

FILE OF THE CITY CLERK

ADMINISTRATIVE ORDINANCE NO. 03 - 2024

ADMINISTRATION BILL NO. 03 - 2024

INTRODUCED – MARCH 12, 2024

ADOPTED BY COUNCIL – MARCH 26, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING APPROPRIATIONS FOR \$300,000.00 OF AMERICAN RESCUE PLAN ACT PROCEEDS RECEIVED IN 2022; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

WHEREAS, Section 804 of the Third Class City Code, codified at 11 Pa.C.S. Section 101-14702, as amended, provides, inter alia, that, “Money may not be paid out of the city treasury except by an appropriation made in accordance with law and on a document authorizing payment drawn by the proper officer” (11 Pa. C.S. Section 11804(b)); and

WHEREAS, Section 804 of the Third Class City Code as set forth above further provides, inter alia, that, “Council may, by ordinance, make supplemental appropriations for any lawful purpose from any money in the city treasury or estimated to be deposited in the city treasury within the fiscal year and not appropriated for any other purpose, including the proceeds of any borrowing authorized by law” (11 Pa. C.S. Section 11804(e)); and

WHEREAS, On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by President Biden; and

WHEREAS, The Fiscal Recovery Funds are intended to provide support to state, local and tribal governments in responding to the impact of COVID-19 and in their efforts to contain the effects of COVID-19 on their communities, residents, and businesses; and

WHEREAS, in accordance with ARPA, the City of Lancaster is defined as a “metropolitan city” and has received unbudgeted funds from the United States Department of the Treasury for appropriations to be made in accordance with the provisions of ARPA and rules and regulations issued thereunder by the Department of the Treasury for which appropriations have not yet been made by City Council ; and

WHEREAS, ARPA grants authority for recipient to use Coronavirus state and local fiscal recovery funds to provide assistance to households and individuals, including home repairs, provided the recipient are “impacted” or “disproportionally impacted”; and

WHEREAS, the use of ARPA funds for such purposes is a reasonable response to disproportionately impacted persons; and

WHEREAS, ARPA grants authority for recipient to use Coronavirus state and local fiscal recovery funds for projects eligible under Title I of the Housing and Redevelopment Act of 1974 (“Title I”), including those eligible under the Community Development and Block Grant (“CDBG”) program provided they are obligated and under contract by December 31, 2024; and

WHEREAS, use of Coronavirus state and local fiscal recovery funds for critical repairs for owner-occupied homes where the owners are defined as low to moderate income households qualifies under the CDBG program as a Title I project; and

WHEREAS, the use of such funds as a Title I project are exempt from requirements for NEPA as none of the repairs will increase density or change land use;

WHEREAS, the City, through its Office of Healthy Homes within the Department of Community Planning and Economic Development desires to utilize \$300,000.00 of ARPA funds awarded to the City of Lancaster to make grants for critical repairs which would otherwise qualify as a Title I projects within the CDBG program.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The provisions of the background clauses set forth above be and hereby are incorporated herein.

SECTION 2. The City Council of the City of Lancaster hereby appropriates \$300,000,000 of the ARPA funds received from the U.S. Treasury Department for the following purposes:

Use by the City of Lancaster’s Office of Healthy Homes to make grants for critical repairs to owner-occupied properties where the owners are defined as low to moderate income households which would otherwise qualify as a Title I project under the CDBG program as a response to the negative economic impacts of the Covid-19 public health emergency on impacted or disproportionately impacted persons; and

SECTION 3. The appropriate officers of the City of Lancaster be and hereby are authorized and directed to utilize \$300,000.00 of the ARPA funds received from the US Treasury for the purposes set forth in Section 2 above and are directed to assure that such \$300,000 be fully provided to the City’s Office of Healthy Homes within the Department of Community Planning and Development for such purposes by no later than December 31, 2024 and to be obligated and under contract no later than December 31, 2024.

SECTION 4. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

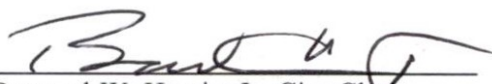
SECTION 5. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 6. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 26th day of March, 2024, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER


Bernard W. Harris, Jr. City Clerk

By: 
Danene Sorace, Mayor