

## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3810

### **Construction Certificate Management Procedures** **The City of Key West (CID 120168)** **Updated July 2024**

The City of Key West Building Department is responsible for the administration of all development, construction, and building-related issues within the City of Key West 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. The City of Key West Building Department is responsible for the administration and compliance with the City's Floodplain Management Ordinance. All building inspections, permit/plan reviews and permit approvals occur through the City of Key West Building Department. Plan review and development associated with building permit applications are reviewed, permitted, and inspected by the City of Key West Building Department.

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, Non-Conversion Agreements, 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.

#### **I. TYPES OF CERTIFICATES REQUIRED**

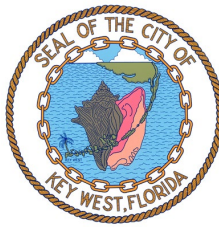
When any new construction, substantial improvement or repair for a substantially damaged building is conducted in the Special Flood Hazard Area (SFHA), the Building Department shall require an Elevation Certificate and any other floodplain-related certificate that is appropriate for the development. This shall include a Floodproofing Certificate for non-residential structures, a V Zone design certificate for structures within a Coastal High Hazard Area, a Declaration of Land Restriction (Non-Conversion Agreement) for non-elevated enclosures or accessory structures 100 square feet or larger, and certification of engineered flood openings for permitted wet floodproofed structures or crawlspace foundations.

#### **II. WHEN CERTIFICATES ARE REQUIRED**

##### Elevation Certificates:

When any new construction, substantial improvement, or repair for a substantially damaged building is conducted in the SFHA, the applicant shall include with the building permit application signed and sealed plans exhibiting compliance with Chapter 34 of the Code of Ordinances. The applicant may submit a "Construction Drawings" elevation certificate if desired.

Once the foundation is built and the as-built elevation of the lowest floor is evident, the applicant may contact the Floodplain Administrator for a floodplain inspection or submit a "building under construction" Elevation Certificate. This procedure is not established by ordinance; however, it is strongly recommended as it documents the elevation of surrounding grades and the lowest floor to ensure compliance with the approved plans before further construction is commenced.



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3810

---

Once construction of the building is complete and all adjacent grading is finalized, a complete and correct "finished-construction" Elevation Certificate shall be submitted to the Building Department to provide the "as-built" characteristics of the building. A "finished construction" Elevation Certificate must be received, reviewed, and corrected (if necessary) prior to issuance of a Certificate of Occupancy (CO), or prior to the finalization of the building permit, whichever is applicable. At this point, all other required construction certificates must be submitted and reviewed.

### Floodproofing:

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 Chapter 34 of the Code of Ordinances. A complete and correct Floodproofing Certificate is required to be submitted to the Building Department once construction is finished on the building and prior to issuance or finalization of a building permit before issuing a certificate of occupancy.

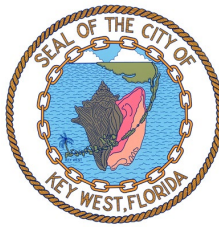
### V Zone Design Certificate:

A V Zone design certificate is required for all new construction and substantial improvement/substantial damage within an identified V 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 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 Zone(s).

### Certification of Engineered Flood Openings:

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. The developer shall 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 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.



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3810

### Declaration of Land Restriction (Non-Conversion Agreement):

A Declaration of Land Restriction (Non-Conversion Agreement) is required for enclosed areas larger than 100 square-feet below the base flood elevation and non-elevated accessory buildings. A Non-Conversion Agreement must be completed, recorded with the Monroe County Clerk of Court, and returned to the City of Key West Building Department prior to issuance of a building permit to construct such enclosure or accessory building. The Non-Conversion Agreement shall be included as part of the building permit file.

### **III. WHAT DEPARTMENT/OFFICE COLLECTS/REVIEWS CONSTRUCTION CERTIFICATES**

All finished-construction Elevation Certificates shall be submitted initially to the City of Key West for tracking and initial review. A Building Permit Technician shall upload the Elevation Certificate in our permit tracking system, it is then forwarded to the FEMA/Floodplain Coordinator, who reviews it and all supporting documentation for compliance. The FEMA/Floodplain Coordinator then advises the Chief Building Official of whether the finished-construction Elevation Certificate exhibits compliance with floodplain regulations. A Certificate of Occupancy is not issued until the Elevation Certificate and all supplemental documentation is reviewed and accepted by the Floodplain Manager.

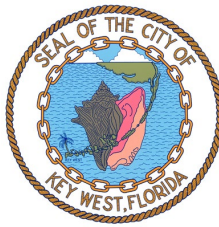
If a Certificate of Occupancy is not required, the building permit shall not be closed until the Floodplain Manager reviews and accepts the Elevation Certificate and any other necessary construction certificates.

### **IV. HOW CERTIFICATES ARE CORRECTED**

The FEMA/Floodplain Coordinator 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 FEMA/Floodplain Coordinator 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 FEMA/Floodplain Coordinator 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 FEMA/Floodplain Coordinator 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 FEMA/Floodplain Coordinator 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 ten (10) business days for immediate correction. In no case shall we accept a finished-construction Elevation Certificate until all corrections deemed appropriate by the FEMA/Floodplain Coordinator are addressed. In no case shall a certificate of occupancy or final approval for a permit be granted until the FEMA/Floodplain Coordinator has accepted the applicable construction certificates.



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3810

---

If corrections are completed after the Certificate of Occupancy or final approval, the FEMA/Floodplain Coordinator must ensure the homeowner receives a copy of the corrected Elevation Certificate in case the correction(s) would affect the building's insurance rating.

### **V. HOW AND WHERE THE CERTIFICATES ARE MAINTAINED**

Upon acceptance, all Elevation Certificates and construction certificates are scanned and stored in the building permit tracking system (eTrakit), the Building Department share drive, and the City's Forerunner account for public access. They shall also be scanned at the usual time building files are scanned for storage/archival. Additionally, copies of finished-construction Elevation Certificates and any other required construction certificates for any property within the Special Flood Hazard Area shall be placed in a separate folder containing all Elevation Certificate information for CRS purposes, labeled "Activity 310," organized by CRS recertification date. All other state and local records retention policies shall be observed. The City of Key West follows Chapters 119 and 257, Florida Statutes for public record requirements. Additionally, the City of Key West follows the State of Florida Records Retention Schedule outlined in the Florida Administrative Code 1B-24 and 1B-26. Specifically, the schedule requires permanent retention of National Flood Insurance Program records for Floodplain Construction Authorization and Flood Mitigation Assistance Program. National Flood Insurance Program records related to the Community Rating System are retained for the duration of the City's participation in the Program.

### **VI. 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 FEMA/Floodplain Coordinator. The FEMA/Floodplain Coordinator shall act on the request immediately, if time allows, but at worst, shall have two business days to make a copy of the requested information and make the documentation available to the inquirer. There is no charge for this service.

Additionally, any member of the public may access and download a scanned copy of an Elevation Certificate, or any other construction certificate on record with the City, online at <https://keywestfl.withforerunner.com/explore> at any time.