

04 NCAC 01K .0102 DEFINITIONS

The following definitions apply to the Community Development Block Grant program Rules .0102 through .0404.

- (1) "Act" means Title I of the Housing and Community Development Act of 1974, P.L. 93-383, as amended.
- (2) "Applicant" means a local government which makes application pursuant to the provisions of this Subchapter.
- (3) "CDBG" means the State administered Community Development Block Grant Program.
- (4) "Chief Elected Official" of a local government means either the elected mayor of a city or the chairman of a county board of commissioners.
- (5) "Community Development Program" means the program of projects and activities to be carried out by the applicant with funds provided annually under this Subchapter and other resources.
- (6) "HUD" means the U.S. Department of Housing and Urban Development.
- (7) "Local Government" means any unit of general municipal or county government in the State.
- (8) "Low-Income Families" means those with a family income of 50 percent or less of median-family income. For purposes of such terms, the area involved and median income shall be determined in the same manner as provided for under the Act.
- (9) "Moderate-Income Families" means those with a family income greater than 50 percent and less than or equal to 80 percent of median-family income.
- (10) "Low and Moderate Income Persons" means members of families whose incomes are within the income limits of low and moderate income families as defined in Paragraphs (h) and (i) of this Rule.
- (11) "Metropolitan Area" means a standard metropolitan statistical area, as established by the U.S. Office of Management and Budget.
- (12) "Metropolitan City" means a city as defined by Section 102(a)(4) of the Act.
- (13) "Department" means the North Carolina Department of Commerce (DOC).
- (14) "Project" means any eligible business as defined in Paragraph (o) of this Rule and which the Economic Development Grant sector of the CDBG Program may consider so long as the project business (or businesses) presents separate, identifiable opportunities to create or retain jobs, principally for low and moderate income people. Such jobs must be created within the grant period.
- (15) The following definitions determine eligible business types for projects for which CDBG assistance is requested:
 - (a) All business types identified as eligible for New and Expanding Business tax incentives under the North Carolina William S. Lee Quality Jobs and Business Expansion Act (Article 3A of Chapter 105 G.S. 105, Article 3A), as amended; and
 - (b) Other project businesses that provide public benefit and can reasonably be interpreted as being eligible for CDBG assistance under Sections 105(a)(14) and 105(a)(17) of the Housing and Community Development Act of 1974, as amended. (Also see Rule .0105 of this Subchapter regarding projects not to be considered for funding in N. C.)
- (16) "Utility Project" shall mean any water, sewer, electric or natural gas utility improvement needed to provide services to the economic development project. The applicant shall delineate which projects are to be owned and operated by a unit of government, which projects are to be owned by a unit of government and leased to an operating utility company, and which projects are to be owned and operated by a private utility company. If the project is for infrastructure which shall be leased to and maintained by a privately owned and regulated natural gas distributor, the application will state the terms of the lease between the unit of government and the private entity.

*History Note: Authority G.S. 143B-431; 24 C.F.R. 570.489;
Temporary Adoption Effective July 20, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. December 1, 1992;
Amended Eff. August 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*