

Richland County COVID-19 Food & Beverage, Entertainment Venue, and Lodging & Tourism Grant Program

PROGRAM GUIDELINES **As Published December 28, 2021**

The Richland County COVID-19 Food & Beverage, Entertainment Venue, and Lodging & Tourism Grant Program (the “Program”) is a grant fund that and has been established to grant funds Richland County, and other jurisdictions received through section 9901 of the federal American Rescue Plan Act of 2021 (“ARPA”). The Program has been created by Richland County and other community partners with the Richland Area Chamber & Economic Development (the “Chamber”) in order to assist businesses in certain industry sectors throughout Richland County with the financial hardship imposed by the COVID-19 pandemic, and to help pay the costs of business interruption required by closures or those costs where businesses face uncertainty as to their ability to pay due to the pandemic. The below guidelines establish the businesses eligible for funding, the type of business expenses that can be paid with grant funds, the application and award process, and the process for entities to make contributions to the Program.

I. General Description of the Program

Eligible businesses in the Food & Beverage, Entertainment Venue, and Lodging & Tourism sectors will be able to receive grant funds from the program in order to assist those businesses with operating expenses incurred or paid after March 15, 2020, when the State of Ohio began the process of closing certain businesses within the State, and at which point many businesses and nonprofits were being affected by both mandatory and voluntary closures, cancellations, and postponements of operations, activities, and events, both in and outside of Ohio, and substantial losses in revenue and costs as a result of business interruption and broad economic impact of the pandemic. Generally, the amount of the grant per business will be \$10,000, \$20,000, or \$30,000 depending on the impact of the pandemic on their business (as outlined in the eligibility criteria). Eligibility for the grants will be tied to key criteria linked to supporting businesses that have been impacted by COVID-19, are located within Richland County, and are still in operation.

Applicants must submit an application in the form attached to these guidelines to the Chamber, which will review the same for completeness and compliance with these guidelines. The round of funding for which applications will be taken, will commence at 9:00 am on Thursday, January 6, 2022 and run until 4:00pm on Monday, January 31, 2022. Completed applications submitted during that time, that are in compliance with the eligibility criteria set forth below, will be considered for funding in the order they are received until all funds are expended. The Chamber will announce the award of grant funds to the businesses on a rolling basis and will begin distributing grant funds to businesses within two weeks of receipt of all required documents. In the event that the grant fund is replenished, the Chamber will continue to award grants as described above until all funds are expended.

All grants made under the Program are being made with the intention to provide immediate funding to businesses in the Food & Beverage, Entertainment Venue, and Lodging & Tourism sectors to reimburse the costs of business interruption caused by required closures, to assist with the payment of costs where the business faces uncertainty as to its ability to pay due to the pandemic, to keep as many businesses in these hardest-hit sectors in Richland County operating as possible, and to retain as many jobs for Richland

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County residents as possible in light of the severe economic hardships brought by the COVID-19 pandemic. All contributions of funds to the Program are made for the purpose of furthering economic development, preserving employment opportunities for Richland County residents, and preserving the operations of Richland County's businesses and nonprofits during a time of need and emergency. The primary objective of the Program is to minimize long-term economic hardship to Richland County residents and businesses that may result from the COVID-19 pandemic.

II. Eligibility Criteria

- A. To be eligible for grant funds under the Program, Richland County businesses and nonprofits must meet the following requirements:
- i. The business must operate for profit (sole proprietorship, partnership, corporation, professional association, limited liability company, limited partnership, limited liability partnership) or as a nonprofit.
 - If a corporation, professional association, limited liability company, limited partnership or limited liability partnership, the business must be registered with the Ohio Secretary of State to do business in the State of Ohio.
 - If a sole proprietorship, the business shall provide documentation of its existence as a business, including, but not limited to income tax returns for the business, trade name registrations, business banking or credit accounts, or similar documents.
 - If a partnership, the business shall either be registered with the Ohio Secretary of State to do business in the State of Ohio, or, if not registered, shall provide documentation similar to that required for a sole proprietorship.
 - The eligible non-profit corporations must be registered with the Ohio Secretary of State and have a letter of determination nonprofit eligibility from the IRS.
 - To qualify as a food/beverage business, the applicant business must have a valid Ohio vendor's license, food service operations license and/or liquor permit.
 - To qualify as a lodging business, the applicant business must have a valid hotel/motel license from the Ohio Department of Commerce.
 - ii. The business must fit within one of the eligible funds set forth in Section III (A) and also meet the related criteria in Section III (B).
 - iii. The business must be located within Richland County. A sole proprietor with a legal business address that is outside Richland County, but who primarily operates out of a physical location within Richland County will be considered eligible.
 - iv. The business must have been in continuous operation by January 31, 2020, which, at a minimum, may be evidenced by a filing on or before that time, of documents with the Ohio Secretary of

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State incorporating or organizing the business or evidencing operation of the business prior to that time. Absent those filings, business bank account documentation, business tax documentation, credit accounts or other documentation acceptable to the Chamber in its sole discretion as evidence of operations will be required.

- v. The business must not be permanently closed and must intend to continue its business operations following the COVID-19 pandemic.
 - vi. The business must not be in receivership or bankruptcy.
 - vii. All businesses will be required to provide the businesses' federal employer identification number, or, if the business does not have a federal employer identification number, the social security number under which the business operates.
- B. A business as defined in these Guidelines that falls within one or more of the following categories is ineligible to receive funding:
- i. Any business is operated by a governmental agency or entity.
 - ii. Any business operating as a sexually oriented business as that term is defined in Section [2907.40](#) of the Ohio Revised Code.
 - iii. Any business that engages in conduct regulated by the state casino control commission or racing commission.
 - iv. Any business where a majority legal interest in the applicant business is owned by individuals who are under the age of eighteen.
 - v. Any business that is a non-franchised publicly traded company.

III. Eligible Funds

- A. There are three funds being established at the Chamber to distribute these ARPA funds: Richland County Food & Beverage Relief Fund, the Richland County Entertainment Venue Fund, and the Richland County Lodging & Tourism Fund. The criteria for all funds are listed below:
- i. **Richland County Food & Beverage Relief Fund**
 - The business is classified under NAICS Codes generally starting with 722, and/or is one of the following:
 - (1) Food Service Contractors

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- (2) Caterers
- (3) Mobile Food Services
- (4) Drinking Places (bars, taverns, nightclubs, etc.)
- (5) Breweries/Wineries/Distilleries with on-site drinking and/or dining
- (6) Full-Service Restaurants
- (7) Limited-Service Restaurants (offering take-out, baked goods for immediate consumption, etc.)
- (8) Fraternal Organizations
- (9) Coffee Shops
- (10) Cafeterias
- (11) Buffets
- (12) Snack and nonalcoholic Beverage Bars
- (13) Businesses that do not otherwise qualify for the Entertainment Venue or Lodging Funds due to earning more than 50% of their revenue from the sale of food and/or beverages

ii. Richland County Entertainment Venue Fund

- The business is generally classified under NAICS Codes starting with 711, 712, and 713 (not including gambling venues), and/or is one of the following:
 - (1) Theatres and Dinner Theatres
 - (2) Movie Theatres
 - (3) Indoor and/or Outdoor Music Venues
 - (4) Comedy Clubs
 - (5) Concert Halls
 - (6) Spectator Sports Venues
 - (7) Museums
 - (8) Art Centers/Galleries
 - (9) Historical Sites
 - (10) Zoos and Botanical Gardens
 - (11) Amusement and Theme Parks
 - (12) Family Fun Centers
 - (13) Trampoline and Adventure Parks
 - (14) Arcades
 - (15) Golf Courses
 - (16) Sports Centers
 - (17) Skiing Facilities
 - (18) Marinas
 - (19) Recreational Sports Centers
 - (20) Bowling Center

iii. Richland County Lodging & Tourism Fund

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- The business is generally classified under NAICS Codes starting with 721, 487, or 5615 (not including gambling venues), and/or is one of the following:
 - (1) Hotels
 - (2) Motels
 - (3) Bed and Breakfast
 - (4) RV (Recreational Vehicles) Parks and Recreational Camps
 - (5) Scenic, and sightseeing transportation
 - (6) Travel Agencies
 - (7) Tour Operators
 - (8) Convention and Visitors Bureaus

- B. A business qualifying for one of the three funds listed in Section III A, must also meet the following financial impact criteria:
 - i. The business experienced at least a 10% reduction in sales/revenue in 2020 or 2021 as a result of COVID-19, and a grant is necessary to help it recover from the impact of COVID-19. Businesses must be able to provide evidence to show a revenue reduction. The extent of the revenue reduction may determine the amount of the grant awarded. (See Section V. Application and Award Process for more information on the grant award amount).
 - If claiming a reduction in 2020, a business's reduction in sales/revenue will be calculated after collecting information from the business to determine the total amount of gross sales/receipts (before taking into account any business costs incurred) for calendar year 2019 (being the last full-year prior to the onset of the COVID-19 pandemic) and the total amount of gross sales/receipts for calendar year 2020. The Chamber will then determine the average monthly revenue amount for calendar year 2020. The resulting reduction percentage will be rounded to the nearest whole number. For businesses that began incurring sales/revenue after January 1, 2019 but before December 1, 2019, the average monthly gross sales/receipts for calendar year 2019 will be prorated based on the number of months the applicant business was in operation in 2019. For businesses that began incurring sales/revenue between December 1, 2019 and January 31, 2020, the average monthly gross sales/receipts beginning December 1, 2019 through February 28, 2020 will be considered their 2019 revenue for purposes of our formula.

 - If claiming a reduction in 2021, a business's reduction in sales/revenue will be calculated after collecting information from the business to determine the total amount of gross sales/receipts (before taking into account any business costs incurred) for calendar year 2019 (being the last full-year prior to the onset of the COVID-19 pandemic) and the total amount of gross sales/receipts for calendar year 2021. The Chamber will then determine the average monthly revenue amount for calendar year 2021. The resulting reduction percentage will be rounded to the nearest whole number.

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IV. Eligible expenses

- A. Unless excepted below, all expenses of the business that related to the costs of business interruption caused by required closures or for which the business faces uncertainty as to its ability to pay due to the pandemic and that are deductible as ordinary and necessary business expenses under the U.S. Internal Revenue Code may be paid for with grant funds from the Program. Expenses must be incurred between March 15, 2020 and January 6, 2022. Examples of eligible expenses include, but are not limited to:
- i. Personal protective equipment to protect employees, customers, or clients from COVID-19.
 - ii. Measures taken to protect employees, customers, or clients from COVID-19.
 - iii. Mortgage payments for the business's principal place of business or such other business location in Richland County. Mortgage payments for businesses that are located in an owner's primary residence are not eligible.
 - iv. Rent payments for the business's principal place of business or such other business location in Richland County. Rent payments for businesses that are located in an owner's primary residence are not eligible.
 - v. Utility payments – electric, gas, sewer, water, telephone, trash removal – for the business's principal place of business or such other business location in Richland County. Utility payments for businesses that are located in an owner's primary residence are not eligible.
 - vi. Health, property and casualty and liability insurance payments.
 - vii. Vehicle and equipment lease or rental payments for vehicles and equipment leased on or prior to March 15, 2020. Lease payments for vehicles primarily used for the personal use of any person owning an interest in Grantee are not eligible.
 - viii. Salaries or wages of all employees employed by the business.
 - ix. Business supplies and equipment.
 - x. Such other costs related to interruption of the business caused by required closures, including the closure of the business's suppliers and/or customers.

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- B. Additionally, any sole proprietor may use grant funds from the Program to replace a portion of its lost revenue, as follows:
 - i. If the sole proprietor filed IRS Form 1040 and Schedule C thereto for tax year 2020, or, if the event the sole proprietor has not filed IRS Form 1040 for tax year 2020, but has filed IRS Form 1040 and Schedule C thereto for tax year 2019, then the sole proprietor can use the grant funds to pay the sole proprietor the equivalent of up to 1/6 of the net profit reported by the sole proprietor on line 31 of the applicable Schedule C.
- C. Each applicant for funds will include in its application to the Chamber an itemization of the expenses it intends to pay with the grant funds, which will be reviewed for compliance with the eligible expenses set forth in Section IV (A), above. The business shall provide a listing to the Chamber of all business expenses paid using the grant funds along with supporting documentation. Documentation will be in the form of cancelled checks, paid invoices, bank statements, or similar documents evidencing payment. The listing of business expenses paid and accompanying documentation shall be submitted to the Chamber prior to the disbursement of grant funds.
- D. No Program Grant Funds may be used to repay expenses that were also claimed as part of other federal, state, or local government loan or grant programs – including but not limited to the Paycheck Protection Program, Shuttered Venue Operators Grant, Restaurant Revitalization Fund, and previous Richland County COVID-19 Grant Programs
- E. The eligible expenses set forth above constitute, to the best of the County of Richland and Chamber’s knowledge and understanding, eligible expenses for which funds can be used under Section 9901 of the American Rescue Plan Act, and the business cannot use grant funds it receives for purposes other than those set forth above.

IV. Application and Award Process

- A. Businesses that wish to apply for a grant from the Program shall submit to the Chamber a complete application on the form prescribed by the Chamber. That application will include basic information regarding the business, as well as the following information:
 - i. Summary level information on 2019 and 2020 or 2021 revenues and expenses.
 - ii. An identification of business expenses that the business will pay with grant funds awarded from the Program.
 - iii. For all businesses applying, the first page of its IRS Form 1040, 1040-SR, 1065, 1120 or 1120-S for tax years 2019 and 2020 (for revenue verification). Additionally, any business providing a Form

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1040 or 1040-SR must also include the full Schedule C that was filed with the Form 1040 or 1040-SR.

- iv. A completed form W-9 for the business or recipient of grant funds to enable IRS reporting and verification.

- B. Applications will be taken commencing at 9:00 am on Thursday, January 6, 2022 and run until 4:00pm on Monday, January 31, 2022. All applications must be fully submitted and completed during this time to be considered. Applications will be received electronically via the online survey application tool. In the event that an applicant is absolutely unable to submit via the online tool, we will do our best to accommodate arrangements for application via paper. Submissions via fax will be time stamped for receipt. Applications may also be received by U.S. Mail and will be time stamped upon receipt for 5 p.m. on the date of the postmark of the application. To facilitate review, no applications will be accepted by U.S. Mail if received after 5 p.m. on the final date of the application period. No applications will be accepted in person at the Chamber or any other office unless a specific appointment time for receipt can be made.
 - i. Complete submission of accurate information is the responsibility of the applicant. Given the volume of applications expected, The Chamber is unable to contact individual recipients related to incomplete information. The application process includes multiple opportunities for the applicant to review their submission and a final confirmation will be sent from the application system to the applicant's email. Incomplete applications may result in elimination of the company's application for the grant. Information submitted will be deemed as certified to be accurate and truthful by the applicant and will be relied on for determining eligibility and applicant scoring. False information provided by applicants could result in the requirement to repay grant funds as a result of submitting a false or misleading application.

 - ii. All applications that are complete and contain all information required by Section IV(A), above, will receive a sequential grant application number indicating the order that the complete application was received. Said applications will be considered for funding by the Chamber in the order they are received. It is possible the Program may not be able to provide funds for every eligible applicant.

- C. Each business that meets the criteria as defined in these Program Guidelines and submits a complete application will be eligible for a grant if funds are still available.

- D. For businesses in operation prior to January 31, 2020, the grant amount will be **the lesser of**:
 - i. The actual amount of revenue reduction when comparing the 2019 Total Gross Sales/Receipts to the 2020 or 2021 Total Gross Sales/Receipts, OR

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- ii. The amount identified below based on the calculated revenue reduction percentage:
 - 10-30% loss: \$10,000 grant
 - 31-50% loss: \$20,000 grant
 - 51%+ loss: \$30,000 grant

- E. Grant awards will be announced by the Chamber on a rolling basis within three (3) weeks of application. Following award of each grant, the Chamber will email to each business a grant agreement. The business must complete and sign the grant agreement and return the same to the Chamber to receive grant funds. Grant funds are being distributed on a reimbursement basis and the business must provide documentation of how they are using the grant prior to receipt of the funds. The Chamber will make every effort to disburse the grant funds within seven (7) to ten (10) business days of the receipt of all requested documentation.

- F. Any application that is complete and meets all eligibility but was not funded in a certain round will be reconsidered for funding, in chronological order, if additional money becomes available.

- G. The Chamber may require any business owner to complete any necessary documentation to determine if the grant to that business may be funded.

- H. Prior to receiving any grant funds, the business shall sign a grant agreement between itself and the Chamber. At a minimum, the grant agreement will (i) require the business to use all grant funds for the purposes set forth in these Guidelines and its application, (ii) require the business to follow and comply with all other provisions of these Guidelines, (iii) be conditioned on the business providing all information on the application, accompanying documents and verification of expenses in a true and accurate manner, (iv) require the business to be subject to audit and reimbursement of funds in the event it fails to comply with items (i) to (iii), and (v) require the business to indemnify and hold harmless the Chamber and all contributors of grant funds.

- I. Information, documents, or other materials submitted to the Chamber as part of an application may be public records unless a statutory exception exists under Section 149.43 of the Revised Code or other relevant law that exempts the information, document, or other material from public release.

- J. In general, the Chamber will manage the Program and administer the distribution of grants in accordance with these Guidelines.

- K. Nothing contained herein is intended to obligate or bind, nor shall it be construed to obligate or bind, the Chamber or any grantor of funds to the Program, to make, award, or fund any grant to any entity whatsoever, and no entity shall have any claim, action, or cause of action against the Chamber or any grantor of funds for failure to make, award, or fund any grant. All determinations will be made with the best efforts of the Chamber and in the spirit of meeting the objectives of this program. The decisions of the Chamber are final, not subject to appeal and fully within the discretion of the

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Chamber subject to whatever process modifications they find necessary in the dispatch of their work to meet the guidelines of the program. A statement to this effect shall be included in the application.

V. Maintenance of Records

Businesses who receive funds from the Richland County COVID-19 Food & Beverage, Entertainment Venue, and Lodging & Tourism Grant shall keep records of all specific expenses for which the funds were used for a period of five (5) years from the final expenditure of received funds. These records shall include but not be limited to paid invoices, cancelled checks, payroll records and other documentation acquired when the permissible expense occurred.

Upon request, the business shall provide access to these records to Richland Area Chamber, Richland County, its agencies, agents, directors, and/or any party who has contracted with the Chamber or the County for the exclusive purposes of evaluating or ensuring compliance with program requirements. Failure to abide by the requirement may result in a demand for the business to repay Program Grant funds to the Richland Area Chamber within thirty days of a written request for repayment.

VII. Fund Contributions

- A. The Chamber will accept fund contributions in increments of \$1,000, for providing Program grants from governmental entities, businesses, non-profits, and individuals who wish to contribute to the Program.
- B. Grantors who provide fund contributions in excess of \$10,000 shall have the ability to direct the following factors as it pertains to the use of their contributions:
 - i. The community or geographic area within Richland County in which the fund contributions must be utilized for grants. Fund Contributions that are not restricted to a jurisdictional or geographic area within the County shall be deemed as available for grants to businesses Countywide.
 - ii. Contributed funds will be paid by grantors in a lump sum payment to the Chamber pursuant to a grant agreement executed between the Chamber and the grantor. Once funds are paid to the Chamber, they will not be returned to the grantor unless (i) the grantor cancels the grant agreement for cause because of mismanagement, misfeasance, or malfeasance on the part of the Chamber, or (ii) on June 30, 2022, the Chamber is still in possession of contributed funds from the Grantor that were not distributed to businesses under this Program. The Chamber shall develop and distribute the grant agreement to each grantor. All grants will then be made out of the funds contributed by the grantors and the Chamber shall not have any obligation to fund grants out of its operating funds.

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- C. The following shall be used by the Chamber in determining which fund contributions shall be drawn down to fund any grants that are awarded:
- i. If funds that have been contributed for a certain jurisdiction or geographic area wherein the business is located are available, then the grant shall be funded by those funds.
 - ii. If jurisdictionally or geographically-directed funds are no longer available that apply for that business's location, then the grant shall be funded by other funds that are available.
 - iii. In the event that a grantor has permitted that grant funds may be used to fund grants in excess of the maximum amounts set forth above, regardless of whether such funds are jurisdictionally or geographically restricted, then any grant that is awarded solely using those funds may exceed that maximum amount, up to the amount allowed by the grantor. Grants that are approved for funding will receive the maximum amount in the order that they are approved.