

CITY OF MARSEILLES  
ORDINANCE NO. 1872

AN ORDINANCE ESTABLISHING A CITY FAÇADE IMPROVEMENT PROGRAM

WHEREAS, the City of Marseilles has established Marseilles TIF No.5 which encompasses the City's historic Main Street; and,

WHEREAS, the City desires to offer a FAÇADE IMPROVEMENT PROGRAM consistent with the goals and re-development plan contemplated in TIF No.5;

NOW, WHEREFORE, BE IT ORDAINED that in the CODE OF MARSEILLES, within existing TITLE 11 BUSINESS REGULATIONS, after existing CHAPTER 124 SMALL WIRELESS FACILITIES, there is established a new CHAPTER 125 FAÇADE IMPROVEMENT PROGRAM as follows:

§ 125.01 FAÇADE PROGRAM GOALS AND OBJECTIVES

The FAÇADE IMPROVEMENT PROGRAM is intended to provide partial public funding of building facade renovations and replacements within the redevelopment area of TIF 5 with the following goals and objectives:

- (A) Renovate, replace or rehabilitate commercial properties so as to prevent or eliminate deteriorating conditions;
- (B) Attract and retain businesses and thereby retain and add job opportunities to the city;
- (C) Make physical improvements to commercial buildings within the City's TIF 5 redevelopment area that might otherwise not be made without the assistance and intervention of the city.

§ 125.02 ELIGIBILITY

- (A) The FAÇADE IMPROVEMENT PROGRAM applies only to properties zoned as Business and located facing a City street within the redevelopment plan area of TIF 5. The program authorizes masonry work and repair (including without limitation tuck pointing), windows, awnings, canopies, cornices, trim, doors, lighting, and signage on the exterior walls of said buildings but not roof work.
- (B) To be eligible for funding, projects may not commence until they are approved by the City and shall be completed within twelve (12) months from the date of City Council approval. The City Council may for good cause approve an extended completion date.

- (C) Projects must comply with all applicable city building codes, zoning regulations and maintenance code requirements.
- (D) The applicant must comply with the Illinois Prevailing Wage Act (820 ILCS 130/0.01 et. seq.). The applicant shall indemnify and hold harmless the City, defend any such claim and/or action, pay any liabilities and/or penalties imposed, and pay all defense costs of the City, including but not limited to the reasonable attorney fees of City arising from any alleged Prevailing Wage Act violation.
- (E) Projects funded in part with TIF funds must be reviewed by the TIF COMMISSION for a recommendation to the City Council for TIF fund approval. Projects funded through the City's REVOLVING LOAN FUND must be reviewed by the REVOLVING LOAN BOARD with a recommendation provided to the City Council for REVOLVING LOAN FUND approval.
- (E) All FAÇADE applications shall be reviewed by the Plan Commission which shall act as an architectural review board for the City Council. They will have the authority to recommend certain design conditions where they find them necessary and in the best interests of the City based on the proposed finish appearance, condition of adjoining buildings, and the overall compliance with the historic preservation, branding and destination goals of the City as time to time adopted by the City. The Plan Commission will make a recommendation for approval or disapproval to the full City Council. If an application is going to be recommended for disapproval based on architectural review concerns, the applicant may request façade plan revisions and further review by the Plan Commission before final recommendations are made to the City Council. The City Council may approve or reject all or part of the application and may refer matters back to the Plan Commission for further consideration.

#### § 125.03 YEARLY APPROPRIATED LOANS AND GRANTS

- (A) The City Council as part of their yearly budget process shall determine what funds shall be available for the FAÇADE IMPROVEMENT PROGRAM by way of grants and/or loans.
- (B) Terms of the annual FAÇADE IMPROVEMENT PROGRAM shall also identify the maximum amount of the eligible cost, and loan and grant terms and conditions and any particular projects that will be given priority.

#### § 125.04 APPLICATIONS

- (A) Applicants must include detailed drawings and specifications with their applications at a scale suitable to illustrate façade details. Photographs and prospective renderings may be submitted, but not in lieu of said detailed drawings. Attention shall be given to signage, doors and entrances, windows and awnings but not roofs.

- (B) Drawings shall include notations of proposed materials, color, finishes and decorations to be used. Drawings should include any proposed signage.
- (C) A proposed construction time schedule must be submitted.
- (D) Cost estimates shall be submitted in the form of contractor proposal(s) or estimate(s) by an architect, structural engineer, or construction estimator.
- (E) Any applicant tenant must provide a written consent by the owner or their authorized representative.
- (F) An assigned City Hall person shall initially review applications. Those applications found to be in compliance shall be submitted to other officials for further consideration.

#### § 125.05 PRIORITIZATION.

Priority may be given to one or more of the following:

- (A) A project enhancing City branding and/or destination goals.
- (B) Properties situated in the historic Main Street area designed to enhance historic characteristics.
- (C) Joint applications of adjoining property proposing improvement to local area or district.
- (D) Properties with facades showing serious deterioration.

#### § 125.06 NEGATIVE CONSIDERATIONS

Any of the following may be considered as a factor to not approve or fund an application:

- (A) The property is currently receiving other economic incentives from the City.
- (B) An Applicant was denied a grant within the past 12 months.
- (C) The Applicant completed a facade program in the last 24 months.
- (C) The Applicant lacks adequate funding.
- (D) The application fails to effectively describe the project.

- (E) The Applicant is delinquent in financial obligations involving the City, including without limitation payment of city taxes, utility bills, city code violations, or prevailing wage violations.
- (G) The proposal involves more routine maintenance than substantial improvement to the building façade.
- (H) Funds will not be granted for a new building but only improvements or renovations to an existing building.

§ 125.07 FACADE PROGRAM PAYMENTS

Payment shall be made no less frequently than monthly upon satisfactory completion of work evidenced by invoices, statements of suppliers, contractors, or professionals, paid bills or cancelled checks or other proof of payment. The final award amount will be based on verification of actual costs. The City reserves the right to cancel any agreement for financial assistance if program requirements are not met or Mechanic's Lien Waivers are not provided.

This ordinance shall be effective upon passage and posting in pamphlet form. Any ordinance or resolution in direct conflict to this ordinance is repealed.

Passed and approved this \_\_\_\_\_.

City of Marseilles

By \_\_\_\_\_  
Mayor

Attest

By \_\_\_\_\_  
Clerk