

CDBG REQUIREMENTS FOR AREA-WIDE SLUM AND BLIGHT DESIGNATION

A definition of a slum and blighted area can be found in the MRSA Title 30-A, Chapter 205, 5202. The following definition of a blighted area will serve as a starting point in determining if the proposed area in your community may qualify under this national objective.

- A. An area in which there is a predominance of buildings or improvements which are conducive to ill health, the transmission of disease, infant mortality, juvenile delinquency or crime and are detrimental to the public health, safety, morals or welfare because of:** 1) Dilapidation, deterioration, age or obsolescence; 2) inadequate provision of ventilation, light, air, sanitation or open spaces; 3) high density of population or overcrowding; 4) the existence of conditions which endanger life or property by fire and other causes; or 5) any combination of these factors.
- B. An area which is a menace to the public health, safety, morals, or welfare in its present condition because of:** 1) the predominance of inadequate street layout, unsanitary or unsafe conditions; 2) tax or special assessment delinquency exceeding the fair value of the land; 3) the existence of conditions which endanger life or property by fire and other causes; or 4) any combination of these factors.

The important thing to remember is that it is necessary to target an **area** to meet this national objective. This area must be defined by the applicant and shown to have contiguous boundaries and interrelated problems causing the **entire area** to be blighted.

In addition to the state definition of blighted area, the HUD rules for CDBG Program activities defines further what conditions must exist for an area to be considered blighted. These conditions are: 1) the local area meets the definition of a blighted area under state or local law; 2) throughout the blighted area at **least 25%** of the existing buildings are deteriorating and public improvements are in a **general** state of deterioration; 3) the CDBG activities will address one or more of the conditions which contributed to the deterioration of the area; and 4) records are retained that sufficiently document that a project meets the national objective of addressing slums and blight on an area-wide basis. HUD regulations limit the slum/blight designation to a maximum period of 10 years.

Your community must take into consideration **both** the state and CDBG requirements when qualifying a slums/blight area-wide project. First, you should review the State Statute above to make sure the area in question is applicable. Then you should apply the HUD Condition (B) related to **buildings** or **public improvements**. In the case of public improvements, it is insufficient for only one type of public improvement to be in a state of deterioration, the public improvements **taken, as a whole** must **clearly exhibit signs of deterioration**. If both the state and HUD requirements seem to apply to your potential CDBG project, the following process should occur with **all materials sent to OCD as part of your Letter of Intent to Apply**.

REQUIRED DOCUMENTATION TO BE SUBMITTED WITH CDBG LETTER OF INTENT

1. Written descriptions of the conditions, which you feel, qualify the area at the time of its designation. This description must be in sufficient detail to demonstrate how the area met all State

and HUD criteria. Also included must be the method by which the area was identified and delineated.

2. Support documentation that details the specific conditions that exist in the designated area. This documentation can include, but is not limited to, structural analysis of buildings, engineering studies, written local code enforcement officials, planning board actions, public health and safety concerns, and actions taken by other state or local authorities.
3. A detailed map outlining the designated blighted area and **clear photographs** documenting the entire detrimental conditions (including the minimum 25% of buildings) in the designated blighted area.
4. Documentation that a duly authorized local public hearing dealing with the slum blight area-wide designation was held prior to the official Declaration of Slum and Blight Area adoption. This documentation must include a copy of the local newspaper advertisement, attendance list and official minutes of the hearing.
5. A Declaration of Slum and Blight enacted by the legislative body of your community and containing the municipal seal. (A sample copy of a Declaration of Slum and Blight is attached.)

DECLARATION OF SLUM AND BLIGHT AREA

MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

It is hereby found and declared:

That there exists in the Town/City of _____ a deteriorating, dilapidated, slum and blighted area, dangerous buildings, deficient public improvements and incompatible uses of property, which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the Town/City of _____.

That the existence of such an area, as shown on the attached map and identified as _____, and located in Census Tract Number: _____, is found to be consistent with Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.

That the blighted area will be addressed with Community Development Block Grant (CDBG) and other funds through eligible activities, in accordance with all CDBG regulations and Maine State Statute 30-A, Chapter 205, Sections 5201 through 5205.

That the activities to be conducted are designed to eliminate the causes of slum and blight.

The Declaration with attendant documentation is hereby enacted on the _____ of _____, 20__ and is effective from this day forth until such conditions have been remedied through completion of the CDBG project.

AUTHORIZED SIGNATURES

Name

Date

Name

Date

Name

Date

Name

Date

Municipal Seal