

**PROGRAM GUIDELINES AND PROCEDURES**  
**PROGRAM: Zoning Code Enforcement Grant Program for Municipalities**  
**LEAD AGENCY: Department of Community Affairs**

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## **PROGRAM OVERVIEW AND DESCRIPTION**

The Zoning Code Enforcement Grant Program is intended to provide financial support to municipalities for salaries and overhead related to the enforcement of state and local development and zoning code regulations. Many municipalities are overwhelmed by the increase in zoning applications to reconstruct homes and businesses that were heavily damaged or entirely destroyed as a result of Superstorm Sandy. In furtherance of its mission to provide local government officials with the tools needed to efficiently manage municipal operations disrupted as a consequence of the storm, the Department of Community Affairs (DCA) will make grants available to municipalities to meet the increase in the demand for permits, inspections and the need to be responsive to an unprecedented surge of inquiries. Funding must be used to attend to areas that have begun to deteriorate and where reconstruction will arrest further decline.

## **PROGRAM ALLOCATION**

DCA is allocating \$3 million in Community Development Block Grant – Disaster Recovery (CDBG-DR) funds for this program. All awards made through the Zoning Code Enforcement Grant Program will be subject to the CDBG-DR regulations and the New Jersey DCA CDBG-DR Action Plan, as approved by the U.S. Department of Housing and Urban Development. The program will operate for a maximum of two years. Individual grants will be for a term of 12 months.

## **ELIGIBLE APPLICANTS**

Municipalities in Atlantic, Bergen, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean and Union are eligible if one of the following occurred:

1. Reduced property assessments accomplished under NJSA 54:4-35.1 (the material depreciation of structure between October 1 and January 1) on 100 or more properties since the Storm; or,
2. Have seen a 10% increase in zoning application filings since November 1, 2012 that can be ascribed to Superstorm Sandy.

## **GRANT AMOUNT**

Grants will be based on the unique needs of each municipality up to \$100,000 in a 12 month period. Subject to DCA's approval, if the \$100,000 cap is expended prior to the end of the 12 month period and program funds remain available, municipal grantees may request additional funds for the remainder of the grant's term via an amendment to the Sub-recipient Agreement.

## **USE OF FUNDS**

Funds are intended to be used by municipalities to extend the hours of existing staff up to the municipality's normal full time work day, hire additional technical and administrative staff, procure experts if needed for application hearings, enter into operating leases for equipment, and pay for additional office space if needed to expedite local reconstruction of deteriorating properties in areas impacted by the Storm as part of the community's overall recovery effort. Grant funds can be used either to pay salaries of direct hires or to

procure staff from private firms on a temporary basis to allow code offices to operate more efficiently. Grant funds may not be used to pay overtime.

## **PROGRAM OUTREACH**

Outreach to prospective program participants was conducted by the DCA Office of Local Planning Services (LPS). DCA used multiple channels of communication including but not limited to issuing press releases, sending an email announcement to every municipality in the eligible nine counties and providing detailed program information on the DCA website. Additional opportunities to learn about the program are available to municipalities through information sessions conducted by LPS. LPS will continue program outreach and solicit feedback on the functionality of the program throughout its life.

## **APPLICATION DEADLINE**

There is no application deadline. These grants are not competitive. Grant applications will be reviewed as they are submitted. However, because federal regulations require that all CDBG-DR funds must be expended in two years, grant agreements will be for a term of 12 months or less. Applications will be accepted after the first twelve months for a second round of activities or for first time applicants if funds allocated to the Program have not been exhausted.

## **PROGRAM APPLICATION PROCESS**

The Zoning Code Enforcement Grant application and related materials can be found on the Department of Community Affairs website at: <http://www.nj.gov/dca/divisions/sandyrecovery/info/>.

Municipalities can complete and submit applications online. In the event that a municipality is unable to follow this protocol, a hard copy application can be faxed or mailed to the applicant. Applicants will submit, at a minimum, the following:

### **Part I**

Notice of interest

### **Part II**

- A. If a municipality does not meet the reduced property assessment criterion (see Eligible Applicants above) it must provide evidence that it has experienced or will experience at least a 10% increase in zoning applications as a result of damage to homes and businesses caused by Superstorm Sandy:
  1. The number of zoning applications pending as of the date of application for this grant; and
  2. The percentage increase in zoning applications estimated to be filed in the next calendar year.
- B. Grant request (up to \$100,000);
- C. An explanation of how the municipality intends to use these grant monies to efficiently meet the increase in demand for approval of reconstruction and renovation plans that are vital to recover from the damage caused by Superstorm Sandy;

- D. A 12-month budget that includes projected expenses related to the increased salaries, benefits, consulting fees, and added facilities that would be supported by this grant; and
- E. Municipalities approved for grants under this program will be required to submit a resolution adopted by the Governing Body agreeing to comply with all CDBG-DR regulations prior to the execution of a grant agreement (hereinafter Subrecipient Agreement).

### **Part III**

Duplication of Benefits Affidavit

## **NATIONAL OBJECTIVE**

Low and Moderate Income Area Benefit

Urgent Need

## **GRANT REVIEW and AWARD**

Grant awards will be processed in the order that application evaluations are completed until such time as program funds are fully committed. The applicant must ensure that the submitted budget is reasonable and proportional to the projected increase in activity. As part of the application review process, LPS staff will assess an applicant's budget to determine if the costs are reasonable and proportional to the projected increase in activity. Expenses may not be charged to the Grant before the execution of the Subrecipient Agreement nor continue beyond twelve months after execution of the Agreement. Municipalities may use the grant funds to pay the costs associated with increases in the number of zoning permit applications and inspections resulting from the rebuilding of properties damaged by Sandy. Municipalities must comply with the cost principles published in OMB Circular A-87 and the administrative and financial management requirements in 24 CFR Part 85.

## **ADMINISTRATIVE PROCEDURES**

The Program is administered by DCA's Office of Local Planning Services (LPS). LPS staff is responsible for preparing the Subrecipient Agreement that must be executed by the Governing Body or its designee within two weeks of delivery. Staff will provide the grantee (hereinafter Subrecipient) with reporting forms to track the progress of grant expenditures and monitor the grant for compliance. LPS is responsible for providing oversight of the Subrecipient's use of the CDBG- DR grant funds and must ensure that the Subrecipient:

- Gets the appropriate training and technical assistance required to comply with the grant requirements;
- Has the capacity to comply with CDBG-DR program requirements; and
- Understands and agrees to abide by the conditions of the grant award.

## **Training and Technical Assistance**

LPS staff works with the various Subrecipients to determine if and what type of training is needed to manage its CDBG-DR grant funds. At a minimum, each Subrecipient will receive training on SIROMS, the

financial reporting system used by DCA to account for the expenditure of disaster recovery funds. This training will include the procedure and the supporting documentation needed to submit a request for payment. Training may be conducted on a regional basis or for one municipality at a time. LPS staff will deliver the training periodically and/or based on grantee demand.

### **Tracking Program Progress**

Following execution of the Subrecipient Agreement, LPS will provide the Subrecipient with forms and instructions for the submission of monthly activity reports, reimbursement payment schedules based on invoices, timesheets, and sample leases for additional space or other acceptable supporting documentation. Subrecipients may request reimbursement of grant funds on a monthly basis. No grant agreement will permit more than 12 payments. LPS will monitor financial progress toward the 12-month expenditure budget submitted by the Subrecipient. Not more than once a month, the Subrecipient will enter its payment request in SIROMS and upload the appropriate supporting documentation for reimbursement of funds already expended.

Immediately upon receipt of the payment request, SIROMS software automatically notifies LPS program staff that a payment request is pending. The Program Originator (LPS staff) reviews the request to ensure that the amount requested is available to the Subrecipient and that the documentation submitted supports the funds request. If supported, the Program Originator approves the request in SIROMS, which notifies the Program Approver (LPS staff) that there is a funds request in the queue. The Program Approver (LPS staff) reviews the request and if supported approves the request in SIROMS, which notifies the Sandy Recovery Division Policy Office that there is a funds request in the queue. The Sandy Recovery Division Policy Office reviews the request and if supported approves the request in SIROMS, which notifies the Sandy Recovery Division Budget and Finance Office that there is a funds request in the queue. The request is then reviewed by the Sandy Recovery Division Budget and Finance Office and if supported approves the request in SIROMS, which notifies the NJDCA Fiscal Office that a payment request is approved and the funds are paid out as requested. If the request is deemed to be incomplete at any point in the process and/or the attached documentation does not support the funds request, the funds request defaults to LPS Staff who will then reject the payment and contact the Subrecipient to discuss corrective action, i.e. resolution and resubmission. Failure by the Subrecipient to submit monthly activity reports and any other documents required by the Subrecipient Agreement in a timely manner will result in delayed payments.

### **Monitoring and Audit**

The Compliance and Monitoring Unit of the Sandy Recovery Division is responsible for inspecting all Sandy CDBG-DR funded programs. LPS will provide information on the Zoning Code Enforcement Grant Program to that unit for follow up. Compliance and Monitoring will provide copies of its monitoring visits to LPS staff and to the grantee/Subrecipient for review and response.

The Department of Community Affairs requires that all local government units receiving CDBG-DR funds and expending more than \$500,000 in Federal grant (and/or State) awards in a given fiscal year have an audit conducted in accordance with Generally Accepted Accounting Principles (GAAP) and the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, "Audits of States, Local

Governments, and Non-Profit Organizations.” An audit of CDBG-DR funds must be submitted to the DCA six (6) months after their fiscal year, if applicable.

### **Recordkeeping**

LPS maintains electronic and hard copies of all documents related to Zoning Code Enforcement Grant Program. All records will be maintained for 5 years after the close out of the grant award.

**PART I**

**NOTICE OF INTEREST**

If your municipality is experiencing at least a 10% increase in zoning applications since November 1, 2012, as a result of damage to homes and businesses caused by Superstorm Sandy or has reduced assessments on 100 or more properties due to the Storm, the town may apply for the Zoning Code Enforcement Program. **This NOTICE of INTEREST must be filed with DCA in order to submit a formal request for funds.**

Please complete the form below:

**Save** the completed form and email it to [James.Requa@dca.nj.gov](mailto:James.Requa@dca.nj.gov)

NAME OF MUNICIPALITY \_\_\_\_\_  
CONTACT PERSON \_\_\_\_\_  
TITLE \_\_\_\_\_  
EMAIL \_\_\_\_\_  
PHONE \_\_\_\_\_

NUMBER OF ZONING PERMIT APPLICATIONS FILED  
BETWEEN NOVEMBER 1, 2012 AND SEPTEMBER 31, 2013: \_\_\_\_\_

NUMBER OF ZONING PERMIT APPILCATIONS FILED IN THE PREVIOUS FIVE YEARS:

2012 \_\_\_\_\_  
2011 \_\_\_\_\_  
2010 \_\_\_\_\_  
2009 \_\_\_\_\_  
2008 \_\_\_\_\_

**PART II  
REQUEST FOR FUNDS**

**Allowable Grant Activities:** The Zoning Code Enforcement Grant Program will fund eligible municipalities to extend the hours of existing staff, hire additional technical and administrative staff, and pay overhead and related delivery costs necessary to expedite local reconstruction of deteriorating properties in areas impacted by Superstorm Sandy as part of the community’s overall recovery effort. Grant funds can be used to pay salary and fringe of direct hires or to procure staff from private firms on an as needed basis to allow code offices to operate more efficiently. The purchase of equipment and furnishings is not an allowable expenditure. These items may be leased if directly related to the grant program and are of reasonable cost.

A. Fill in the fields below

Application Submittal Date	E-Mail	
Municipality	Phone	Fax
County	Grant Amount Requested	
County or Municipal Code	Date <b>Notice of Interest</b> Submitted	
Mailing Address		
Person Responsible for Grant Management		
Title		

Save the completed form and email it to [James.Requa@dca.nj.gov](mailto:James.Requa@dca.nj.gov). (609) 984-3981

B. Complete Part II by supplying the following information:

1. A description of the intended use of grant funds. Be specific as this will serve as the basis for the twelve month budget requested in #5 below. Include the number of people to be hired, the increase in square footage leased to house additional staff, and the rate and projected number of hours for any consultants procured to do the work.
2. The number of pending applications currently on file.
3. A projection of the number of applications anticipated to be filed in the next calendar year.
4. Calculate how the grant will improve the delivery of services to residents waiting for approval of reconstruction and renovation plans.
5. A twelve month budget. Use the **APPENDIX – SANDY RECOVERY ZONING CODE ENFORCEMENT GRANT PROGRAM BUDGET PROJECTIONS – FY15**.

**APPENDIX**

**SANDY RECOVERY ZONING CODE ENFORCEMENT GRANT PROGRAM  
BUDGET PROJECTIONS – FY15**

Subrecipient Name: \_\_\_\_\_

Program: Zoning Office Grant Assistance

DIRECT EMPLOYEE EXPENSE	CURRENT BUDGET	PROGRAM COST	TOTAL COST
SALARIES			
BENEFITS			
<b>TOTAL EMPLOYEE EXPENSES</b>			
<b>IT SERVICES - 300</b>			
OPERATING LEASES – Equipment used only in program, i.e., copier			
TELEPHONE – Dedicated additional line for use on Sandy related projects			
OTHER LEASES - Specify			
<b>TOTAL IT SERVICES</b>			
<b>OTHER PROGRAM COSTS</b>			
CONTRACT PERSONNEL			
LEASE FOR ADDITIONAL SPACE – To house additional staff			
TRAVEL			
OTHER OPERATING SERVICES, MISC. – Specify			
<b>TOTAL OTHER PROGRAM COSTS</b>			
<b>PROFESSIONAL SERVICES – 300</b>			
PROFESSIONAL SERVICES – Expert Consultants, Legal, etc.			
OTHER			
<b>TOTAL PROFESSIONAL SERVICES – Except IT</b>			
<b>TOTAL ANNUAL PROGRAM EXPENSES</b>			



**PART III  
DUPLICATION OF BENEFITS**

**ZONING CODE ENFORCEMENT GRANT PROGRAM**

**LOCAL GOVERNMENT NAME:** \_\_\_\_\_

**ACTIVITY:** \_\_\_\_\_

**SUBRECIPIENT AGREEMENT #:** \_\_\_\_\_

Applicant certifies that the planning activity is located within one of the 9 most impacted counties. Check the applicable box below:

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| <input type="checkbox"/> Atlantic | <input type="checkbox"/> Middlesex |
| <input type="checkbox"/> Bergen   | <input type="checkbox"/> Monmouth  |
| <input type="checkbox"/> Cape May | <input type="checkbox"/> Ocean     |
| <input type="checkbox"/> Essex    | <input type="checkbox"/> Union     |
| <input type="checkbox"/> Hudson   |                                    |

**Duplication of Benefits**

Authorizing Official or Representative certifies that CDBG-DR funded activities will comply with all regulations regarding Duplication of Benefits as defined by Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act at 42 U.S.C. 5155, 24 CFR 570 and Federal Register Notice 76 FR 71060.

Federal law prohibits any person, business concern or other entity from receiving federal funds deemed duplicative from any other program or any other source where the assistance amount exceeds the need for a particular recovery purpose.

List source and amount for ALL Federal and/or State financial assistance received for the **zoning code enforcement** activity:

Source	Amount

**Total Cost:** \_\_\_\_\_

## Eligible Uses

Applicant certifies that funds will be used solely for necessary expenses related to activities supported by the **Zoning Code Enforcement Grant** to guide long-term recovery and redevelopment support in the most impacted and distressed areas for which the President declared a major disaster in the aftermath of Superstorm Sandy, pursuant to the Stafford Act.

## CERTIFICATION

I, \_\_\_\_\_, hereby represent and state that the foregoing information, and all information submitted for the purpose of applying for Community Development Block Grant-Disaster Recovery funds (CDBG-DR), is true and complete. I acknowledge that the New Jersey Department of Community Affairs (DCA) is relying on said information and thereby acknowledge that the local government unit is under a continuing obligation, from the date of this Certification through the completion of the Project(s), to notify DCA in writing of any changes to the information contained in this certification and in the application. Under penalty of perjury, I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law, and disqualification from future participation awards of CDBG-DR funds in New Jersey.

By:

\_\_\_\_\_  
Signature – Authorizing Official (Or Representative)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date