

SUBSTANTIAL-DAMAGE/IMPROVEMENT NOTICE TO PROPERTY OWNERS

Rebuilding your home after the storm? Adding on, renovating, or remodeling your home?

INFORMATION ABOUT THE 50% RULE

If your home or business is below the 100-year flood elevation, The City of Ephrata has flood damage prevention regulations that may affect how you remodel, renovate, or add on to your building. If your home or business sustained structural and/or interior damage these regulations may affect how you rebuild. These laws are required by the National Flood Insurance Program (NFIP) to protect your lives and investment from future flood damages. The City of Ephrata must adopt and enforce these laws in order for federally-backed flood insurance to be made available to community residents and property owners.

Save yourself some time, aggravation, and money. Please read the following information:

SUBSTANTIAL-DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before pre-damaged condition would equal or exceed 50% of the market value or replacement cost of the structure before the damage occurred. (note: The cost of repairs must include all costs necessary to fully repair the structure to its pre-damaged condition.)

SUBSTANTIAL-IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement.

If a building is "substantially damaged" or "substantially improved," it must be brought into compliance with the City of Ephrata's flood damage prevention regulations, including elevating the building to or above the 100-year flood elevation.

The City of Ephrata, following National Flood Insurance Program (NFIP) requirements, has the responsibility to determine "substantial-damage" and "substantial improvement" and has implemented the following procedures to do so:

- 1) The City of Ephrata will estimate Fair Market Value by using the tax assessment value of your structure (excluding the land). If you disagree with this estimate of Market Value, you may hire a state licensed appraiser and submit an approved property appraisal for the depreciated value of the structure.

- 2) You must obtain and submit to the City of Ephrata a detailed and complete cost estimate for the addition, remodeling, reconstruction, or repair of all the damages sustained by your home, prepared and signed by a licensed general contractor. The contractor must sign an affidavit indicating that the cost estimate submitted included ***all damages or all improvements*** to your home, not just structural. The City of Ephrata will evaluate the cost of improvements or repairs and determine if they are fair and reasonable. For damage repairs, pre-storm prices and rates will be utilized. The cost of improvements or repairs does not include items not considered a permanent part of the structure (i.e. plans, surveys, permits, sidewalks, pools, screens, sheds, gazebos, fences, etc.)
- 3) If your home is determined to have “substantial-damage” or is proposed to be “substantially improved”, then an Elevation Certificate must be submitted to the City of Ephrata to determine the lowest floor elevation. Garages and carports are not considered to be the “lowest floor”.
- 4) If the lowest floor is below the 100-year flood elevation, the building must be elevated to or above that level. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms, and laundry rooms must be elevated to or above the 100-year flood level. Below the flood level, only parking, building access, and limited, incidental storage is allowed. Non-residential buildings may be “flood proofed” instead of being elevated. If the lowest floor, electrical and mechanical equipment, laundry room and bathroom are already above the 100-year flood elevation, the building can be repaired and reconstructed without further modifications.
- 5) Building plans must be prepared to show how the building is to be elevated. If the structure is located in an A-zone, Special Flood Hazard Area (100-year floodplain), or if the building is to be flood proofed, the plans must be prepared and certified by a registered professional engineer or architect. Certificates for this purpose are available from the City of Ephrata.
- 6) Following a presidential disaster declaration, the Small Business Administration may make loans available for both houses and businesses for the purposes of elevating the structure to or above the 100-year flood elevation. Proof of “substantial-damage” from the City of Ephrata is required.

SUBSTANTIAL-DAMAGE/IMPROVEMENT

ITEMS TO BE INCLUDED:

All structural elements including:

- Spread or continuous foundation footing and pilings
- Monolithic or other types of concrete slabs
- Bearing walls, tie beams, and trusses
- Wood or reinforced concrete decking or roofing
- Floors and ceilings
- Attached decks and porches
- Interior partition walls
- Exterior wall finishes (e.g. brick, stucco, or siding) including painting and decorative moldings
- Windows and doors
- Re-shingling or retiling a roof
- Hardware

All interior finish elements, including:

- Tiling, linoleum, stone, or carpet over subflooring
- Bathroom tiling and fixtures
- Wall finishes (e.g. drywall, painting, stucco, plaster, panelling, marble, other decorative finishes)
- Kitchen, utility, bathroom, entertainment and storage cabinets
- Built-in bookcases, cabinets, and furniture
- Hardware
- Insulation
- Interior Doors
- Interior finish carpentry

All utility and service equipment, including:

- HVAC equipment
- Repair or reconstruction of plumbing and electrical services
- Light fixtures and ceiling fans
- Security systems

- Built-in kitchen appliances
- Central vacuum systems
- Water filtration, conditioners, or recirculation systems
- Electrical wiring, outlet and switches

Also:

- Labor and other costs associates with demolishing, removing, or altering building components
- Overhead and profit

SUBSTANTIAL-DAMAGE/IMPROVEMENT

ITEMS TO BE EXCLUDED:

- Plans and specifications
- Survey Costs
- Permit Fees
- Debris Removal (e.g. Removal of debris from building or lot dumpster rental, transport fees to landfill, and landfill tripping fees), and clean-up (e.g. Dirt and mud removal, building dry out, etc.)
- Items not considered real property such as: Throw rugs (carpeting over finished floors). Furniture, refrigerators, stoves free-standing, etc.

Outside improvements, including:

- Landscaping
- Sidewalks
- Fences
- Yard Lights
- Swimming pools
- Screened pool enclosures
- Sheds
- Gazebos
- Detached structures (including garages)
- Landscape irrigation systems