

RESOLUTION NO. 2012-R- 08

A RESOLUTION CONCERNING
BUSINESS REVITALIZATION DEMOLITION/REBUILD PROGRAM

WHEREAS, certain commercial property owners require assistance replacing or rebuilding existing older buildings with newer buildings; and

WHEREAS, the City of Marshall wishes to provide some assistance to these property owners.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall, Illinois:

- Section 1. That the City of Marshall does hereby adopt a Business Revitalization Demolition/Rebuild Program under the terms of Exhibit A attached hereto and made a part hereof.
- Section 2. That all applicants must apply to the City upon a form prepared by the City of Marshall
- Section 3. That this Resolution shall be effective immediately upon its passage.

	AYES	NAYS	ABSENT
Beverly K. Church	/		}
Terry Clatfelter	/		
John D. Ferris	/		
Warren J. Le Fever	/		
James McKittrick	/		
Cheryl A. Raisner	/		
Tim J. Sanders	/		
James White	/		

PASSED this 24 day of September, 2012.


MAYOR Pro-Tem

ATTEST:


CITY CLERK

(SEAL)

Exhibit A



Business Revitalization Demolition/Rebuild Program

The Program is designed for any commercial property owner who replaces an existing building that is in such condition that renovation is not appropriate with a new one to be used as a place of business. The incentives provides up to \$1,000 for waste disposal fees for demolition of the older building. The fee will be rebated by way of a grant as approved by the City of Marshall Economic Development Committee.

If approved, this grant will provide a 50% reduction of waste disposal fees for any demolition up to a maximum of \$1,000 (\$2,000 total expense). The grant will be provided for only 50% of services purchased.

PROGRAM REQUIREMENTS:

The property must be commercial and in such condition that renovation is not appropriate. This could be, but is not limited to, non-conforming uses, lot size issues or major structural faults. All other structures on the property that are in a condition in which renovation is not appropriate must be demolished at the same time as the primary structure.

GENERAL REQUIREMENTS:

- a) The applicant must be the registered owner of the property. An agent may act on behalf of the applicant with required authorization.
- b) Applications shall be submitted on forms provided and supported by documentation as required by the City of Marshall.
- c) All applications for assistance under this Program will be considered subject to the availability of funding.
- d) The properties must be located within the Marshall City limits and be utilized for commercial purposes.
- e) Realty taxes, service fees and utilities paid to the City of Marshall must be paid current on all properties owned by the applicant at the time of the application and throughout the development process.
- f) Property owners who have previously defaulted under any City of Marshall programs will not be eligible.
- g) Grants will not be given retroactively to recognize projects that have begun without application to the Program. Applications must be approved prior to any work being commenced upon the associated building.

- h) The City of Marshall may discontinue the Program at any time; however, any participants in the Program prior to its discontinuation will continue to receive the grants approved prior to discontinuation.
- i) The applicant must provide a definite construction start date and construction must be complete within 12 months of the incentive approval.
- j) All fees and applicable costs for the demolition must be paid first. Grant money will be reimbursed with acceptable receipts or proof of payment.
- k) The City retains the right to assess the reasonableness of costs and which costs are eligible under the terms of the Program.
- l) Expenses incurred for other properties are not eligible expenses.
- m) The proposed building must conform to the City of Marshall Zoning requirements and any other relevant Federal or Municipal regulation or law.
- n) The property owner is responsible for contacting Marshall Main Street or the Historic Preservation Commission if the subject property is located within either of these districts or is a Marshall Landmark.
- o) The property owner must supply proof that the demolition waste was disposed of in a manner acceptable by EPA (a receipt for dumpster rental and disposal or landfill receipt would suffice).

Per the Clean Air Act National Emission Standards for Asbestos (Asbestos NESHAP), 40 C.F.R., Part 61, Subpart M, requires that prior to demolition of a facility, the owner or operator, must have the facility thoroughly inspected to determine whether asbestos is present and, if present, in what amount.

A "facility" is defined as any institutional, commercial, public, industrial, or residential structure, installation, or building. Residential buildings having four or fewer dwelling units are excluded from the Asbestos NESHAP.

The City of Marshall encourages the owner/operator to contact the Illinois EPA at (217) 785-2011 or visit their website at <http://www.epa.state.il.us/air/asbestos/> to learn more information.

ALL SERVICES MUST BE PAID FOR AT THE TIME OF INVOICE AND WILL BE REPAID UPON REQUEST BY SUBMITTING THE REBATE REQUEST FORM.

REVISED 8/28/2012