient applicant shall provide to MSW Program a certification executed by the approved contractor which shall certify the eligible costs incurred in the construction process have been paid in full.
 - c. The MSW Program has verified that the construction is in accordance with the building and construction plans and specifications.
 - d. The recipient applicant has complied with the terms of these Instructions & Guidelines.
 - e. The recipient applicant shall provide to the MSW Program all original receipts for the eligible costs with proof of payment.

- f. The recipient applicant shall provide to the MSW Program a Certificate of Occupancy for the building
- B. In the event all of the foregoing condition precedents are fully satisfied, the MSW Program shall remit directly to the recipient applicant the permitted amount of draw after all approvals have been achieved.
- C. In the event all of the foregoing condition precedents are not fully satisfied, the MSW Program shall have the right to refuse the request in total until such time as all condition precedents are satisfied, or pay such portion of the request that the MSW Program deems appropriate.

If any section, subparagraph, sentence, clause or phrase of these Instructions & Guidelines shall be held to be invalid, such decision shall not invalidate the remaining portion of these Instructions & Guidelines. All parts inconsistent herewith are hereby repealed.

City of Winchester Historic Downtown Façade Grant Program



We put the "wow!" in downtown!

For Additional Information, Contact
Rachel Alexander, Main Street Director
859-737-0923
ralexander@winchesterky.com

HOW TO REQUEST ASSISTANCE

Please read attached ORDER # _____, complete this application, and return it to the City of Winchester Main Street Department located at 32 Wall Street, Winchester, Kentucky. This application will provide staff with the information needed to determine your eligibility. This program cannot be applied for retroactively. All applications need to be submitted no later than 30 days after receipt of your certificate of occupancy.

Historic Downtown Façade Grant Application

Date _____

Applicant Information

Applicant: _____

Property Address: _____

Mailing Address (if different): _____

City _____ State _____ Zip Code _____

Telephone Numbers: Home: (_____) _____

Mobile: (_____) _____

Fax: (_____) _____

E-mail Address: _____

Property Information

How long has leased or owned space been vacant? _____

Proposed use of building _____

Name of contractor (if applicable)? _____

Total projected costs _____

Grant Amount Requested: \$ _____

Number of employees being hired: #FTE _____ #PTE _____

Amount of square footage to be leased or occupied? _____

Total capital commitment to rehabilitate the structure _____

Is this address located within the Project Area (Map #1)? ☐ Yes ☐ No

Is the structure a contributing structure within the Downtown Historic District ☐ Yes ☐ No
For verification contact the Main Street Winchester Department @ 859-737-0923

Do you own the property? ☐ Yes (Attach a copy of deed or sales contract) ☐ No

Are you leasing the property? ☐ Yes (Attach a copy of signed lease contract) ☐ No

All grant fund requests for leased properties need to be submitted after final move in and business license and occupancy permit approval.

Are the property taxes paid up to date? ☐ Yes ☐ No

Are there any current code violations pending on the property? ☐ Yes ☐ No
If you checked yes, please attach a copy of the Code Enforcement Department's report to this application.

Do you have property insurance? ☐ Yes ☐ No

In an attached letter please include the following:

- Capital commitment by building owner to rehabilitate entire structure
- Capital commitment by business owner to rehabilitate occupied space

REQUIRED DOCUMENTATION

NOTE: Color photographs showing the existing condition of the building before work has commenced must be submitted with the application. Please submit supporting documentation that describes the proposed work and structural improvements. Be as specific as possible. Supporting documents may include one or all of the following: brief written description, paint sample cards, contractors quote, drawings to scale, architect sketch or product brochures. Attach documentation.

The following documentation MUST be submitted with your application or it cannot be processed.

- ☐ A current list of owners/partners or officers/directors who have ownership in the property or business.
- ☐ Copy of property Deed, Signed Sales Contract or Signed Copy of Lease
- ☐ Proof of financial ability to complete the project or open business
- ☐ Financial Statement with projected eligible costs detailed
- ☐ Copy of Current Business License (if applicable)
- ☐ Copy of Certificate of Occupancy or Building permit (if under construction)

- ☐ Copy of Certificate of Appropriateness issued by the Historic Preservation Commission
- ☐ Additional documentation as detailed above
- ☐ Complete Application

APPLICANT ACKNOWLEDGEMENT OF UNDERSTANDING

I certify that all statements on this application are true and correct to the best of my/our knowledge. My signature below means that I have read the Historic Downtown Facade Grant Order #_____ and that I understand the City's program. I hereby grant permission for the City of Winchester to verify the information supplied on my application.

I understand that this program is funded by the City of Winchester Downtown Development Fund and monies may or may not be available on a yearly basis. Therefore, by signing this application, I understand there is no guarantee of grant funds being made available.

I understand that the Main Street Winchester program will review all applications and further reserves the right to approve or deny any application.

I agree to allow the Main Street Winchester program to use illustrations, photographs, and/or other images of this project for reports, publications and advertisements both print and electronic.

I understand that I am responsible for the ongoing maintenance of the improvements described herein. I further understand that MSW Program must approve the improvements prior to work starting and that I must submit paid receipts before Main Street Winchester will issue the grant funds.

I understand that as a participant in this program, I will be issued a 1099 for the amount received

I have read, understand and agree to all requirements within ORDER #_____ Historic Downtown Façade Grant Program.

Applicant Signature

Date

Title

Company

Submissions are to be made to:
Main Street Director
32 Wall Street
P.O. Box 40
Winchester, Kentucky 40392-0040
Tel (859) 737-0923

Historic Downtown Façade Grant Application Instructions/Guidelines

The purpose of the Façade Grant Program is to provide a financial incentive to historic downtown Winchester merchants and property owners to improve their buildings while retaining the historic character of the district. Main Street Winchester (MSW) is dedicated to promoting and restoring downtown Winchester as a thriving, walkable and welcoming community for living and working. One of the ways we can make that happen is with our Façade Grant Program, matching the investment you make on the exterior of your property dollar-for-dollar, up to \$1,000.

Eligible Improvements

- Masonry or mortar joint repair
- Window or door repair/replacement
- Repair or purchase of new awnings
- Transom and window repair/replacement
- Removal of non-historic materials (e.g., siding that covers transom windows, bricked-over window or door openings, removing paint from brick, etc.)
- Replacement of architectural details
- Exterior painting (except for applying paint to unpainted brick)
- Exterior lighting or interior storefront window display lighting that remains on during evening hours
- Other improvements may qualify on a case-by-case basis. Please contact Main Street Winchester Director for additional information.

Program Parameters

- Main Street Winchester Façade Grants are a dollar-for-dollar match, up to 50% of the total project costs, not to exceed \$1,000.00. (ex. If total project is \$1,000, MSW will match \$500).
- A façade is defined as an individual storefront or side of a building that faces a public street or public alley with public access.
- The building must be located within the project area (see map #1).
- Only commercial properties are eligible.
- Completed applications must be submitted to and approved by the MSW Program prior to work beginning. Grants are not awarded for work done prior to approval.

- All improvements made to buildings within the Downtown Historic District must receive a Certificate of Appropriateness from the Historic Preservation Commission prior to beginning work.
- Work must be completed within 180 days of grant award.
- Once the project is completed, grantees must submit paid receipts for reimbursement. MSW will verify that the work was done according to the approved application before reimbursing funds.
- Applicants are limited to one Downtown Winchester Façade Grant per calendar year.
- Façade Grants will be awarded as funds are available. Total grant funds available will be limited to \$10,00.00 per fiscal year.

Application

All decisions are made according to the merit of individual projects with the overall goal of maximizing the MSW resources. Applications which meet the following criteria will be given increased consideration:

1. High Visual Impact – Improvements that make a dramatic difference in the visual appeal of the district or structure
2. Active Street Front – Improvements that make the pedestrian experience more pleasant and interesting
3. Historic/Architectural Integrity – Projects that enhance a building's historic appearance. Grants will not be awarded to projects that cover, damage or remove original architectural detailing.
4. Use of recommended color palette.

Submission Details

Please mail or drop off your completed application to:

Main Street Winchester
P. O. Box 40
32 Wall Street
Winchester, KY 40392

City of Winchester Roof Stabilization Assistance Program



For Additional Information Contact
Rachel Alexander, Main Street Director
859-737-0923
ralexander@winchesterky.com

HOW TO REQUEST ASSISTANCE

Please read attached ORDER # _____, complete this application, and return it to Main Street Winchester (MSW) Program located at 32 Wall Street, Winchester, Kentucky. This information will provide staff with the information needed to determine your eligibility.

Roof Stabilization Assistance Program Application

Date _____

Applicant

Applicant: _____

Property Address: _____

Mailing Address (if different): _____

City _____ State _____ Zip Code _____

Telephone Numbers: Home: (_____) _____

Mobile: (_____) _____

Fax: (_____) _____

E-mail Address: _____

Property Information

Current use of building _____

Name of company to make the repairs? _____

Attach three (3) written estimates for the repairs. Estimates must come from contractors that are fully insured and members of National Roofing Contractors Association (NRCA), have a current Winchester business license.

Is the structure a contributing structure within the Downtown Historic District ☐ Yes ☐ No
For verification contact the Main Street Department @ 737-0923.

Do you own the property? ☐ Yes (Please attach a copy of your deed) ☐ No

Do you have a pending sales contract on property? ☐ Yes (Please attach a copy of your signed sales contract) ☐ No

Are the property taxes paid up to date? ☐ Yes ☐ No

Are there any current code violations pending on the property? ☐ Yes ☐ No

If you checked yes, please attach a copy of the Inspection Department's report to this application.

Do you have property Insurance? ☐ Yes ☐ No

Have any insurance monies been paid for the roof or stabilizing structural components in the last five years? ☐ Yes (If Yes, you must provide documentation and detail of payment and claim) ☐ No

REQUIRED DOCUMENTATION

The following documentation MUST be submitted with your application or it cannot be processed.

- ☐ A current list of owners/partners or officers/directors who have ownership in the property.
- ☐ Copy of property Deed
- ☐ Copy of Insurance Policy
- ☐ Three (3) current third party estimates of work to be done from a qualified roofing contractor. Estimates must include a detailed itemization of the scope of work that includes: 1) Tear off of all previous roofing material down to decking as required on all commercial re-roofs; 2) A cost per square foot for decking/structural wood repairs; 3) Specific substrate material and thickness of roofing membrane (i.e., 1.5" ISO mechanically fastened, 60 mil. EPDM fully adhered), 4) Flashing of all penetrations including parapet walls, 5) Repair/replace coping, gutters, downspouts, scuppers, etc. 6) 10-year City of Winchester Warranty. Any estimate that does not include all of the aforementioned requirements shall be deemed unresponsive.
- ☐ Proof of financial ability to complete 100% of roof stabilization project. The grant shall be a reimbursement of up to 25% of project costs, not to exceed \$12,500.
- ☐ Letter explaining the urgency of the Roof Stabilization Project and the capital commitment by the owner to rehabilitate the remaining structure if needed
- ☐ Clear photographs showing the current physical conditions that need repair.

APPLICANT ACKNOWLEDGEMENT OF UNDERSTANDING

I certify that all statements on this application are true and correct to the best of my/our knowledge. My signature below means that I have read the Stabilization Assistance ORDER#

_____ and that I understand the City's program. I hereby grant permission for the City of Winchester to conduct computer-matching programs in order to verify the information supplied on my application.

I understand that this program is funded by the City of Winchester's Downtown Development Investment Fund and monies may or may not be available on a yearly basis. Therefore, by signing this application, I understand there is no guarantee of acceptance into the program.

Building permits for these projects must be pulled by June 30th of the current fiscal year. Final deadline for project completion will be sixty days into the next fiscal year. Failure to meet the deadline will render the project ineligible to receive grant funding.

I understand that the MSW Program will review all applications and further reserves the right to approve or deny any application.

I agree to allow the City of Winchester and MSW Program to use illustrations, photographs, and/or other images of this project for reports, publications and advertisements both print and electronic.

I understand that as a participant in this program, I will be issued a 1099 for the amount received.

A copy of the required City of Winchester Ten Year Warranty is attached to this application.

Applicant Signature

Date

Title

Company

Submissions are to be made to:

Main Street Director
32 Wall Street
P.O. Box 40
Winchester, Kentucky 40392-0040
Tel (859) 737-0923

**Downtown Winchester Roof Stabilization Program
Contractor's Ten (10) Year
Roofing Guarantee & Warranty for Repair**

Owner's Name: _____

Owner's Address: _____

Property Address: _____

Telephone: _____

Building(s) No(s).: _____

DATE OF SUBSTANTIAL COMPLETION AS CERTIFIED BY CONTRACTOR: _____

FROM: _____ PHONE FOR CLAIM OR RESPONSE: _____

(Contractor's Name & Address) () _____

Manufacturer's Warranty/Guarantee/Project/Claim Number _____

TO: _____

(Building Owner(s)' Name & Address)

cc: City of Winchester
Main Street Director
P. O. Box 40
Winchester, Kentucky 40392

1. The above-named Contractor hereby guarantees to Owner, subject to the limits stated herein, that the labor, materials and workmanship are in accordance with the Contract documents, best standards of the industry and the Manufacturer's requirements, and such are free from defect in material and workmanship.
2. The above-named Contractor warrants the work to be and to remain watertight, free of evidence of major deterioration and failure (or pending failure). Normal aging of the roofing materials and normal wear and tear will not be considered major deterioration. Excessive failures or defects shall be evidence of major deterioration.
3. This warranty shall require the above-named Contractor to pay for materials and labor required to repair the roofing system to return it to a watertight condition if leaks occur due to: (a) ordinary wear and tear of any or all of the component materials of the roofing system; or (b) workmanship deficiencies at the time of application of the roofing system, all without additional cost to the property owner. Such replacement or repair work shall be equal to the existing system furnished under this contract, and shall conform with the recognized standards of the National Roofing Contractors' Association or as otherwise mutually agreed.
4. The warranty does not obligate the Contractor to repair the roofing system, or any part of the roofing system, for leaks resulting from: (a) natural disasters or acts of God; (b) misuse, abuse or negligence; (c) exposure of the roofing system components to damaging substances such as oil or solvents or to damaging conditions such as vermin; (d) changes to the roofing system not pre-approved in writing by the manufacturer; (e) failure of the building substrate (mechanical, structural or otherwise and whether resulting from building movement, design, defects or other causes), or improper drainage (ponding water greater than 48 hours); or (f) damages caused by vandalism, act of the Owner or others.
5. The Contractor shall not be responsible for leaks and damage resulting from water entry from any portion of the building structure not a part of the roofing system.
6. The above-named Contractor guarantees to fairly reimburse the Owner/City of Winchester the cost or value of the damages to the building(s) or contents caused by defects in materials or workmanship.
7. The time period covered by the requirement of the guarantee paragraph number 1 through 6 above, shall be as follows:
 - a. During construction; and,
 - b. From time of the materials manufacturer extending for a period of ten (10) years after the date of substantial completion of the roofing system set forth above.

8. The above-named Contractor agrees to effect emergency temporary repairs or permanent corrective work as quickly as is necessary to fully protect the building owners' best interests, or to otherwise allow the Owner to affect such corrective work without adversely affecting the terms of this guarantee and warranty, or without affecting an obligation of the above-named Contractor. The Contractor agrees to reimburse the Owner for any documented fair and reasonable costs expended by the Owner to make such repairs. The Contractor agrees to effect permanent repairs within a reasonable period of time.
9. The terms of the contract documents (drawings and specifications), which were bid upon and contracted for, are reflected in the terms of this Guarantee and Warranty, therefore no exculpatory words nor other terms lessening these shall apply. No lesser warranty or guarantee, expressed or implied, shall apply. No less stringent or exculpatory words of the Manufacturer's "standard" or printed guarantee and/or warranty shall apply.

Contractor

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

The foregoing Warranty was acknowledged and sworn to before me by _____
_____ of _____
on this the _____ day of _____, 20____. My commission
expires: _____.

Notary Public, ID No.: _____

City of Winchester

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

The foregoing Warranty was acknowledged and sworn to before me by _____
_____ of _____
Department, City of Winchester, on this the _____ day of _____,
20____. My commission expires: _____.

Notary Public, ID No.: _____

Applicant

STATE OF KENTUCKY)

)

COUNTY OF CLARK)

The foregoing Warranty was acknowledged and sworn to before me by _____
_____ of _____,
on this the _____ day of _____, 20____. My commission
expires: _____.

Notary Public, ID No.: _____

Roof Stabilization Application Instructions & Guidelines

The purpose of the Roof Stabilization Grant Program is intended to establish and facilitate roof replacement and roof rehabilitation by property owners within the Downtown Historic District (Map #1) to combat roof problems that endanger the general health, safety and welfare of the inhabitants and visitors to the area within the historical district that has been placed on the National Register of Historic Places.

Main Street Winchester – The Program overseeing the Roof Stabilization grant.

Applicant – A business entity owning or leasing a vacant structure located on property within the Historic Downtown District (Map #1).

Building – Any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

Roof Stabilization – The restoration of a deficient or substandard roof to provide a watertight roof system free of leaks, including all necessary flashing, decking repair, rafters, gutters, downspouts, and roof/attic ventilation to ensure the longevity of the roof system.

Qualified Roofing Contractor – A contractor that is fully insured, are members of the National Roofing Contractors Association (NRCA), has a current Winchester, Kentucky business license and has installation certification from the manufacturer.

URCDA – Urban Renewal and Community Development Agency

GENERAL PROVISIONS

Eligibility:

- A. Applications for a grant under the program will be reviewed by the MSW Program upon the criteria outlined herein to determine eligibility.
- B. All property receiving financial assistance under the program shall be located within the Historic Downtown District.
- C. Program parameters include:
 1. The Roof Stabilization Grant Program will target structures in need of roof stabilization.
 2. Third party construction estimates by a qualified roofing contractor and owner's proof of financial ability to complete the project will be required.

3. The grant shall be a reimbursement of up to 25% of total roof stabilization costs not to exceed \$12,500.
4. A City of Winchester letter of financial commitment will be given to the owner upon final approval of the grant by the MSW Program.
5. Eligible roof stabilization improvements must be permanent. Eligible roof improvements shall include, but not limited to: a watertight, sustainable leak proof roofing system.
6. All work shall meet or exceed industry standards for roof repair/replacement and comply with all applicable building codes.

ADMINISTRATION

Staff – The MSW Program shall perform the following duties:

- A. Preparation of the necessary applications, financial statements, a summary of the commitments to the rules and regulations of the program, and such other forms to be executed in administering the program. The appropriate forms shall include, along with other data deemed appropriate, Roof Stabilization Assistance Program application, proof of ownership, financial qualifications and deed restrictions.
- B. Review the eligibility of the applicant based on the requirements of this program; review the data provided on the forms required as part of the application procedures; and, make a recommendation to the MSW Program.
- C. Providing limited technical assistance to applicants.
- D. Determine whether the proposed work to be performed meets the parameters of this program and whether the cost to complete that work is reasonable. Said determination shall be in writing and kept on file as part of the application.
- E. Conduct appropriate, periodic inspections according to local building inspector guidelines of the work being done and, when satisfactorily completed, issue a certificate of compliance bearing the date the certificate was issued. A copy of this certificate shall be kept as part of the file.

Funding – The City of Winchester may make annual budgetary appropriation as it deems necessary to fund the program established by this program and the administrative costs associated therewith.

PROCEDURES FOR MAKING APPLICATION, REVIEW & APPROVAL

Application

- A. Applications will only be accepted with third party construction estimates. Proof of financial ability from a qualified financial institution will be required.

- B. Applications and other required forms shall be made available at the MSW Program. Technical assistance shall be available from that office to assist applicants in completing and submitting an application. There shall be no fee for filing an application.

Review

- A. The MSW Program shall determine the completeness of the application. Incomplete applications will not be processed.
- B. Upon a determination of completeness, the MSW Program shall make a determination as to whether the applicant meets the eligibility criteria under the program.
- C. The MSW Program will review rankings in accordance with the following criteria to determine applicant's eligibility:
 - a. Urgency of roof stabilization – 25%
 - b. Contributing structure in the National Register of Historic Places – 25%
 - c. Historic relationship to adjacent structures – 25%
 - d. Capital commitment of owner to rehabilitate remaining structure – 25%
- D. Grant awards will be given based on availability of funds.

PROPERTY OWNERS OBLIGATIONS UPON GRANT APPROVAL FROM THE CITY OF WINCHESTER

Property owner shall deliver to the MSW Program the following documents in fully executed form:

- A. A duly executed contract between the property owner and the approved contractor outlining the roof work to be performed, the cost to be incurred, including an amount for retainage to assure the acceptable completion of the construction, and the time of performance. This contract must be reviewed by and acceptable to the MSW Program.
- B. Any other documents which may be requested by the City of Winchester upon approval.

DISBURSEMENT OF GRANT

- A. Subject to the terms and conditions hereinafter provided, the property owner shall be entitled to draw grant funds when 100% of rehabilitation work has been completed. Under no circumstance will funds be advanced. However, notwithstanding the foregoing, disbursement shall only be made when the following condition precedents shall have been satisfied:
 - a. The property owner shall submit for the MSW Program's review a written request for reimbursement of eligible costs. The written request shall be signed by both the approved contractor and the property owner.

- b. The property owner shall provide to MSW Program a certification executed by the approved contractor which shall certify the eligible costs incurred in the construction process have been paid in full.
 - c. At the request of the MSW Program, the property owner shall provide interim mechanics or materialmen lien waivers to be executed by the approved inspectors, contractor, subcontractors, materialmen ad/or their employees or agents.
 - d. The Project Manager has verified that the construction is in accordance with building and construction plans and specifications.
 - e. The property owner has complied with the terms of this program.
- B. In the event all of the foregoing condition precedents are fully satisfied, the MSW Program shall remit directly to the recipient applicant the permitted amount of draw after all approvals have been completed.
- C. In the event all of the foregoing condition precedents are not fully satisfied, the MSW Program shall have the right to refuse the request in total until such time as all condition precedents are satisfied, or pay such portion of the request that the MSW Program deems appropriate. The MSW Program determination shall be binding and final upon the property owner and the approved contractor.

ISSUANCE OF CERTIFICATE OF COMPLETION

Following completion of the work, the local building inspector shall inspect the roof and structure and certify whether or not the work has been satisfactorily completed. If the work is sufficient, a Certificate of Completion shall be issued.

City of Winchester Upper Story Residential Grant Program



For Additional Information Contact
Rachel Alexander, Main Street Director
859-737-0923
ralexander@winchesterky.com

HOW TO REQUEST ASSISTANCE

Please read attached ORDER # _____, complete this application, and return it to the City of Winchester Main Street Department located at 32 Wall Street, Winchester, Kentucky. This information will provide staff with the information needed to determine your eligibility.

Upper Story Residential Grant Application

Date _____

Applicant Information

Applicant: _____

Property Address: _____

Mailing Address (if different): _____

City _____ State _____ Zip Code _____

Telephone Numbers: Home: (_____) _____

Mobile: (_____) _____

Fax: (_____) _____

E-mail Address: _____

Property Information

Current use of building? _____

Proposed use of building including # of residential units: _____

Name of contractor? _____

Is the structure a contributing structure within the Downtown Historic District (Map #1)?

☐ Yes ☐ No

For verification contact the Main Street Winchester Department @ 859-737-0923.

Do you own the property? ☐ Yes (Please attach a copy of your deed) ☐ No

Are the property taxes paid up to date? ☐ Yes ☐ No

Are there any current code violations pending on the property? ☐ Yes ☐ No
If you checked yes, please attach a copy of the Inspection Department's report to this application.

Do you have property Insurance? ☐ Yes ☐ No

In an attached letter please explain the project and the capital commitment by the owner to rehabilitate the remaining structure if needed.

Visual Description of the Structure

NOTE: Please attach photographs or photocopies of the property that clearly show the physical conditions that need repair. Below or attached please describe the rehabilitation plan.

REQUIRED DOCUMENTATION

The following documentation MUST be submitted with your application or it cannot be processed.

- ☐ A current list of owners/partners or officers/directors who have ownership in the property.
- ☐ Copy of property Deed
- ☐ Copy of Insurance Policy
- ☐ Third Party Estimates of work to be done from a qualified contractor.
- ☐ Proof of financial ability to complete 100% of Upper Story Residential project. The grant shall be a reimbursement of up to 25% of rehabilitation costs and shall not exceed \$3,000 per residential unit.
- ☐ Rehabilitation plans

APPLICANT ACKNOWLEDGEMENT OF UNDERSTANDING

I certify that all statements on this application are true and correct to the best of my/our knowledge. My signature below means that I have read the Upper Story Residential Grant ORDER #_____ and that I understand the City's program. I hereby grant permission for the City of Winchester to verify the information supplied on my application.

I understand that this program is funded by Downtown Winchester Development Investment Fund and monies may or may not be available on a yearly basis. Therefore, by signing this application, I understand there is no guarantee of grant funds being made available.

I understand that the Main Street Winchester (MSW) Program will review all applications and further reserves the right to approve or deny any application.

I agree to allow the City of Winchester and the MSW Program to use illustrations, photographs, and/or other images of this project for reports, publications and advertisements both print and electronic.

I understand that as a participant in this program, I will be issued a 1099 for the amount received.

I have read, understand and agree to all requirements within ORDER #_____ Upper Story Residential Program.

Applicant Signature

Date

Title

Company

Submissions are to be made to:

Main Street Director
32 Wall Street
P.O. Box 40
Winchester, Kentucky 40392-0040
Tel (859) 737-0923

Upper Story Residential Grant Application Instructions & Guidelines

The purpose of the Upper Story Residential Grant Program is to provide for creation of new residential areas within the Historic Downtown District (Map #1). The redevelopment of upper story residential buildings is crucial to maintaining an economically strong Downtown Commercial District – a commercial area where the image, appearance and environment encourage the attraction of residents and shoppers. The intention of this program is to provide financial resources to encourage Market Rate living in the Downtown Winchester.

Applicant – A person(s) owning a structure with vacant upper story space located on property within the Historic Downtown District (Map #1).

Building – Any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels.

MSW Program – Main Street Winchester Program oversees grant applications.

GENERAL PROVISIONS

Eligibility:

- A. Applications for a grant under the program will be reviewed by the MSW Program upon the criteria outlined herein to determine eligibility.
- B. All property receiving financial assistance under the program (i) shall be located within the Historic Downtown District, and (ii) shall be the location of a new upper story residential area or the refurbishment of an existing upper story residential area by the applicant.
- C. Program parameters include:
 1. The financial assistance provided shall only be used to defray interior renovations that include costs of construction materials and labor. Please see list of eligible expenses.
 2. All required permits (i.e., zoning, building, etc.) must be obtained and the property must be free of any liens held by the City of Winchester and all property taxes, and any and all other governmental levies, assessments or taxes of every kind and nature whatsoever, which are assessed, levied, imposed upon, or would become due and payable out of or with respect to the property must be paid, including without limitation, business license fees.
 3. Any alterations to the exterior of the building must be reviewed by the Historic Preservation Commission and a Certificate of Appropriateness must be issued prior to start of work.

4. A minimum cash investment of \$10,000.00 by applicant in the building or property, which may include eligible cost, is required.
5. Once approved, applicants under the Upper Story Residential Grant Program are eligible to receive grants equal to 25% of eligible costs not to exceed \$3,000 per unit.
6. Applicants shall comply with all applicable building codes and the Winchester Zoning Ordinance.

ADMINISTRATION

Staff – The MSW Program shall perform the following duties:

- A. Review the eligibility of the applicant based on the requirements of this Program.
- B. Determine whether the proposed work to be performed meets the parameters of the Program and whether the cost to complete that work is reasonable. Said determination shall be in writing and kept on file as part of the application.
- C. Conduct appropriate periodic inspections (performed by the local building inspector) of the work being done and when satisfactorily completed, issue a certificate of compliance being the date the certificate was issued. A copy of this certificate shall be kept as part of the file.

PROCEDURES FOR MAKING APPLICATION, REVIEW & APPROVAL

Application

- A. Applications will only be accepted as funds are available.
- B. A sales contract or deed and a business plan in a form acceptable to the MSW Program shall accompany the completed application.
- C. Technical assistance shall be available from that office to assist applicants in completing and submitting an application. There may be no fee for filing an application.

Review

- A. The MSW Program shall determine the completeness of the application. Incomplete applications will not be processed.
- B. Upon a determination of completeness, the MSW Program shall make a determination as to whether the applicant meets the eligibility criteria under the program.

- C. Upon a determination that the applicant is eligible under the program, the MSW Program shall forward the application to the Winchester Main Street Design Committee. The Design Committee shall make written design recommendations to the MSW Program within 15 days of receipt of the application. If the Design Committee fails to make the aforesaid recommendations within this 15-day period, the design alteration shall be deemed approved and the application shall proceed back to the MSW Program for approval.
- D. If multiple applications are received, the MSW Program shall evaluate applicant eligibility in accordance with the following criteria:
 - a. Total costs – 25%
 - b. Compatibility of proposed use within the Historic District.
 - c. Capital commitment of applicant to rehabilitate for Market Rate upper story residential use – 25%
- E. Program Grant awards may be given based on availability of funds.

APPLICANTS' OBLIGATIONS UPON GRANT APPROVAL FROM THE CITY OF WINCHESTER

- A. Applicant shall deliver to the MSW Program the following documents in fully executed form:
 - a. Any and all documents requested by the MSW Program evidencing applicant's expenditure of eligible costs to be reimbursed by this grant as required.
 - b. Certificate of occupancy issued by the appropriate governmental entity.
 - c. Written reports, with supporting documentation, of the applicant's progress in completing the improvements to the property upon the request of the MSW Program.
- B. The applicant shall complete the improvements to the property within 12 months from the date of the grant award, unless granted an extension in writing by the MSW Program. In no case shall the application be extended beyond six additional months. Any program grant awarded but not acted upon by the applicant shall become void from the date of the award and shall be purged from the files of the MSW Program.

DISBURSEMENT OF GRANT

- A. Subject to the terms and conditions hereinafter provided, the applicant shall be entitled to draw grant funds when a certificate of occupancy has been issued. Under no circumstance will grant funds be advanced. However, notwithstanding the foregoing, disbursement shall only be made when the following condition precedents shall have been satisfied:
 - a. The applicant shall submit for the MSW Program review a written request for reimbursement of eligible costs. The written request shall be signed by the applicant and approved contractor if construction work was completed.

- b. The applicant shall provide MSW Program a certification executed by the approved contractor which shall certify the eligible costs incurred in the construction process have been paid in full.
 - c. The MSW Program has verified that the construction is in accordance with the building and construction plans and specifications.
 - d. The applicant has complied with the terms of these Instructions & Guidelines.
 - e. The applicant shall provide to the MSW Program all original receipts for the eligible costs with proof of payment.
 - f. The applicant shall provide to the MSW Program a Certificate of Occupancy for the building
- B. In the event all of the foregoing condition precedents are fully satisfied, the MSW Program shall remit directly to the applicant the permitted amount of draw upon receiving all approvals.
- C. In the event all of the foregoing condition precedents are not fully satisfied, the MSW Program shall have the right, at his discretion, to refuse the request in total until such time as all condition precedents are satisfied, or pay such portion of the request that the MSW Program deems appropriate. The MSW Program's determination shall be binding and final upon the applicant and the approved contractor.

If any section, subparagraph, sentence, clause or phrase of these Instructions & Guidelines shall be held to be invalid, such decision shall not invalidate the remaining portion of these Instructions & Guidelines. All parts inconsistent herewith are hereby repealed.

