**[Insert Community Name]**

**Administrative Procedures for Managing Floodplain Development**

*This template of administrative procedures was developed by NH Floodplain Management Program for communities to use and customize to ensure community adherence and consistency of administering their local floodplain management program and to ensure a seamless transition when there are community staff changes. Communities should review and use the accompanying Guidance and Best Practices for an Effective Local Floodplain Management Program in NH as a guide to customizing these procedures. The NH Floodplain Management Program is available to assist communities with developing procedures.*

**Section 1 – Statement of Intent**

The [*Insert name of community*] is a participating community in the National Flood Insurance Program (NFIP) and has adopted and enforces floodplain management regulations that meet at least the minimum NFIP standards. To ensure adherence and consistency with administering these regulations and remaining in good standing in the NFIP, [*Insert name of community*] has adopted these Administrative Procedures, which clearly outline the process that will be applied to any proposed development within a special flood hazard area.

**Section 2 – Applicable Regulations**

The [*Insert name of community*]’s floodplain regulations have been adopted as [*Insert title of stand-alone floodplain ordinance or title and section of zoning ordinance, and title and section of the subdivision and site plan review regulations (if applicable) where the floodplain regulations are located*]. As noted in these regulations, all development in a special flood hazard area requires a permit. Development is defined as any man‑made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations or storage of equipment or materials.

**Section 3 – Floodplain Administrator**

The [*Insert title of the designated community official, which is usually the community’s permitting official, or their designee*] is hereby appointed to administer and implement the community’s floodplain regulations and is referred to herein as the “Floodplain Administrator.”

The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:

1. Understanding the community’s floodplain regulations;
2. Making floodplain and base flood elevation determinations;
3. Reviewing and making decisions on floodplain development permit applications and applicable documentation;
4. Making substantial improvement/damage determinations;
5. Conducting inspections or monitoring development to ensure compliance;
6. Reviewing all required as-built documentation and other documentation for completeness and accuracy and verifying that all permit conditions have been completed in compliance with the community’s floodplain regulations;
7. Ensuring the administrative and enforcement procedures detailed in RSA 676 are followed for any known violations of the community’s floodplain regulations; and
8. Maintaining and permanently keeping all records that are necessary for the administration of the community’s regulations and making them available for public inspection.

**Section 4 – Floodplain Development Determinations**

The Floodplain Administrator is responsible for determining or verifying whether a development is either partially or wholly located in the special flood hazard area and if applicable, in the floodway as designated on FEMA’s Flood Insurance Rate Map for the community. The determination will be based on the use of [*Insert FEMA mapping source(s) that the Floodplain Administrator uses to make the determination and any community sources, if applicable, that are used*].

When it is unclear whether the development is in a special flood hazard area and/or in a floodway, the Floodplain Administrator may require additional information from the applicant to determine the development’s location on the effective FEMA Flood Insurance Rate Map.

If the development is determined to be in a special flood hazard area, the Floodplain Administrator is responsible for determining the applicable flood zone(s), base flood elevation(s), and floodway, if applicable. If any portion of a development including a structure and its attachments (e.g., deck posts, stairs) is located in multiple flood zones, the flood zone with the more restrictive requirements shall apply. If a development including a structure is affected by multiple base flood elevations, the highest base flood elevation shall apply.

For Zone A with no base flood elevation shown in the effective FEMA Flood Insurance Study, or the Flood Insurance Rate Map, or available from any Federal, State or other source (including data submitted to the community for development proposals), the base flood elevation shall be determined to be at least two (2) feet above the highest adjacent grade, which is consistent with how the structure will be rated for flood insurance purposes. *(Recommend including this paragraph in the community’s floodplain ordinance).*

**Section 5 – Floodplain Permits**

The Floodplain Administrator shall ensure that permits are obtained for proposed development in a special flood hazard area.

1. **Floodplain Development Permit Application**

The [*Insert name of community*] provides the following permit application(s) for development in a special flood hazard area:

* *Insert name of all applicable permits that will address both building and non-building development in a special flood hazard area.*

The [*Insert name of community*] requires a floodplain permit application include the following:

* *Insert a list of what information and documentation the community requires as part of the floodplain permit application.*
1. **Floodplain Development Permit Review and Decision**

The Floodplain Administrator shall:

* Review all permit applications for completeness and accuracy, and coordinate with the applicant for corrections or further documentation, as needed.
* Ensure the development will meet all the applicable requirements and regulations of the community’s floodplain regulations.
* Ensure copies of all other required state, federal, and other local permits have been provided. These permits must be received before proceeding with processing the permit application.
* Verify that all necessary and required technical documents are included and properly certified as indicated in the community’s floodplain regulations.

The Floodplain Administrator shall issue or deny a permit based on review of the permit application and any required accompanying documentation and notify the applicant in writing of either compliance or non-compliance with the provisions of the community’s floodplain regulations.

**Floodplain Development Inspections and Monitoring Process**

*Detail the process that the community will follow to inspect or monitor construction of development activities in the special flood hazard area to ensure compliance with the floodplain regulations.*

1. **Floodplain Development Compliance Review**

Following completion of new construction of a structure or an existing structure that was substantially improved or replaced, or that incurred substantial damage, or the placement or substantial improvement of a manufactured home, the Floodplain Administrator shall require, at a minimum, the applicant to submit the following:

1. A completed and certified copy of a FEMA Elevation Certificate, which includes the as-built elevation (in relation to mean sea level) of the lowest floor of the structure and whether or not the structure has a basement.
2. If a non-residential structure includes dry floodproofing, a completed and certified copy of the Floodproofing Certificate for Non-Residential Structures that includes the as-built elevation (in relation to mean sea level) to which the structure was dry floodproofed.

The Floodplain Administrator must review all required as-built documentation and other documentation submitted by the applicant for completeness and accuracy and verify that all permit conditions have been completed in compliance with the community’s floodplain regulations.

*Detail any other processes the community will follow to obtain as-built elevation data for structures from applicants and the process (e.g., certificate of occupancy or certificate of compliance) to verify that structures have been built in compliance with the community floodplain regulations.*

**Section 7 – Substantial Improvement and Damage Determinations**

The Floodplain Administrator is responsible for making determinations of substantial improvement and substantial damage. These determinations are made for all development in a special flood hazard area that proposes to improve an existing structure, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, repairs of damage from any origin (such as, but not limited to flood, fire, wind or snow) and any other improvement of or work on such structure including within its existing footprint.

The Floodplain Administrator, in coordination with any other applicable community official(s), shall be responsible for the following:

* Determining the market value of the structure (excluding the land value) prior to the start of the initial repair or improvement, or in the case of damage, the market value prior to the damage occurring.
* Reviewing total cost estimates of the proposed work which must include donated or discounted materials and owner and volunteer labor submitted by the applicant.
* Notifying the applicant in writing of the result of the determination. If the determination is that the work constitutes substantial improvement or substantial damage, the written documentation should state that full compliance with the requirements of the community’s floodplain regulations is required.

**Section 6 – Enforcement**

The [*Insert name of community*] shall follow the procedures in RSA 676 for any violations of its floodplain regulations. *Provide any further details about the community’s process for handling violations of the community’s floodplain regulations.*

**Section 7 – Floodplain Development Records**

The Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of the ordinance, including

1. Floodplain permit applications and supporting documents,
2. As-built data for structures that are new construction or substantially improved,
3. Floodproofing certificate for floodproofed non-residential structures,
4. Flood zone and base flood elevation determinations,
5. Substantial improvement and damage determinations,
6. Other documentation required in the ordinance, and
7. Variance and enforcement documentation.

*(Recommended)*

Adopted by the [Insert Name of Municipality’s Governing Body] on this [Insert date].

Certification: