



A Local Officials Guide to Increased Cost of Compliance

March 9, 2011

Andrew Braun, CFM

03/14/2009

Discussion Agenda

1. What is ICC?
2. Who is Eligible?
3. What is the Process?
4. What are the Issues?
5. Success Stories

What is Increased Cost of Compliance?

- Created by National Flood Insurance Reform Act of 1994
- ICC coverage provides up to \$30,000 for the cost to comply with State or community floodplain management laws or ordinances. (prior to 5/1/03 = \$20K)
- Not linked to disaster declarations

What is Increased Cost of Compliance?

- Residential = elevation, demolition, or relocation
 - principal or accessory structure
- Commercial = elevation, flood-proofing, demolition, or relocation

What is Increased Cost of Compliance?

Everybody's Friend

Property owner = Financial Assistance
supplemental to flood claim

Local Official = Compliance Tool
no more flooding!

FEMA/NFIP = Mitigation Tool
no more payouts!

Eligibility

- Applicant must have active flood policy
- Damage must be caused by flooding
- 50% damage
 - Isolated event
 - 2 consecutive flood events over a 10 year period* subject to ordinance requirements
- No contents may be included

What's the catch...?

- No catch
 - Every flood insurance premium nationwide has a \$6 ICC fee.
- Exponential benefit
 - One large payment now prevents many large payments later
- 2 year time frame from date of community substantial damage declaration

Who's involved?

- Property Owner
- Floodplain Manager
- Insurance Agent
- Claims Representative
- Building Department
- Supervisor of Assessments
- State Floodplain Manager

Process

- Flood event
- Community Outreach
- Substantial Damage declaration
- Set up a claim
- Elevation certificate
- Permits
- 1st check
- Elevation certificate
- Compliance letter
- 2nd check

Flood Event(s)

Illinois River @ Peoria

Sept. 08' = 27.06"

Mar. 09' = 27.94"

=456.3/460.3 BFE



- Get out in the field and document
 - Pictures, notes, tagging structure, high water marks
- Property owners will DENY any damage

I didn't have any damage...



Community Outreach

- April 1, 2009 Riverview School, Spring Bay
- Hold a public hearing/information session
 - Partner with other communities
 - Bring plenty of handouts
 - Invite reputable contractors
 - Tell success stories
- FEMA/IEMA/IDNR are willing to help!

Substantial Damage Declaration

- Follow-up field survey with letters and inspections
- Utilize FEMA's Residential Substantial Damage Estimator

Substantial Damage Declaration

May 6, 2009

[REDACTED]
Rome, IL 61562

RE: Substantial Damage at [REDACTED] N. Portage Rd.

Dear Property Owner:

Subsequent to the recent flooding event, a damage assessment has been completed on the property referenced above. This is a part of Peoria County's floodplain management responsibilities in order to maintain the availability of flood insurance and disaster assistance to residents. The following information relates to the address referenced above.

Community Number:	170533
Parcel Zone Information:	Zone A-13
Fair Market Value	\$94,980.00
Flood Damage:	
March 2009:	\$44,142.07
September 2008:	\$30,647.27
Total damages	\$74,789.34
Percent Damaged:	78.7%
Ordinance Requirement:	<i>ELEVATION / RELOCATION / DEMOLITION</i>

The determination is that this structure is declared **Substantially Damaged** and must be brought into compliance with the Peoria County Floodplain Ordinance prior to repair and reoccupation. For this structure to be in compliance with the ordinance, the structure must be elevated, moved outside the floodplain, or demolished.

Building inspections, Building Permits, and an **Elevation Certificate** will be required prior to the issuance of a *Certificate of Occupancy*. This structure may **NOT** be occupied until these corrections are made. Please contact this office at 309-672-6915 at your earliest convenience to make an appointment with me or to discuss your upcoming project.

Sincerely,

Andrew C. Braun, CFM

Set up a Claim

- Substantial Damage Declaration
- Pre-Construction Elevation Certificate
- Detailed cost breakdown
- Building Permit

Elevation Certificate

- PRE-Disaster Elevation
- Submit along with a copy of the ordinance section that addresses freeboard requirement (FPE)
- Submit along with a copy of the ordinance section that addresses cumulative substantial damage

Detailed Cost Breakdown

- Include everything
- ICC will cover up to \$30,000 but they are sure to throw out some items.

Detailed Cost Breakdown

Project Cost Estimate

Client Name: ~~Rosemary Goppo~~

Date: December 8, 2009

Location: ~~10010~~ Hight St. Chillicothe, IL

Plum Creek Builders

~~PO Box 90~~

Chillicothe, IL 61523

ITEM	SUBCONTRACTOR/SUPPLIER	AMOUNT
Permits and Professional Fees	Peoria County/Dennis Gould	\$ 1,650.00
Demoliton and Disposal	Plum Creek Builders	\$ 2,250.00
Granular Fill for crawl space below grade	Plum Creek Builders	\$ 6,820.00
House Movers-Raise to 462.3' MSL	Balagna House Movers	\$ 8,500.00
Foundation Modifications	AMR Construction	\$ 10,880.00
Concrete Crawl Space Floor	Ray Yarger Construction	\$ 3,480.00
Water Well Disconnect/re-connect	Schaub Well Drilling	\$ 400.00
Exterior Deck, Railing and Stairs	Plum Creek Builders	\$ 5,100.00
Smart Vent Flood ventilation	Plum Creek Builders	\$ 1,875.00
Electrical and Gas disconnect/re-connect	Ameren	\$ 600.00
Steel Beams for Floor Support	Residential Steel Services	\$ 2,130.00
Clean-Up	N/A	\$ 450.00
Builders Overhead	Plum Creek Builders	\$ 4,854.85
Builders Profit Margin	Plum Creek Builders	\$ 3,751.48
Total		\$ 52,741.33

Permits

- This is the hardest part, make it easy
- Permits includes building, mechanical, and floodplain development
- Intensity based on building code
- Many issues arise that you become more familiar about with experience
- Don't forget the deck!

Permits



Matthew G. Wahl, Director

COUNTY OF PEORIA DEPARTMENT OF PLANNING & ZONING

PEORIA COUNTY COURTHOUSE • ROOM 301
324 MAIN STREET • PEORIA, ILLINOIS 61602-1313
TELEPHONE (309) 672-6915 • FAX (309) 672-6075 • TDD: (800) 526-0844
WEBSITE: <http://www.peoriacounty.org>

Last Revision: March 2010

SUBMITTAL REQUIREMENTS FOR ELEVATION PERMITS

The following submittals are required prior to issuing an elevation permit. Failure to submit all requirements at the time of application will delay the review process. Construction and/or disturbance of soil prior to a building permit may result in fines and a Stop Work Order. Applications are accepted & permits issued between 8:30 a.m. and 4:00 p.m. Mon. - Fri.

Plans are reviewed for compliance with the following codes: current State of Illinois Plumbing Code, 2006 International Residential Code, 2006 International Existing Building Code, 2008 National Electrical Code, 2009 International Energy Conservation Code, and the National Flood Insurance Program.

Effective 1/29/2010 the Energy Efficient Building Act #20 ILCS 3125 became law. This law requires residential building permit applications to meet standards outlined in the 2009 International Energy Conservation Code. These laws apply to permits for all new homes, home remodels, and changes in area from non-conditioned to conditioned space. Also, garage & accessory structures equipped with larger than a 100 amp electrical panel.

Elevation Projects

- ☐ A valid pre-construction elevation certificate
- ☐ Site Plan showing the proposed structure, distances to lot lines and other structures, and floodway delineation.
- ☐ Completed Erosion Control Permit Application (for projects which include new foundation)
- ☐ Completed Building Permit Application
- ☐ Completed Floodplain Development Permit Application - include cost vs. labor breakdown for all project materials (prevailing wage will be used for labor calculations on all by-owner projects)
- ☐ 3 full sets of construction plans drawn to scale. Minimum size 2' x 3' (indicate scale).
 1. Footing detail/foundation plan (indicate flow-thru openings @ 1 sq. in. = 1 sq. ft requirement)
 2. Cross sectional detail & floor layout
 3. Beam calculations
 4. Truss information & truss layout plan can be submitted at rough in inspection
 5. Deck plans, if applicable. Drawn to scale (indicate scale 1/4" = 1' minimum). Must include post size & spacing, beam size & spans, joist size and spans, footing size for corners and intermediates.
 6. All plumbing including rough in fixtures, floor drains, sewer ejectors and all water heaters.
 7. Modular, Log, and/or Package homes: Must provide stamped architectural or stamped engineered plans.
- ☐ Compliance with 2009 Energy Conservation Code
 1. Signed Res-Check compliance report (www.energycodes.gov) including:
 - ☐ Inspection Checklist, Efficiency Certificate, Compliance Certificate
 2. Or, Prescriptive Method completed form and a signed basic Res-Check report.
 3. Window/door schedules or manual information on assemblies separating conditioned from non-conditioned space.
- ☐ Completed Plumbing Permit Application- must be an Illinois licensed plumber if work performed by anyone other than homeowner. A copy of their Illinois plumbing license & State plumbing contractor's license is required. Sub-contractors must apply for their own mechanical permit. Mechanical permits can follow at a later date.
- ☐ Completed Electrical Permit Application- Sub-contractors must apply for their own mechanical permit. Mechanical permits can follow at a later date.
 1. All electrical outlets, fixtures, and switches must be located above the FPE.
- ☐ Completed HVAC Permit Application with required ACCA Manual J calculations- Sub-contractors must apply for their own mechanical permit. Mechanical permits can follow at a later date.
- ☐ A list of names and phone numbers for all sub-contractors: Builder, Electrician, Plumber, HVAC Contractor, Insulator, Roofer, Lawn Sprinkler Contractor, and Fire Alarm/Sprinkler Contractor.
- ☐ Roofing License Number- per the Illinois Roofing Industry Licensing Act 225 ILCS 335.

Decks

- ☐ Completed Building Permit Application
- ☐ 3 sets of construction plans drawn to scale. Indicate scale (1/4" = 1' minimum).
 1. Deck Detail - Post size and spacing, beam size and spans, joist size and spans, footing size for corners and intermediates.
 2. Aerial view of the deck with location of posts and dimensions between posts.
- ☐ Site Plan of the lot showing the proposed structure and all distances to lot lines and other structures.

U:\Flood\Elevation Submittal Requirements.doc

Show me the Money

- Upon receipt of 4 components, up to 50% of funds will be released
- Most time this is not a full 50%
- All expenses MUST be well documented
- Follow-up with receipts
- Checks typically take 4-6 weeks

Build build build



Show me the money x2

- Letter of compliance
- Final elevation certificate
- Remaining receipts
- Letter from building official*
- Photos of all 4 sides

Determining Compliance

- Post construction Elevation Certificate
- 2 methods, departmental policy
 - Elevation has been completed
 - All mechanicals have been installed
 - Project has been completed
 - Certificate of Occupancy has been issued

Determining Compliance

July 19, 2010

[REDACTED]
[REDACTED]
Rome, IL 61562

RE: Elevation Permit @ [REDACTED] N. Portage St.

Dear Mr. & Mrs. [REDACTED],

The Department of Planning & Zoning has reviewed the completed elevation certificate and has inspected the above addressed property. The Base Flood Elevation in Peoria County is 460.3 ft. The Flood Protection Elevation in Peoria County is 462.3 ft. The structure elevation portion of this project is complete and meets with all applicable Peoria County codes.

A final inspection dated 07/15/2010 revealed all mechanical equipment has been properly elevated and this structure meets or exceeds the 1 sq. inch for every 1 sq. foot flood opening requirement. Attached please find a copy of the Certificate of Occupancy which was distributed to the contractor at the time of completion. If you should have any questions regarding the content of this letter, please do not hesitate to contact me direct at (309) 495-5189.

Sincerely,

Andrew Braun, CFM
Planner II
Peoria County

Encl: C.O.O.

Determining Compliance

After consulting with Regie Grabo, Peoria County Inspections Coordinator, I can offer the following regarding code compliance:

1. Section R309.9 of the International Residential Code requires an "approved, non-combustible surface such as concrete" for garages. This section pertains to garage floors and the requirement itself is in place so that there is no seepage of liquids into the subfloor.
2. Section R506 of the International Residential Code requires that a garage slab must be a minimum of 3.5" thick. There are no references to reinforcement requirements.

To summarize, the concrete slab was required at a minimum of 3.5 inches thick. No rebar was required per code. Please let me know if this email correspondence will suffice or if you require a formal letter from Peoria County.

Thank you,

Andrew Braun, CFM
Planner II
Peoria County Planning & Zoning
309.495.5189 (D)
309.672.6075 (F)

From: [REDACTED]@colonialclaims.com]
Sent: Monday, February 28, 2011 10:07 AM
To: Andrew Braun
Subject: RE: Hamm ICC

Hi Mr. Braun,

In order for the slab to be covered under ICC it has to be 6' thick with rebar tied into the blocks and it had to be required by the County.

What's the hold-up?

- Beginning, end, or somewhere in between
- Damage declaration
- Ordinances
- Building code
- Contractor
- Claims Adjuster
- Property Owner

50% declaration

- Methodology
 - Actual Insurance claim
 - Do not include contents but include deductible
 - Residential Substantial Damage Estimator
 - Structural valuation
 - Fair Market Value (per local Assessment office)
 - Do not include land value
 - Private Appraisal
 - pre-flood value

Ordinances

- Zoning Ordinance
 - Setbacks
- Floodplain Development Ordinance
 - Flood fringe/floodway

Building Code

- ICC typically covers cost to come into compliance with state or local floodplain regulations, not costs to come into building code compliance
 - Fire rated walls
 - Decks/Accessibility Ramps
 - Mechanicals vs. energy codes
 - Electrical panel access (code vs utility provider)

Building Code

- 2006 International Residential Code
- 2006 International Existing Building Code
- 2006 International Energy Conservation Code
- 2006 International Mechanical Code
- 2008 International Electrical Code
- Illinois Accessibility Code
- State of Illinois Plumbing Code

Contractor

- Fly-by-night
 - State Recommendation
 - Licensing Requirements
- Timeframe
- Familiarity

Claims Adjuster

- Geography
- Unfamiliarity
- Appeals
- Payment

Property Owner

- Maybe they'll just forget...
- Used to do construction
- No inspections
- Pinching pennies



Projects typically go smooth, but...

THERE'S ALWAYS ONE

There's always one...

Natural features
get in the way



There's always one...

Well/septic
functionality



There's always one...



\$30,000 doesn't
pay for everything



To flood...



03/16/2009

Or not to flood



05/18/2009





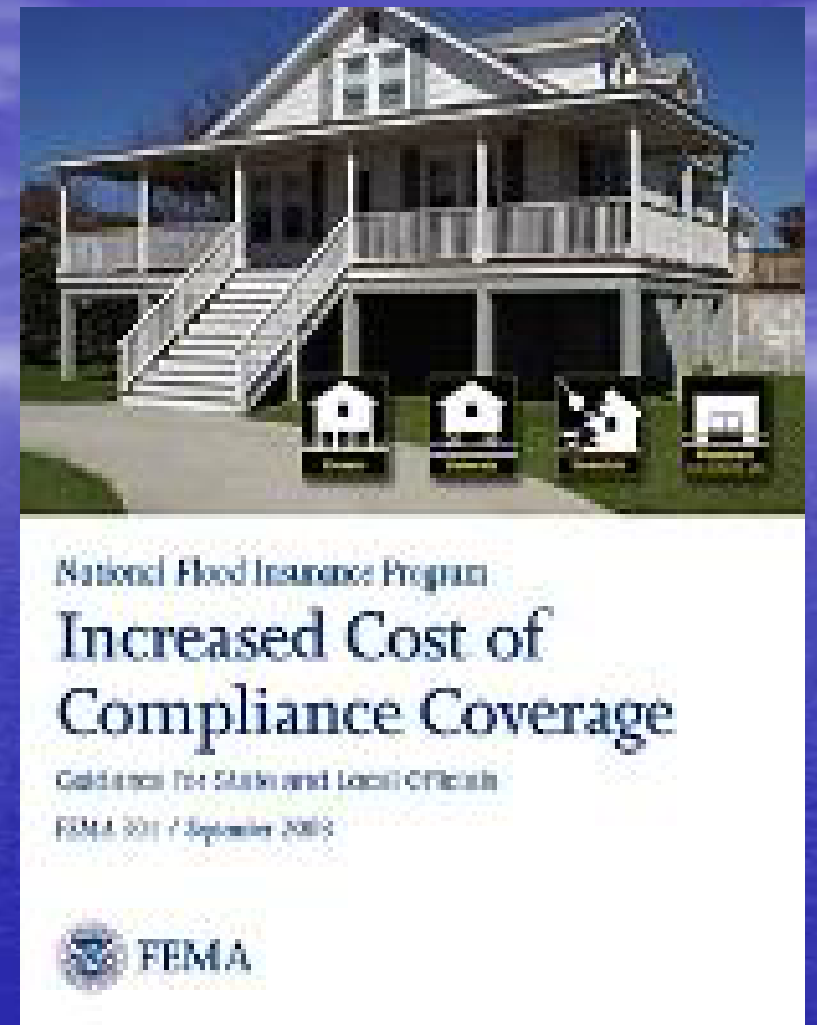






Resources

- FEMA Publication 301
- IDNR-OWR webpage
- Floodsmart.gov
- IAFSM



Questions?

- Contact Andrew
abraun@peoriacounty.org
309-495-5189