

Town of Fremont
Flood Plain Development Ordinance

Our Zoning Ordinance Provides for:

As long as Fremont participates in the National Flood Insurance Program (NFIP) homeowners, business owners, and renters can buy flood insurance; to participate Fremont must have in place a Flood Plain Ordinance, and follow certain provisions as mandated by FEMA.

Our general ordinances provide for replacement with a similar structure which has the same building footprint dimensions. Such construction must be started within one year of the loss and be completed within two years of the loss.

All new construction or substantial improvements located within a special flood hazard area (SFHA) must meet certain requirements. Of specific importance is the determination of "substantial damage".

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should equal:

1. The appraised value prior to the start of the initial repair or improvement, or
2. In the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary,

New construction must provide certification of the as-built elevation of the lowest floor; the lowest floor must be elevated to or above the one hundred year flood level.

Some NFIP policies provide for increased Cost of Compliance (ICC) claims and may be available when the property owner is required to rebuild in compliance with a community's substantial damage or repetitive loss provision. A determination must be made by the community whether the flood damages to the building result in substantial damage or repetitive loss that requires compliance with state or community floodplain management laws or ordinances. Your adjuster must obtain the substantial damage or repetitive loss determination in writing before adjusting the for the ICC claim.

A full discussion with the building official should be planned to fully understand all of the provisions and requirements for new construction or substantial improvements before planning the project.