



## **WILMETTE LOCAL RESTAURANT ECONOMIC RELIEF PROGRAM (Grant Program Administrative Rules)**

The Village of Wilmette declared an emergency affecting the public health and wellbeing due to the outbreak of Coronavirus Disease 2019 (“COVID-19”) (“Emergency Declaration”). As part of the Emergency Declaration, the Village has acknowledged the financial burden on the Village’s restaurant community, and therefore, the Village has established the Wilmette Local Restaurant Economic Relief Program which is a grant program to provide funds to Wilmette restaurants that have suffered economic loss during the COVID-19 Pandemic (“Grant Program”). The Grant Program will distribute a portion of the Village’s share of municipal sales tax (“Grant”) to eligible local restaurants to supply restaurants with immediate cash for short-term financial operational needs such as payroll, payment to suppliers, payment to service providers, or payment of utilities. The Grant may not be used for capital expenditures or rent.

### **Eligible Restaurants to Receive Grant**

To be considered an eligible restaurant to receive a Grant, restaurants must meet the following requirements:

1. Have and maintain a current and valid Village of Wilmette Business License;
2. Restaurant must not have permanently ceased operations as of the date the funds are to be dispersed (businesses that have ceased operations per the Governor’s “Mitigations” plan and will reopen once the Governor’s “Mitigations” plan is lifted or otherwise allows will not be considered to have permanently ceased operations);
3. Restaurant must generate municipal sales tax as part of its operations and sales;
4. Restaurant annual sales must not be below \$50,000 (\$500 in municipal sales tax collections) in the calendar year 2019<sup>1</sup>;
5. Restaurant annual sales must not exceed \$7.5 million (\$75,000 in municipal sales tax collections) in the calendar year 2019<sup>1</sup>;

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<sup>1</sup> For restaurants that did not operate for the full 12-months between November 2018 and December 2019, the monthly sales during the restaurants operational period will be averaged and multiplied over 12 months. This total must equate to over \$50,000 and under \$7.5 million to be eligible.

For restaurants that were not operational in 2019, the Village will require monthly sales information during the restaurants operational period. This amount will be averaged and multiplied over 12 months. The Village reserves the right to place a cap on the maximum grant award for businesses without a full year’s worth of sales tax data which may be less than the average monthly sales multiplied over 12 months.



6. Restaurant shall not be part of a chain consisting of more than 4 units;
7. Restaurant shall not be part of a franchise system;
8. Restaurant shall not be a private club and must be open to the general public;
9. Restaurant shall not be a home occupation;
10. Restaurant must have suffered a minimum 15% decrease in municipal sales tax eligible sales from October 28, 2020 to the date of the Application when compared to the same time frame in 2019<sup>2</sup>.
11. Restaurant must generate a minimum of fifty percent (50%) of primary sales from restaurant or bar service
12. Restaurant must provide indoor dining service. Indoor dining service is defined as seating for five (5) persons or more.
13. Restaurant must be in compliance with the State of Illinois' COVID-19 mitigation guidelines.

### **Terms and Conditions**

The Grant Program shall be administered in the sole discretion of the Village and nothing in this program creates a right to any restaurant to receive any funds or creates an obligation of the Village to expend any funds. The Village is offering, through an application ("Application"), the ability of eligible Wilmette restaurants to receive a portion of their municipal sales tax proceeds collected and paid to the State of Illinois in 2019.

All Grants by the Village are expressly conditioned upon the satisfactory completion of an Application and adherence to these Administrative Rules.

### *Forms*

The application for the Grant Program must be completed and submitted to the Village via email to [WilmetteGrantApplication@wilmette.com](mailto:WilmetteGrantApplication@wilmette.com). A federal tax form W-9 must also be submitted in accordance with federal and state law.

For restaurants not in operation during 2019, a monthly revenue disclosure statement certified by the businesses attorney or accountant is required to be submitted for the grant application.

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<sup>2</sup> Restaurants that were not operational 2019 will be exempt from this program rule



### *Expenditure Requirements/Timing*

A Grant distributed to a restaurant shall be used solely for operational expenses for payments for payroll, for suppliers, for service providers, for utilities or a combination thereof. Such operational expenses shall be paid within thirty (30) days of receipt of the funds from the Village. The Village may request receipts of the expenditures by the restaurant. Upon receipt of the request, the restaurant must within ten (10) calendar days submit via email to [WilmetteGrantApplication@wilmette.com](mailto:WilmetteGrantApplication@wilmette.com), one or more receipts showing the full Grant funds have been expended as authorized by these Administrative Rules.

### *Not Transferable*

If a Grant is approved, it will be awarded via check in the name of the restaurant submitted on the Application. Grant awards are not transferable to another person, owner, or business.

### *Refund of Grant*

If at any point these Administrative Rules are not strictly adhered to, the Grant funds provided shall be returned to the Village in the full amount within ten (10) calendar days of receiving notice of a breach of the Grant Program. Each owner of at least 5% of the restaurant shall submit the Application to the Village, shall sign said Application and shall jointly and severally personally guarantee the refund of the grant proceeds should the Administrative Rules not be strictly adhered to.

### *Proprietary Information and General Release*

Applicants shall permit Village representatives to make all reasonable inspections and investigations of the business' financial and proprietary information during the process period of the Application. Applicants, as a necessary part of the Application process, shall provide for to the Village or otherwise allow the Village to obtain and use all financial and proprietary information, including all municipal sales tax information, of the business. Such information shall no longer be deemed proprietary and confidential for purposes of this Grant Program. All payments under the Grant Program will be made public and will contain the amount of the Grant funds awarded to the business and the business' name and information. Applicants, upon submission of an Application, release the Village from any and all liability, waive any rights in regards to the proprietary information's confidentiality, and covenant not to sue the Village for the release of said proprietary information and from any other claim arising from this Application and the Grant Program. Village, for this section shall mean their officers, directors, employees, agents, affiliates and representatives. Submission of an Application is an express consent and agreement to the above.