

Hurricane Florence was the largest disaster in the history of the Town of River Bend. Hundreds of homes were damaged during the hurricane. Since the hurricane, many residents have been introduced to the process of obtaining permits to repair those damages. There have been many questions about the permitting process. The purpose of this document is to address some of those questions and provide some more explanation.

Nothing has changed about the Town's permitting process since Hurricane Florence arrived except that the Town Council approved waiving all fees in the floodplain area. The fee waiver expires on November 12. That is the only change. Collectively, that change has saved residents thousands of dollars. We realize that the permitting process is new to many and that many residents are going through it during a very difficult time in their life. We have tried to make the process as painless and as quick as possible but we still must operate within the parameters of our ordinance. We have tried to help people rebuild their homes and lives here in River Bend. We realize that it has not been easy for everyone, but everyone has been required to follow the same rules.

The permitting process has two major parts. Step one is to obtain a zoning permit from the Town. Step two is to obtain a building permit from Craven County. These are two totally separate permits. The Town of River Bend does not now and has never issued any building permits. That is a function performed by Craven County. The Town of River Bend only issues zoning permits. Each town in the State has the authority to adopt their own zoning regulations. Craven County cannot monitor or keep up with each town's zoning regulations. They vary from town to town. Craven County does not enforce the Town's Zoning Ordinance and has nothing to do with its development or implementation. That is a function solely of the Town of River Bend. Before you can obtain a building permit from Craven County, you must obtain a zoning permit from the Town of River Bend. When you receive your zoning permit, that simply means that your plans are in compliance with the Town's zoning ordinance. Once you obtain your zoning permit, you are now eligible to apply for your building permit with Craven County. You must take your zoning permit to Craven County as proof that you have obtained it. Craven County will not issue a building permit in River Bend without a River Bend zoning permit being issued.

Building permits are a requirement of State law, and all permits must be issued in accordance with State law. All construction must be performed in accordance with the State Building Code. This is the case all year long. Anytime you start building activities that are subject to a building permit, you must obtain a permit prior to starting those activities. Failing to do so is a violation of State law. It is your responsibility to determine if a permit is required. You can do that by calling Town Hall or Craven County Inspections.

In a nutshell, the State Building Code is the rule book that dictates things like how far apart boards can be and what size boards must be used in construction, what size electrical wires must be used, where electrical outlets must be located, how many smoke detectors are required, what size insulation must be installed, how and where an HVAC system can be installed, how and where supports and anchors must be placed, and many other elements related to construction. The State Building Code is designed to make each building safe. It is for your protection. During the course of building projects, Craven County will periodically send a licensed inspector to the job site to make sure the project is being built in accordance with the State building code. The Town of River Bend has nothing to do with that process.

There is one more component to the permitting process for many, but not all, of the residents impacted by Hurricane Florence. That component is receiving a floodplain development permit from the Town. This is required only if you live in the floodplain. Most of the homes that were flooded in River Bend are

located within the floodplain. The floodplain development permit looks very much like a regular zoning permit. Both applications are only one page long and both ask for essentially the same information. However, the rules are a little different in the floodplain. Living in a floodplain can be compared to living at the beach. If you live at the beach, you are more vulnerable to hurricanes, and the building code at the beach is obviously more restrictive than it is for an inland location. A person building a home in Goldsboro does not have to build to the same code level as a person building an oceanfront home in Emerald Isle. The same logic applies to the floodplain. A home in the River Bend floodplain is much more vulnerable to flooding than a home on Barbara Drive in River Bend. Therefore the requirements for building in our floodplain are different than they are for building on Barbara Drive.

The boundaries of the Town's floodplain coincide with the FEMA flood maps. The Town of River Bend does not control and did not determine that area. It was done through a process with FEMA and the State of North Carolina. About two years ago, the floodplain maps were reviewed by FEMA and the State of North Carolina. A meeting was held in the New Bern Convention Center to discuss the process. The Town of River Bend mailed a notice to each homeowner and advertised the meeting on our webpage. Our Town staff manned a booth at the meeting and met with many residents. In addition, we placed lots of information about the process on our webpage and that information and much more about the floodplain remains on the webpage today. It has been there for over two years.

The Town of River Bend has earned designation as a Rated Community. That means that we have adopted and enforce a flood damage prevention ordinance (FDPO). Our FDPO was adopted by the Town of River Bend in August, 1985. It has been a part of our Town's ordinance for over 33 years. It was last amended in April, 2004. Nothing about the FDPO has changed in over 14 years. Enforcement of this ordinance is not a new procedure for River Bend. We have been doing it for decades. The entire document has been on the Town's webpage for many years.

If your home is located in the floodplain, you may be required to comply with our FDPO. One thing that triggers your compliance with the FDPO is when you make improvements or repairs to your home and the cost of those are equal to or exceed 50% of the home's value. One of the requirements is elevation of your home to two feet above the base flood elevation (BFE). Obviously, due to Hurricane Florence, this trigger was a concern for many homeowners. Following the hurricane, the State of North Carolina requested that FEMA send damage assessment teams to help towns and counties make this assessment. River Bend was assisted by one of those FEMA teams. They visited over 400 homes and made a damage assessment of each one. As you can imagine, assessing 400 homes was time consuming. After the assessment, the data had to be entered into a specific computer program. We now have an individual report for each flooded home. This process took about three weeks but in the final analysis, it was worth the wait. There is no way that the Town could have performed that assessment that quickly. While we were waiting for the results of the assessment, we were able to process many applications. In fact, while we waited for the results, we issued over 100 permits. During that process, applicants were not required to wait on the FEMA assessment. They could, and many did, proceed with gathering the necessary information to obtain a permit. It is not now, and it never has been, the Town's responsibility to provide the necessary supporting information for an applicant to obtain a Town permit. FEMA does not issue zoning or building permits. All they did was provide data to the Town of River Bend that we can use as our basis to make the 50% damage determination. We are pleased to report that no home was determined by FEMA to be damaged at a level of 50%.

What does that mean? That means that every flood damaged home in River Bend's floodplain can be issued a zoning permit and a floodplain development permit from the Town of River Bend. It also means that no homeowner is being required to elevate their home by the Town of River Bend. Has the permitting process been slower than normal? Yes. Since the hurricane, we have issued 208 permits and there are more being reviewed. That is nearly as many as we have issued in the previous four years combined. The Town has one certified floodplain manager (CFM). Her name is Allison McCollum. Serving as our CFM is only one of her regular duties. In order to respond to the increased floodplain permitting workload, I have assigned some of her duties to other staff members so that she can focus on issuing permits. During my 20-year tenure as a Town Manager, I have also served as a floodplain manager. I have been able to assist Allison with this process and have answered hundreds of questions from residents and met with many residents to assist them in the process and explain the process. However, Allison is our only CFM and all floodplain development permits are issued by her. She has worked after hours and even on weekends to review permits. On a personal note, Allison's home was also flooded. She is familiar with the process from both sides. Also, the homes of three of the Town Council members and the Mayor were flooded. They have been required to go through the same permitting process as every other applicant.

Once you receive your zoning permit and/or floodplain development permit from the Town of River Bend, we are no longer involved in the permitting process except when we perform the final inspection to verify that the project was completed in compliance with the Town's Ordinances. If you are experiencing problems with obtaining your building permit from Craven County, you will need to discuss that with Craven County. The Town of River Bend has no control over that. Since Hurricane Florence, many residents have begun repairs without a permit. Once we learn of unpermitted repairs, we issue a stop-work notice. If work is done at your home without a building permit, the Craven County Inspection Department may assess you fines and/or require you to remove part of the new work in order to allow proper inspections. All of these possibilities can be expensive and cause delays. You can avoid all of them by making sure you obtain all necessary permits prior to beginning any work. My November 2017 article in the River Bender discussed the permitting process.

There are some projects that do not require building or zoning permits. For example, if you paint your walls and install new carpet, a building permit is not required. There are other seemingly simple projects that you may not think require a permit, but they do. For example, installing a new HVAC system requires a building permit. Many times the contractor will obtain a building permit for HVAC projects and the homeowner is not even aware that the contractor has obtained the permit. However, ultimately, it is your responsibility as a homeowner to make sure all of the necessary permits are obtained prior to starting the project. You can ask the contractor to show you a copy of the permit. If you hire an experienced, reputable contractor, they will know that a permit is required. If you hire a contractor that claims they do not know that permits are required, you may need to hire a different contractor.

Delane Jackson

Town Manager

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