



Media Advisory 50% Rule

Punta Gorda, FL – The City of Punta Gorda is committed to ensuring that residents are informed about important regulations that impact our community, particularly those related to floodplain management and disaster recovery. One such regulation is the Federal Emergency Management Agency's (FEMA) 50% Rule (Substantial Damage/Improvement), crucial in rebuilding efforts after disasters. This is also a requirement of the 2023 Florida Building Code.

- The 50% Rule states that if a disaster damages a structure and the cost to repair it exceeds 50% of its market value of that structure, the structure is considered "substantially damaged." In such cases, homeowners must bring the building up to current floodplain management standards, which may include elevating the structure or making other modifications to reduce future flood risks.

Key Points to Understand:

- **Structure's Market Value Assessment:** The market value of a home is determined by an appraisal or assessment and is essential for determining if repairs exceed the 50% threshold.
- **Repair Costs:** All repair costs, including labor and materials, overhead and profit must be calculated. Homeowners are encouraged to obtain multiple estimates to ensure accurate cost assessments.
- **Building Codes Compliance:** Structures deemed substantially damaged must comply with current building codes designed to enhance safety and reduce vulnerability to future flooding.

Special Considerations for Historical Homes

If the work can be done in such a way that the building maintains its historical listing, then the 50% rule doesn't come into play. If it is substantially damaged and the historical listing can't be maintained and or will be completely demo, then it would fall under the same requirements of all other structures for flood.

1201.3 Flood hazard areas.

In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the building shall comply with Section 1612 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable.

Exception: If the program that designated the building as historic determines that it will continue to be an historic building after the proposed work is completed, then the proposed work is not considered to be substantial improvement. For the purposes of this exception, an historic building is:

1. Individually listed in the National Register of Historic Places; or
2. A contributing resource within a National Register of Historic Places listed district; or
3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district, provided the local program making the designation is approved by the Department of the



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Interior (the Florida state historic preservation officer maintains a list of approved local programs); or

4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

Questions or comments regarding the 50% should be directed to the Building Officials office at 941-575-3344 or pgpermittech@cityofpuntagordafl.com.