



## **Construction Certificate Management Procedures**

**January 1, 2022**

The Town of Cedar Point Zoning Department is responsible for the administration of all zoning and floodplain development permits within the Town of Cedar Point and for administrative documents (ordinances, building guides, applications, forms, outreach materials, etc.) related to zoning and floodplain development. All inspections and permit/plan reviews for compliance with the Town’s Unified Development Ordinance and Flood Damage Prevention Ordinance are conducted by the Zoning Department. After obtaining necessary zoning and, where applicable, floodplain development permits, applicants are referred to the Carteret County Western Office (Building Inspections) for acquisition of any necessary building permits. The Carteret County Western Office issues building permits for construction of all structures within the town and performs all inspections for permits it issues.

The purpose of this document is to explain our management procedures for review of Elevation Certificates and all other required floodplain-related construction certificates including, but not limited to, Floodproofing Certificates, V Zone design certificates, and engineered flood opening certificates. These procedures outline the types of certificates required, the collection and review of all certificates, how corrections should be made, where the certificates are stored/archived, and how we make these certificates available to the public.

### **(a) TYPES OF CERTIFICATES REQUIRED**

When any new construction, substantial improvement or repair for a substantially damaged building is conducted in the Special Flood Hazard Area (SFHA), the Zoning Department shall require an Elevation Certificate and any other floodplain-related certificate that is appropriate which may include a V Zone design certificate, and certification of engineered flood openings for the development. Where development includes an enclosure below an elevated building, a non-conversion agreement shall be required.

### **(b) WHEN CERTIFICATES ARE REQUIRED**

The applicant shall submit an Elevation Certificate marked “construction drawings” with the building permit application. This Elevation Certificate shall be used to determine if the proposed design is in compliance with the Town of Cedar Point Flood Damage Prevention Ordinance. After the foundation is built and the elevation of the lowest floor is determined, another Elevation Certificate shall be submitted that is marked “building under construction.” This will document the elevation of surrounding grades and the lowest floor to ensure they comply with the approved plans before further construction should continue. Once construction on the building is finished and all adjacent grading is finalized, a complete and correct “finished-construction” Elevation Certificate must be

submitted by the applicant to show the “as-built” characteristics of the building. A “finished-construction” Elevation Certificate must be received, reviewed, and corrected (if necessary) before a certificate of occupancy is issued. At this point, all other required certificates must also be submitted and reviewed.

If a Floodproofing Certificate for Non-Residential Structures is required for a floodproofed non-residential building, an Elevation Certificate is not required for purposes of the National Flood Insurance Program (NFIP), but we will require one to help verify compliance with our Flood Damage Prevention Ordinance. A complete and correct Floodproofing Certificate is required to be submitted to the Zoning Department once construction is finished on the building but before issuing a certificate of occupancy.

A V Zone design certificate is required for all new construction and substantial improvement/substantial damage within an identified V Zone or Coastal A Zone on our Flood Insurance Rate Map. The V Zone certificate is required before granting the initial building permit because it certifies the structural design and the proposed methods of construction for the building. A complete and correct Elevation Certificate is also required once construction is finished on the building. At a minimum, all permit files should contain both the pre-construction V Zone design certificate and the finished-construction Elevation Certificate for all new construction and substantial improvement/substantial damage in our V Zones and Coastal A Zones.

When engineered flood openings are installed in the foundation of a building, and the Elevation Certificate indicates that they were installed (Sections A8d and A9d on the Elevation Certificate), an engineered opening certification is required to be submitted with the Elevation Certificate to help verify compliance and the insurance rate. Be sure the developer submits either the International Code Council® Evaluation Service (ICC-ES) form for the engineered opening or an individual certification. Individual certifications must cover the following, at a minimum:

- 1) An identification of the building (address) that has the engineered openings installed;
- 2) The design professional’s name, title, address, type of license, the state issuing the license, signature, and seal;
- 3) A statement certifying the design of the openings will automatically equalize hydrostatic flood loads on exterior walls by allowing for the automatic entry and exit of floodwaters; and
- 4) A description of the range of flood characteristics tested or computed for which the certification is valid, such as rates of rise and fall of floodwaters.

When a non-conversion agreement is required, it should be signed and recorded prior to the acquisition of any building permits. Where building permits have been issued prior to recordation of a non-conversion agreement, no certificate of occupancy will be allowed by the Town until the appropriate non-conversion agreement has been record in the Carteret County Register of Deeds and a copy thereof delivered to the Code Enforcement Officer.

**(c) and (d) WHAT DEPARTMENT/OFFICE COLLECTS/REVIEWS CONSTRUCTION CERTIFICATES**

All finished-construction Elevation Certificates shall be submitted initially to the Zoning Department for tracking and initial review. The Code Enforcement Officer logs the Elevation Certificate in our tracking system and reviews it and all supporting documentation for initial compliance. Once it has been approved, an email will be sent to the Carteret County Western Office (Inspections Department) indicating that all conditions of the Floodplain Development Permit have been met

and that a county building inspector may release a certificate of occupancy once all other building code inspections have passed. The Town of Cedar Point will not grant authority to release a certificate of occupancy until all problems with an Elevation Certificate and supporting documentation are resolved.

#### **(e) HOW CERTIFICATES ARE CORRECTED**

The Code Enforcement Officer should consult the CRS's Elevation Certificate Checklist when reviewing an Elevation Certificate to ensure all required fields are completed correctly. When an error is noticed on an Elevation Certificate, there are three ways to correct it.

- (1) For any inaccurate or incomplete information in Section C2, the Code Enforcement Officer should request a new certificate from the applicant or his/her representative (surveyor/engineer/architect) who certified the form.
- (2) If incomplete or inaccurate information is found in the other sections, the Code Enforcement Officer can do the following. As a general rule, and as law in some states, the local official should not mark up a signed and sealed form.
  - a) The forms may be returned to the applicant (or representative) with instructions on what needs to be changed or corrected;
  - b) The Code Enforcement Officer can prepare a separate memo with the correct information and attach a "memo of correction." When the certificate is provided to an inquirer, the memo must be included with it; or
  - c) The Code Enforcement Officer can note the changes or corrections in Section G.

All finished-construction Elevation Certificates that had errors on them should be returned to the applicant within 10 business days for immediate correction. In no case shall we accept a finished-construction Elevation Certificate until all corrections deemed appropriate by the Code Enforcement Officer are addressed. In no cases shall a certificate of occupancy for a permit be granted until the Code Enforcement Officer has approved its release.

If corrections are completed after the Certificate of Occupancy, the Code Enforcement Officer must ensure the homeowner receives a copy of the corrected Elevation Certificate in case the correction(s) would affect the building's insurance rating.

#### **(f) and (h) HOW AND WHERE THE CERTIFICATES ARE MAINTAINED**

All Elevation Certificates and all required construction certificates, as well as all other permit application documentation, shall be stored by address in filing cabinets maintained by the Zoning Department and located within Town Hall. They also shall be scanned at the usual time building files are scanned for storage/archival. Copies of the finished-construction Elevation Certificates, along with the other required construction certificates (if applicable), shall also be placed in a separate folder containing all Elevation Certificate information for CRS purposes, labeled "Final ECs," organized by CRS recertification date. All other state and local records retention policies shall be observed. Digital copies of Elevation Certificates and other required certifications shall be stored by address in digital folders maintained on the Town server by the Zoning Department. A digital copy will also be placed in a digital folder, organized by CRS cycle year labeled "Final ECs." Elevation Certificates and other required certificates for buildings located outside the Special Flood Hazard Area are to be filed with the address file in the Zoning Department, just like all zoning permit documents.

**(g) HOW CERTIFICATES ARE MADE AVAILABLE TO INQUIRERS**

When a member of the public requests a copy of an Elevation Certificate, the request shall be initiated with the Code Enforcement Officer. The Code Enforcement Officer shall act on the request immediately, if time allows, but at worst, shall have 3 business days to make a copy of the requested information and make the documentation available to the inquirer. There is no financial charge for delivery of digital copies or limited location specific requests. The Town may charge for paper copies of bulk requests at \$0.10 per page (black and white) or \$0.25 per page (full-color).