FLOOD DAMAGED BUILDINGS IN THE FLOODPLAIN

Important Tips to Get a Building Permit Approved Quickly

This guide is provided for information purposes only. It is not intended to be a legal document.

If your home or business is located in the 100-year floodplain and has sustained structural and/or interior damage due to recent flooding, Metropolitan Nashville-Davidson County has floodplain regulations that may affect how you rebuild. These regulations are required by the National Flood Insurance Program (NFIP) to protect your lives and investment from future flood damages. Metropolitan Nashville-Davidson County must adopt and enforce these regulations in order for federally-backed flood insurance to be made available to community residents and property owners.

If your home or business has sustained damage equal to or exceeding 50 percent of the pre-damaged market value, it is considered ***substantially damaged***. A ***substantially damaged*** structure must be brought into compliance with Metropolitan Nashville-Davidson County's current floodplain regulations.

If your property is in the 100 year flood plain, you can still get a building permit to make repairs in most cases. Is some cases, the permit is considered "pending" until a field assessment of your property is completed. The "pending" permits are generally issued within a few days of application. Metro Water Services (MWS) can sign off on your building permit if:

1) **your building meets the current Stormwater Regulations OR**
2) **the damage to the building is less than 50% of the building's value**

Current Stormwater Requirements:
The finished floor elevation of the building must be at least 4 feet above the 100-year flood elevation for residential structures and at least 1 foot above for commercial structures. A copy of the current floodplain map will determine if the building is in the 100-year floodplain. An elevation certificate (FEMA Form) is required to determine the elevation of the building. **Please bring these documents when you come to apply for a permit to expedite approval.**

Building Value:
The value of the building is determined using the Metro tax assessor's appraisal. MWS staff will look up the current appraised value of your building (excluding land value) when you apply for your permit. If you disagree with the assessor's appraised value, you may hire a state licensed appraiser and submit a comparable property appraisal for the market value of the structure. If you have a recent alternate appraisal, please bring that with you when you apply with your permit.

Estimate of % Damage:
MWS will send an inspector to each location in the floodplain to perform a depth damage field estimate to determine if the damage exceeds 50%. If the results of this

estimate show the damage to be less than 40%, then the permit will be issued. There is no need for a detailed contractors estimate in this case.

If the results of the field estimate show the damage to exceed 40% then additional information is required. A detailed cost estimate from a licensed contractor is required to determine the actual % damage to the building. The value of work performed to prepare the structure for rebuilding (i.e., tearing out drywall, carpet, flooring, duct work, electrical, insulation etc.) is included in the 50% calculation. If the contractors estimate determines that the cost of repairs is less than 50% of the value of the building, the permit will be issued.

If the damage to the building is determined to be 50% or more, Metro will provide individual guidance on the steps needed to meet compliance with current regulations.

IMPORTANT

FEMA requires that Metro Stormwater document "good faith efforts" to record all actual expenses of repair. If you underestimate repair costs or proceed with repairs without documenting "the 50% calculation," you could be required by FEMA or Metro to come into compliance in the future. In addition, if FEMA determines that repairs were not made to current standards, future FEMA assistance could be jeopardized. Metro is requiring this substantial documentation of cost of repairs to protect you from a potentially costly error.

Special Provision for Multi-tenant Buildings

FEMA requires that the 50% calculation be done on the building as a whole. The repair cost for each tenant needs to be added together and measured against the total value of the building. To expedite approval, please work with your fellow tenants or property managers to get repair estimates for the building as a whole.

Special Provision for Multiple Buildings on a Single Parcel

Metro's tax assessor's records may show one value for all buildings on a parcel. To perform the 50% evaluation, each building will need to be separately valued. The values should total to the appraised value of buildings on the property. Please bring the estimate of the value of each building and a description of the way the value was calculated as documentation of your work. A formal appraisal would not be required; however, Metro must prove if audited that the estimates were done in good faith.