



City of Mobile · Permitting **50% Flood Packet**

SUBSTANTIAL DAMAGE Pre-FIRM buildings must be elevated if damaged by any cause for which repair costs are 50% or more of value of the building. Damage can occur from flooding, fire, wind or man. This applies to all buildings in a flood hazard area, regardless if the building has flood insurance.

The costs to repair must be calculated for full repair to “before-damage” condition. The total costs to repair include both structural and finish materials and labor.

SUBSTANTIAL IMPROVEMENT When a Pre-FIRM building is proposed to be remodeled, renovated, rehabilitated, added to, or in any way improved, the proposed modifications must be evaluated for “substantial improvement”. If the total costs of improvements are 50% or more of the building value, the building must be elevated, etc., just like “substantial damage”. “Total costs” means all structural costs, as well as all finish materials, built-in appliances, hardware, in addition to profit and overhead.

BUILDING VALUE Building value is the market value of structure only. Land and exterior improvements are excluded, e.g. swimming pool, pool enclosure, landscaping, paving, etc. Market value is a properly depreciated appraised building value. The Tax Assessor’s assessed value may be adjusted upward to reflect the market more accurately. Replacement cost, when authorized, can only be used if properly depreciated. Certified appraisals must be based on the comparable sales method and the land value must be deducted. Building value must be depreciated to reflect the age of the building and the deterioration of the building components.

COSTS TO BE INCLUDED The construction costs to be calculated for both substantial damage and improvement include both structural and finish labor and materials. This includes lighting fixtures, built-in appliances, interior moldings, paneling, tiling, wall to wall carpet over sub flooring, built- in cabinets, etc. The cost to demolish undamaged building components must be established and included. Overhead and profit are also included, but not the cost of permits.

WHEN MAPS ARE REVISED Substantial Damage and Substantial Improvements can affect Post-FIRM buildings too! If the FIRMs are revised, and the flood elevations increase, many Post- FIRM buildings may be affected. The 50% rule applies to them now as well! So, check the FIRMs, find out what flood elevation was in effect when the building was constructed, and what it is today. All additions to a Post-FIRM structure must be elevated to or above the current BFE (base flood elevation), whether they are “substantial” or not.



Considerations for Determining Substantial Improvements/Damage

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
- Reshingling or retiling a roof
- Hardware

All Interior finish elements including:

- Tiling, linoleum, stone or carpet over sub flooring
- Bathroom tiling and fixtures
- Wall finishes, e.g. Drywall, painting, stucco, plaster, paneling, marble, or other decorative finishes
- Kitchen, utility and bathroom cabinets
- Built-in bookcases, cabinets, and furniture
- Hardware

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
- Hardware

Also:

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

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 tipping 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 not built-in, etc.
- Outside improvements including: Landscaping, sidewalks, fences, yard lights, swimming pools, screened pool enclosures, sheds, gazebos, detached structures (including garages)
- Landscape irrigation systems



Substantial Improvement/Damage Notice to Property Owners

Rebuilding your Home/Business after the storm? Adding on, renovating, or remodeling your home/business?

If your home or business is below the required base flood elevation, the City of Mobile 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 damage, these regulations may affect how you rebuild. These laws are required by the National Flood Insurance Program to protect your life and investment from future flood damages. The City of Mobile has adopted and must enforce these laws in order for federally-backed flood insurance to be made available to community residents and property owners.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent

of the market value of the structure before the damage occurred. *Note: The cost of the repairs must include all costs necessary to fully repair the structure to its before damage condition.*

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent 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 Mobile* flood damage prevention regulations, including elevating the building to or above the required base flood elevation.

The City of Mobile, following National Flood Insurance Program requirements, has implemented the following procedures to comply with the National Flood Insurance Program as adopted via the City of Mobile’s Stormwater Ordinance:

1. The City of Mobile will estimate Market Value by using the tax assessment value of your structure (excluding the land), plus 20%. *Example: Structure Assessment Value X 120% = Estimated Market Value.*
2. You must obtain and submit to *The Urban Development Department of the City of Mobile* a detailed and complete cost estimate for the addition, remodeling, reconstruction or repair of all the damages sustained by your home/business, prepared and signed by a licensed general contractor. The contractor must sign an affidavit indicating that the cost estimate submitted includes all damages or all improvements, not just structural. *See copy attached.* City staff 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.) (See attached copy.) The costs to repair must be calculated for full repair to “before-damage” condition. The total costs to repair include both structural and finish materials and labor.
3. If your home/business is determined to have “substantial damage” or is proposed to be “substantially improved” then an **Elevation Certificate** must be submitted to *The Urban Development Department of the City of Mobile* to determine the lowest floor elevation. Garages and carports used for storage, parking and access are not considered to be the “lowest floor”.

4. If the lowest floor is below the required base 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 required elevation. Only parking, building access and limited incidental storage is allowed below the flood level. Non-residential buildings may be “flood proofed” instead of being elevated. If the lowest floor, electrical and mechanical equipment, laundry, and bathroom are already above the required 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 located in a V- Zone, Coastal High Hazard Area, or if a non-residential structure is to be flood proofed, these plans must be prepared and certified by a registered professional engineer or architect. Certificates for this purpose are available from the Urban Development Department.
6. Following a presidential disaster declaration, the Small Business Administration may make loans available for both homes and businesses for purposes of elevating the structure to or above the required flood elevation. Proof of “substantial damage” from *Urban Development Department of the City of Mobile* is required.



Items Required to Determine Substantial Damage/Improvement

APPLICANT MUST SUBMIT THE FOLLOWING *(Make sure you have extra copies for your files)*

1. Complete the attached application
2. Detailed Cost of Improvement/Reconstruction Estimate and Affidavit signed by a General contractor and a copy of his License Certificate
3. Elevation Certificate or elevation survey
4. Current photos, or photos before and after the storm (if available)
5. Floor plan drawing (if available)
6. Owner's affidavit signed, dated and notarized
7. Contractor's affidavit signed, dated and notarized
8. County Tax Assessment Sheet or Appraisal



Reconstruction/Improvement Affidavit: Owner

_____		_____
Contractor Name		License Number
_____	_____	_____
Owner Name	Phone	Email
_____	_____	_____
Address		Zip Code

_____ Initial. I hereby attest to the fact that the repairs, reconstruction and renovations on the attached “**ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT**” list include all values to repair the structure to pre-damaged condition. No other contractor has made nor will make any repairs reconstruction, or remodeling not included in the attached list. I understand that all values provided may be compared to FEMA flood insurance claims.

_____ Initial. I hereby attest to the fact that all renovations, remodeling or addition(s) on the attached “**ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT**” list include all values to renovate, remodel or construct the addition(s) to the structure. No other contractor has made, nor will reconstruct, remodel or make an addition(s) not included in the attached list.

I understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs or improvements not included on the attached “**ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT**” list; or that I have included non-conforming or illegal structures/additions to the existing structure without having obtained appropriate permits or presented plans for such additions. I understand that any permit issued by the City of Mobile pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal additions, fences, sheds, or non-conforming uses or structures on the subject property.

I understand that I am signing this document under penalty of perjury. Furthermore, as the property is located in a special flood hazard area regulated by the City of Mobile Stormwater Ordinance, erroneous information may also result in the loss of federally funded flood insurance for this property. This means that the property will be ineligible for flood insurance if it fails to comply with the City’s Stormwater Ordinance and will remain ineligible as long as it remains noncompliant.

**STATE OF ALABAMA
COUNTY OF MOBILE
CITY OF MOBILE**

Before me this day appeared _____ who, being duly sworn, deposes and says that he has read, understands, and agrees to comply with the aforementioned conditions, and signs the foregoing under the penalty of perjury.

_____	_____
Owner Signature	Co-Owner

Sworn to and subscribed before me this _____ day of _____, 20_____.

_____ Notary Public State of Alabama

My commission expires: _____



Reconstruction/Improvement Affidavit: Contractor

Contractor Name _____

State License Number _____

City License Number _____

Contractor Address _____

Zip Code _____

Property Address _____

Zip Code _____

I hereby attest to the fact that I, or a member of my staff, personally inspected the above mentioned property and produced the attached "ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT", which is

hereby submitted for a **Substantial Damage/Improvement Review**. These damages/improvements are **ALL OF THE DAMAGES/IMPROVEMENTS** sustained by this structure, and all additions, improvements, or repairs proposed on the subject building are included in this estimate. I further attest that the repairs will repair the structure to pre-damaged condition.

I understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs or improvements not included on the attached "ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT" list. I understand that any permit issued by THE CITY OF MOBILE pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal additions, fences, sheds, or non-conforming uses or structures on the subject property.

Total Labor & Material \$ _____ Market Value (Structure) \$ _____

Overhead & Profit \$ _____ % of Market Value _____

Total Cost \$ _____ Substantial Improvement: Yes No

**STATE OF ALABAMA
COUNTY OF MOBILE
CITY OF MOBILE**

Before me this day appeared _____ who, being duly sworn, deposes and says that he has read, understands, and agrees to comply with the aforementioned conditions, and signs the foregoing under the penalty of perjury.

Contractor Signature

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public State of Alabama

My commission expires: _____



Substantial Damage/Improvement Review Application

Property Address _____
Zip Code

Owner's Name _____
Co-Owner's Name

Phone _____
Email

Owner's Mailing Address _____
City _____
Zip Code

Firm Panel: _____ Flood Zone: _____ MFFE: _____

Lowest Floor Elevation (excluding garage) from Elevation Certificate: _____

I am attaching an appraisal report of my property Initial _____ -or-

I am not submitting an appraisal of my property Initial _____ -and-

I accept _____'s Estimated Market Value Initial _____

I accept the attached estimated cost of construction as a fair Cost of repair or improvement for any structure Initial _____

SIGNATURES:

Owner _____
Date

Co-Owner _____
Date

