



## Ohio Administrative Code Rule 122:1-1-02 Application and criteria.

Effective: February 10, 2014

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(A) Applications for workable program certification shall be signed by the executive officer of the applying municipal corporation and shall set forth each element required by the criteria of this rule in sufficient detail to enable the director of the development services agency to make a determination as to whether the requirements of this rule are met. Reasonable supporting documentation and information may be required upon the request of the director of the development services agency.

(B) The director of the development services agency shall certify the workable program of a municipal corporation where the director finds that the requirements of this rule are met and that each criterion set forth in paragraphs (B)(1) to (B)(6) of this rule is substantially satisfied.

(1) The municipal corporation shall have adopted or be enforcing a municipal building code or other effective enforceable regulations which (a) meet the minimum standards set forth in the Ohio building code and all model codes adopted by the Ohio board of building standards pursuant to section 3781.10 of the Revised Code as they are or may hereafter be amended and (b) do not unduly restrict or prohibit the use of new materials and methods of construction.

(2) The municipal corporation shall have adopted or be enforcing a housing code, or other effective enforceable regulations used by the municipal corporation to maintain safe and sanitary housing, and have in effect a program of housing, building, and related code enforcement on a priority basis. The program shall include efforts (a) to eliminate blight in basically sound but deteriorating areas, and (b) to deal with serious threats to health and safety in blighted areas.

(3) The municipal corporation shall have in effect a continuing planning and programming process for orderly community development, which shall include the following elements:

(a) Alternative solutions available for the social, racial, economic, and physical problems of slums and blighted areas in the municipal corporation. Those solutions shall address the problems of poor and minority citizens and the advancement of equal opportunity, and shall include efforts to



eliminate discriminatory barriers in the housing supply and to assure the availability of housing on an open occupancy basis.

(b) Land use planning without unreasonable constraints on low and moderate income housing.

(c) Efforts to develop solutions to the nonphysical problems associated with slums and blighted areas. Evidence that consideration has been given to the needs of minority citizens in planning, administrative resources, and capital programs shall be provided.

(d) A completed work program based upon census tracts or other identifiable areas which analyzes:

(i) Housing conditions, including the location and extent of blight;

(ii) Characteristics of families affected by poor housing;

(iii) The adequacy of public and private facilities and services;

(iv) Conditions in non-residential areas, including the location and extent of blight; and

(v) Factors causing blight.

(e) A completed work program based upon census tracts or other identifiable areas which proposes:

(i) Plans to eliminate present blight and future blight; and

(ii) A schedule of priorities for such plans.

(f) Due consideration of the need to provide environmental amenities.

In evaluating the planning and programming process, the director of the development services agency shall consider the following: budget and staff resources; relationships between the decision making and the planning processes; utilization of existing community resources that impact upon effects made to expand existing resources where reasonably required; and the relationship of the



elements in the process.

(4) The municipal corporation shall have identified and analyzed the gap, if any, between the number of low and moderate income families living in substandard housing, and the number of units existing at prices or rentals within the means of such families. The analysis shall also project total housing needs.

(5) The municipal corporation shall have identified what administrative capabilities exist or can be provided to deal with displaced families and individuals, and what housing resources are available within the municipality and its environs. The workable program need not deal with such administrative capabilities and housing resources as they relate to specific projects.

(6) The municipal corporation shall have taken action to assure continuing opportunity for the involvement of citizens, including the poor and minorities, in:

- (a) The development of the workable program goals and objectives;
- (b) The planning and programming process; and
- (c) Any program to expand low and moderate income housing.

Meaningful citizen participation may be established by involvement in planning, evaluating, monitoring and influencing program development and implementation, or by other appropriate means.