

**Rebuilding your Home after the storm?
Adding on, renovating, or remodeling your home?
Here's information YOU need to know about the "50% Rule"**

If your home or business is below the 100-year flood elevation, Guadalupe County 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 to protect lives and investment from future flood damages. Your community must adopt and enforce these laws in order for federally-backed flood insurance to be made available to Guadalupe County 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 or replacement cost 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 Guadalupe County's Flood Damage Prevention Regulations, including elevating the building to flood protection elevation (FPE).

Guadalupe County, following the National Flood Insurance Program requirements, has the responsibility to determine "substantial damage" and "substantial improvement", and has implemented the procedures on the following pages to do so.

Guadalupe County Floodplain Administrator will use the assessed value of your structure (excluding the land) recorded by the Guadalupe Appraisal District Office. If you disagree with the Appraiser's valuation of the structure, you may engage a property appraiser licensed by the State of Texas to submit a comparable property appraisal for the total market value of the structure.

You must obtain and submit to us a detailed and complete cost estimate for the addition, remodeling, reconstruction or for repair of all the damages sustained by your home, prepared and signed by a general contractor. The property owner must sign an affidavit indicating that the cost estimate submitted includes all damages or all improvements to your home, not just structural. The affidavit must be submitted with your application. If the owner is acting as his or her own contractor, the owner is responsible for submitting the cost estimate form, and providing documentation, including subcontractor bids, to document the cost estimate. Guadalupe County Floodplain Administrator 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.)

If your home is determined to have "substantial damage" or is proposed to be "substantially improved", then an **elevation certificate** must be submitted to us to determine the lowest floor elevation. Garages and carports are not considered to be the "lowest floor".

If the lowest floor is below the 100-year flood elevation, the building must be elevated above that level. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms, and laundry rooms must be elevated to flood protection elevation. Only parking, building access and limited storage is allowed below the flood level. Non-residential buildings may be "flood proofed" instead of being elevated.

If the lowest floor of the structure, including electrical and mechanical equipment and bathroom are already at flood protection elevation, the building can be repaired and reconstructed without having to comply with the fifty percent (50%) rule.

Building plans must be prepared to show how the building is to be elevated. If the building is to be flood proofed these plans must be prepared and certified by a registered professional engineer or architect.

IMPORTANT NOTE ON DONATED MATERIALS AND VOLUNTEER LABOR

In accordance with federal and state regulations, you must include the value of any donated materials and volunteer labor in your cost estimate. The current market value of all donations and the current average hourly rate for volunteering **does apply** towards the "50% Rule" discussed in this document. To determine the value of donated materials, please use the "pre-storm" normal retail cost for each item donated. For volunteer labor, determine the normal "pre-storm" hourly rate charged for the trade. For instance, ask your contractor what he would normally have charged per hour for framing if volunteers will be assisting you with framing, and then estimate the number of hours of volunteer work you will use during the project, and include the amount on your Cost Estimate form.