

Construction Certificate Management Procedures

Created: February 13, 2023

The Neighborhood Services Division is responsible for the administration of all development issues within the City of Arkansas City including permitting, inspection, and review of all construction along with the creation of and maintenance of all building permit files and administrative documents (ordinances, building guides, applications, forms, outreach materials, etc.) related to building and development. All inspections and permit/plan reviews are conducted by the Neighborhood Services Division as well as all permit approvals.

The purpose of this document is to explain our management procedures for review of Elevation Certificates (ECs) and all other floodplain-related construction certificates required including, but not limited to, Floodproofing Certificates and Engineered 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 general public.

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 Neighborhood Services Division shall require an EC, and any other floodplain-related certificate that is appropriate (Floodproofing Certificate for Non-Residential Buildings and Engineered Opening Certificate for crawl space flood openings) for the development.

WHEN CERTIFICATES ARE REQUIRED

When a property owner requests a permit for building a new structure, remodeling an existing structure, or rebuilding a damaged structure, the City staff will review the flood map to determine if new development will occur in the floodplain. Digital flood maps can also be reviewed on the Division of Water Resources and the Map Service Center websites as well as the City website. Should it be determined that there will be a new or substantially improved building in the special flood hazard area then certification of compliance will be required.

The applicant shall submit an EC marked "Construction Drawings" with the Building Permit Application. This EC shall be used to determine if the proposed design is in compliance with Article 4 of Floodplain Management ordinance as well as the adopted building and zoning codes of the City. After the foundation is built and the elevation of the lowest floor is determined, another EC 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 is allowed. Once construction on the building is finished and all adjacent grading is finalized, a complete and correct "Finished Construction" EC must be submitted by the applicant to show the as-built characteristics of the building. This is clearly stated on the permit forms used by our community. A "Finished Construction" EC 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. Elevation certificates based on GPS surveys must include a copy of the On line Position User Service (OPUS) report attached to the elevation certificate.

If a Floodproofing Certificate for Non-Residential Structures is required for a floodproofed non-residential building, an EC is not required (however we will require one anyway to help verify compliance with Article 4 Section B of the Floodplain Management Ordinance. A complete and correct Floodproofing Certificate is required to be submitted to the Neighborhood Services Division once

construction is finished on the building and prior to issuing a Certificate of Occupancy. Non-Residential Floodproofing certificates will be rejected if they are submitted without a comprehensive maintenance plan, photos of shields, gates and barriers and also written certification by the architect or engineer in accordance with 44 CFR 60.3 (c)(3). This additional documentation is described in more detail in the Non-Residential Floodproofing Certificate instructions.

When engineered flood openings are installed in the foundation of a building, and the EC indicates that they were installed (Sections A8d and A9d on the EC), an Engineered Opening Certificate is required to be submitted with the EC to help verify compliance and the insurance rate. The developer or builder should submit 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 minimum:

- a. it must identify the building (address) with the installed engineered openings;
- b. the design professional's name, title, address, type of license, the state issuing the license, signature and seal;
- c. 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
- d. 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.
- e. It is also helpful if the engineered openings certificates are attached to the elevation certificates and the comments section D of the EC specifies the type of opening and model of opening.

WHAT DEPARTMENT OR OFFICE COLLECTS/REVIEWS

All Finished Construction ECs shall be submitted to the Neighborhood Services Division for tracking and initial review. The Floodplain Administrator or Manager (currently designated as the Principal Planner) logs the EC in our tracking system, it is then forwarded to the Building Official, who reviews the EC and all supporting documentation for initial compliance. The Neighborhood Services Division reviews the EC and supporting documentation, along with all other required certificates, to ensure all applicable building and development ordinances and standards are met and the building permit is approved. The Certificate of Occupancy will not be issued until all problems with an EC and supporting documentation are resolved. Questions may arise about elevation certificates. Those questions will be directed to the Floodplain Team at Division of Water Resources.

HOW CERTIFICATES ARE CORRECTED

The Floodplain Manager shall consult the CRS EC Checklist when reviewing an EC to ensure all required fields are completed correctly. When an error is noticed on an EC, there are three ways to correct it:

1. For any inaccurate or incomplete information in Section C2, the Floodplain Manager will request a new certificate from the applicant or their representative (surveyor/engineer/architect) who certified the form.
2. If incomplete or inaccurate information is found in the other sections, the Floodplain Manager 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 their representative) with instructions on what needs to be changed or corrected;
 - b. The Floodplain Manager can prepare a separate memo with the correct information and attach the Memo of Correction. When the certificate is provided to an inquirer, the memo must be included with it; or
 - c. The Floodplain Manager can note the changes or corrections in Section G.

All "Finished Construction" ECs which had errors on them should be returned to the applicant within 3 business days for immediate correction. In no case shall we accept a "Finished Construction" EC until all corrections deemed appropriate by the Floodplain Manager are addressed. In no cases shall a Certificate of Occupancy for a permit be granted until the Floodplain Manager and the Building Official have all approved the permit.

If corrections are completed after the Certificate of Occupancy, the Floodplain Manager must ensure the homeowner receives a copy of the corrected EC in case the correction(s) would affect their insurance rating.

HOW AND WHERE THE CERTIFICATES ARE MAINTAINED

All ECs and all required construction certificates, as well as all other permit application documentation shall be stored in the City's Laserfiche archiving system. Copies of the "Finished Construction" ECs along with the other required construction certificates (if applicable), shall also be placed in a separate folder containing all EC information for CRS purposes, labeled "Activity 310", organized by CRS recertification date.

HOW CERTIFICATES ARE MADE AVAILABLE TO INQUIRERS

When a member of the public requests a copy of an EC, the request shall be initiated with the Permit Technician by email, or the request may be initiated by completing an open records request with the City Clerk. The Permit Technician or City Clerk 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. The fee for printed copies of ECs shall be the fee charged for photocopies as listed in the City's Comprehensive Fee Schedule which as of the creation of this document was \$0.25 per page. Emailed copies of ECs shall be free of charge for reasonable requests. Multiple or complex requests may also be charged for staff time as listed in the Comprehensive Fee Schedule. Completed ECs are available for review upon request and are referenced by address in the City's Laserfiche system.

All newly completed elevation certificates will be scanned and emailed to the Floodplain Management Team at Division of Water Resources and added to digital community files.