



# Mayor's Monthly Newsletter

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## Building Codes - The 50% Rule

Recently I have received a number of comments from residents and home remodelers regarding issues with our building codes – specifically what I will refer to as the “50% rule”. This rule is generally based on language FEMA requires cities to have in their building codes for property within the “100 year floodplain” as a condition of the residents in the community being allowed to participate in the National Flood Insurance Program. The issue is that Jersey Village's codes also require that ANY home being upgraded in excess of 50% of its appraised value be brought into compliance with current codes (wiring, insulation, wall bracing, etc...), and extends the requirement to homes outside the 100 year flood plain, resulting in unintended consequences when an owner wishes to extensively remodel their home.

FEMA's intent is to reduce future flood claims by requiring homes, located within the 100 year flood plain that suffer damage from any cause in excess of 50% of the appraised value of the structure (excluding land value), to have the slab elevated to code prior to being repaired. In addition, a homeowner making improvements to an undamaged structure that exceeds 50% of the appraised value, must also elevate the slab to code - a very expensive project.

Many homes in Jersey Village are appraised at less than \$150,000, and a remodeling of the kitchen and master bathroom can trigger the 50% rule requiring additional, costly upgrades to current code requirements beyond the planned remodeling. The unintended consequence is that homeowners are unwilling to make these costly upgrades, which discourages growth of property values in our city.

It is my personal opinion that aspects of the 50% rule are onerous for both residents to comply with, and staff to enforce, and should be modified. I have had several discussions with city staff – who are reviewing code amendments for the purpose of providing relief from this rule to homeowners citywide. Changes within the 100 year flood plain will be limited by FEMA requirements relative to outside that zone. When ready, the changes will be presented to council for discussion and potential action.

A few comments on pools – JV is an incorporated city, just like Houston, West University, and Tomball to name a few. Adjacent to our city are communities in large, unincorporated areas where many pools are installed annually without the sort of building codes enforced in an incorporated city. If you are considering adding a pool, I recommend that you come by city hall and pick up a “pool packet” which has the information your contractor needs to give you a bid consistent with meeting the code requirements of the city.

In closing, I would encourage you to schedule a meeting with the city inspector if you are planning a big project. One of the advantages of a small city is access to city officials, and an early meeting to discuss your ideas can help you avoid issues down the road.

Until next month.

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