

RESOLUTION 2026-08-17-006

A RESOLUTION AFFIRMING THE VILLAGE OF WAYNE LAKES COMPLIANCE WITH SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 AND 24 CFR PART 75, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Wayne Lakes receives Community Development Block Grant (CDBG) funds through the Ohio Department of Development (ODOD); and

WHEREAS, Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), as implemented by 24 CFR Part 75, requires recipients of HUD financial assistance to ensure that employment, training, and contracting opportunities generated by certain HUD-funded projects are directed to low- and very low-income persons, particularly those residing in the project area; and

WHEREAS, the Village is required to maintain a Section 3 policy, ensure contractor compliance, and complete all reporting obligations associated with HUD-funded projects meeting the applicable Section 3 thresholds; and

WHEREAS, the State Auditor has recommended that the Village formally adopt legislation affirming compliance with Section 3 requirements; and

WHEREAS, Council finds it necessary and in the best interest of the Village to adopt a Section 3 compliance policy and procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WAYNE LAKES, DARKE COUNTY, OHIO:

Section 1. The Village hereby adopts the “Village of Wayne Lakes Section 3 Compliance Policy,” attached hereto as *Exhibit A* and incorporated herein by reference.

Section 2. The Fiscal Officer is directed to implement the policy, ensure contractor notification, maintain required documentation, and complete all reporting obligations under 24 CFR Part 75 for any applicable CDBG or other HUD-assisted projects.

Section 3. All procurement documents, bid specifications, contracts, and subrecipient agreements for HUD-assisted projects shall include the Section 3 contract language attached as *Exhibit B*.

Section 4. This Resolution shall be in full force and effect from and after passage, and Council hereby declares this measure an emergency necessary for the immediate preservation of the public peace, health, and safety of the Village, and to fulfill the need to immediately ensure compliance with the federal grant requirements.

Passed this 17 day of August, 2026.



MAYOR


FISCAL OFFICER

Exhibit A – Village of Wayne Lakes Section 3 Compliance Policy

1. Purpose

This policy establishes the Village of Wayne Lakes' procedures for complying with Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 75 for all applicable HUD-assisted projects, including CDBG-funded activities administered through ODOD.

2. Applicability

This policy applies to:

- All HUD-assisted housing rehabilitation, housing construction, or public construction projects;
- All projects where the total amount of HUD assistance exceeds the Section 3 threshold established in 24 CFR 75.3;
- All contractors and subcontractors performing work on applicable projects.

3. Section 3 Goals

The Village shall, to the greatest extent feasible:

- Direct employment and training opportunities to Section 3 workers;
- Award contracting opportunities to Section 3 business concerns;
- Maintain documentation demonstrating efforts to meet Section 3 benchmarks under 24 CFR 75.23.

4. Responsibilities

The Fiscal Officer shall:

- Notify contractors of Section 3 requirements;
- Collect and maintain labor-hour data and contractor certifications;
- Ensure inclusion of Section 3 language in procurement documents;
- Complete all required reporting to ODOD or HUD;
- Maintain records for audit review.

5. Contractor Requirements

Contractors must:

- Complete Section 3 worker and business concern certifications;
- Report labor hours for Section 3 workers and targeted workers;
- Demonstrate efforts to meet Section 3 benchmarks;
- Include Section 3 requirements in all subcontracts.

6. Recordkeeping

The Village shall maintain:

- Contractor notifications;
- Worker and business concern certifications;
- Labor-hour reports;
- Procurement documents containing Section 3 language;
- Documentation of outreach efforts.

7. Compliance

Failure to comply may result in corrective actions, withholding of payments, or other remedies permitted under federal regulations.

Exhibit B – Required Section 3 Contractor Language

The following language shall be included in **all bid documents, contracts, and subrecipient agreements** for HUD-assisted projects:

1. Section 3 Clause The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and 24 CFR Part 75. Section 3 requires that employment and contracting opportunities generated by certain HUD financial assistance be directed to low- and very low-income persons, particularly those residing in the project area.

2. Contractor Responsibilities The Contractor agrees to:

- Comply with Section 3 requirements and 24 CFR Part 75;
- Make efforts to award contracts to Section 3 business concerns;
- Make efforts to employ Section 3 workers and targeted workers;
- Maintain and submit all required labor-hour reporting;
- Flow down Section 3 requirements to all subcontractors.

3. Noncompliance Failure to comply with Section 3 requirements may result in sanctions, termination of the contract, or other remedies available to the Village.