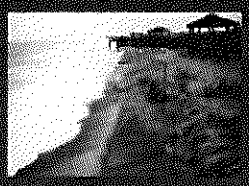
Rebuilding After A Storm

Permitting Procedures for Repair and Rebuilding after a Storm: Coastal Residential & Commercial Structures



Flood and storm damage along Rhode Island's coast can be devastating when nor'easters and hurricanes hit. Knowing who to call and what to procedures to follow is the first step in being prepared for the challenge of home or business reconstruction and repair.

Rhode Island Flood Awareness and Climate Change Taskforce (RI FACCT)
November 2009 - *FACCT Sheet 1*

The Permitting Process Step-by-Step

Your Partners in the Permitting Process

Building Officials
(GREEN shapes on flow chart)

Call: Your municipal building department
Visit: www.ribcc.ri.gov

When damage occurs, contact your local building official first so it can be determined whether it's safe to enter the property. The building official will provide specific guidance to help you meet the requirements of the Rhode Island State Building Code and other local regulations. Then, once you obtain state permits from DEM or CRMC (see below), the local building official is responsible for issuing building permits for your repair and rebuilding activities.

Coastal Resources Management Council (CRMC)
(TAN shapes on flow chart)

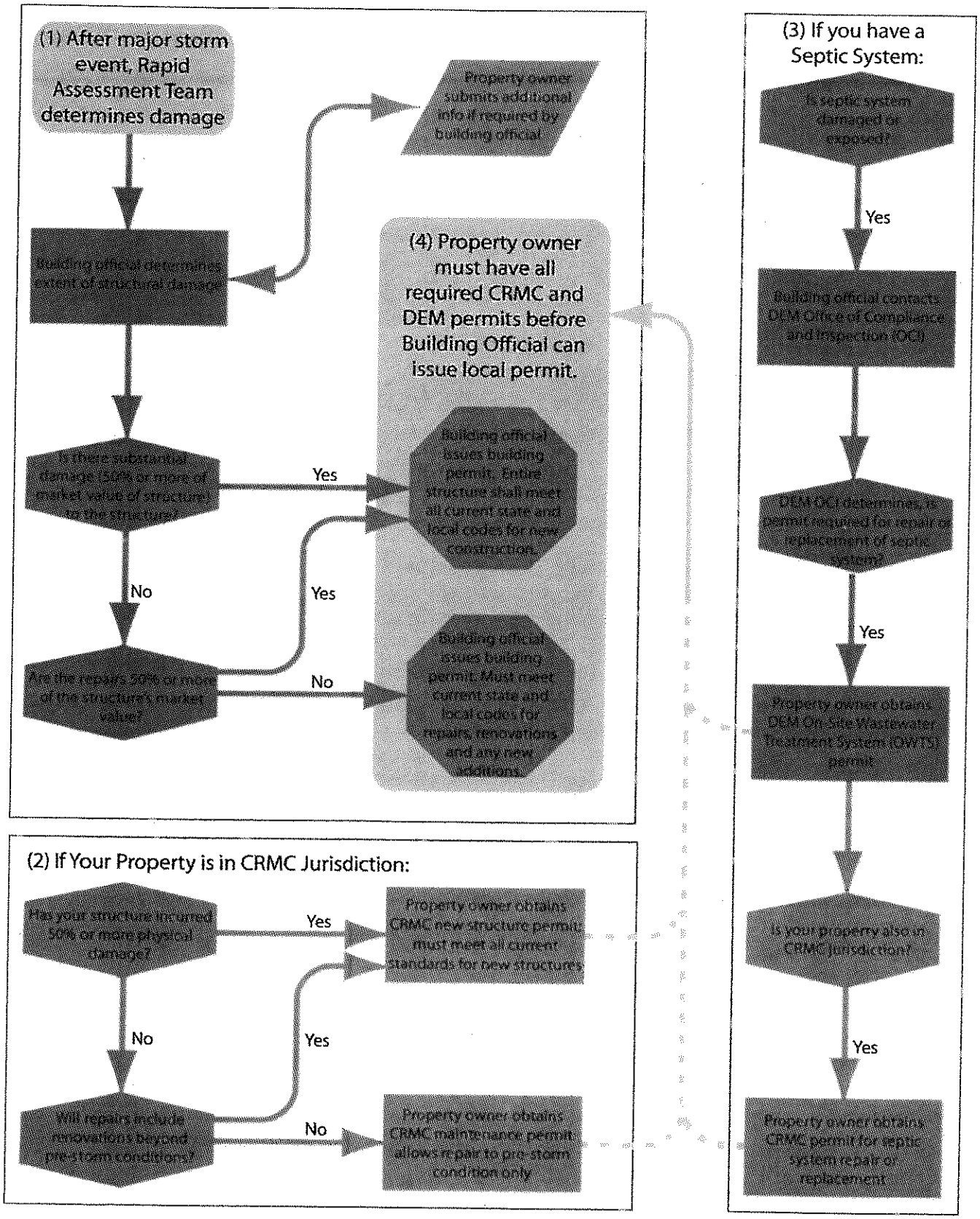
Call: 401.783.3370
Visit: www.crmc.ri.gov

The CRMC is the state agency with jurisdiction of beaches, dunes, barrier islands and spits, coastal wetlands, coastal bluffs and cliffs, rocky shores, man-made features and lands within 200 feet of these shoreline features. If your property falls within this area, CRMC permits are required before you can begin repairs or rebuilding.

Department of Environmental Management (DEM)
(BROWN shapes on flow chart)

Call: 401.222.4700
Visit: www.dem.ri.gov/programs/benviron/water/permits/isds/

The DEM is the state agency responsible for overseeing septic systems (onsite wastewater treatment systems, OWTS). Contact DEM to obtain required permits for any storm-damaged septic system that needs repair or replacement.


(1) After major storm event, Rapid Assessment Team determines damage
Property owner submits additional info if required by building official
Building official determines extent of structural damage
Is there substantial damage (50% or more of market value of structure) to the structure?
Yes
No
Yes
Are the repairs 50% or more of the structure's market value?
No
(4) Property owner must have all required CRMC and DEM permits before Building Official can issue local permit.
Building official issues building permit. Entire structure shall meet all current state and local codes for new construction.
Building official issues building permit. Must meet current state and local codes for repairs, renovations and any new additions.
(2) If Your Property is in CRMC Jurisdiction:
Has your structure incurred 50% or more physical damage?
Yes
Property owner obtains CRMC new structure permit; must meet all current standards for new structures
No
Yes
Will repairs include renovations beyond pre-storm conditions?
No
Property owner obtains CRMC maintenance permit allows repair to pre-storm condition only
(3) If you have a Septic System:
Is septic system damaged or exposed?
Yes
Building official contacts DEM Office of Compliance and Inspection (OCI)
DEM OCI determines, is permit required for repair or replacement of septic system?
Yes
Property owner obtains DEM On-Site Wastewater Treatment System (OWTS) permit
Is your property also in CRMC jurisdiction?
Yes
Property owner obtains CRMC permit for septic system repair or replacement

You Need to Know....

Substantially improved structures refers to any repair, addition, or other improvement of a building whose costs equal or exceed 50% of the market value of the structure before the start of construction. The local building official will request a detailed cost estimate for repairs before your building permit can be issued.

New or substantially improved residential or commercial buildings within Special Flood Hazard Areas (places called V and A-Zones by the Federal Emergency Management Agency) are required to conform to state and local requirements. Ask your local building official to find out if your property is in these flood hazard areas or visit www.msc.fema.gov. These structures must be elevated to the design flood elevation to minimize future damage.

New structures, or those that are being rebuilt and are located within CRMC jurisdiction, require a CRMC permit. Existing structures that have been physically destroyed 50% or more by coastal storms must meet all current regulations when being rebuilt. In some cases, these structures may not be permitted to be rebuilt if located on undeveloped or moderately developed barriers. Repairs to structures that have been physically damaged less than 50% will need a CRMC Certificate of Maintenance or an Emergency Assent. These permits authorize the owner to repair the structure to pre-existing conditions and dimensions and do not authorize any new improvements.

Storm-damaged septic systems may need to be repaired or replaced, as directed by the DEM or your local building official. An OWTS permit is issued by DEM. If you are within the coastal zone jurisdiction, you will need to submit your DEM OWTS permit with the approved plans to the CRMC prior to final issuance of the CRMC permit. Permits for rebuilding along the beach may be required to follow OWTS Repair Guidance in Critical Erosion Areas. www.dem.ri.gov/programs/benviron/water/permits/isds/pdfs/coastrpr.pdf.

Before you begin any repair or reconstruction you must consult with your local building official.

RI Flood Awareness and Climate Change Taskforce (RI FACCT):

Rhode Island State Building Code Commission

Rhode Island Emergency Management Agency

Rhode Island Sea Grant

Rhode Island Coastal Resources Management Council

Rhode Island Flood Mitigation Association

www.riema.ri.gov/prevention/floods/FACCT.php