

FEMA Public Assistance – Building Code and Floodplain Management Enforcement (Category I)

DR-4856-CA

Example Eligible Work Activities

Building Code Administration

- Hire, train, supervise, certify, and license staff, as required to conduct eligible activities;
- Contract for services (e.g., contract planning, initiation, solicitation, evaluation, and award).

Code Enforcement

- Inspect structures under construction for compliance with approved plans, specifications, and all requirements of applicable codes, laws, and ordinances.

Floodplain Management Ordinance and Enforcement

- Enforce or administer standards for development according to community floodplain management regulations;
- Provide training and outreach to the public on floodplain permit requirements;
- Process, maintain, and track temporary occupancy permits and inspect temporary occupancy buildings.

Substantial Damage Determinations

- Collect field data for damage assessments;
- Perform inspections to ensure compliance with repair and substantial damage construction requirements.

Additional Activities - Public Assistance Program & Policy Guide, pages 225-229

Background & Purpose

Following disasters, communities face an increase of administration and enforcement work to ensure the repair and replacement of damaged facilities meet the adopted floodplain management regulations and building code requirements. The Disaster Recovery Reform Act (DRRA) of 2018 provides FEMA authorization to provide communities funding to effectively administer and enforce building codes and floodplain management ordinances. FEMA will reimburse costs for eligible work immediately following the declaration for 180 days after **approval of permanent work** in declared counties.

General Eligibility and Requirements

Communities **must** be actively participating in the National Flood Insurance Program (NFIP) and be in good standing, those suspended or sanctioned for not participating in the NFIP are **not** eligible for category I funding. In addition, entities must:

- Be authorized for assistance under a major disaster declaration;
- Be legally responsible for administering and enforcing adopted building codes and floodplain management regulations;
- Report list of impacts to FEMA within **60 days** of the Recovery Scoping Meeting; and
- Submit supporting documentation through the Public Assistance Grants Portal (grantee.fema.gov).

Eligible Costs

Reimbursements will be funded at the approved cost-share for the disaster.

- Costs associated with reimbursement for mutual aid or EMAC will be reimbursed according to provisions established in the PAPPG;
- Costs associated with legal proceedings related to code and floodplain management ordinance enforcement are eligible for reimbursement;
- Only overtime costs are eligible for budgeted labor.
- Extra hires or contracted support (unbudgeted labor) may be eligible for reimbursement. This includes costs for travel, accommodations, and per diem, as appropriate;
- The purchase of supplies and equipment necessary to effectively execute eligible work activities;

All procured supplies, equipment and/or contract labor must adhere to the requirements established in the PAPPG and 2 CFR part 200.



Supporting Documentation

All documentation associated with work completed through EMAC or mutual aid request must be provided. If work was performed by contract labor, all documentation demonstrating federal procurement rules in 2 CFR Part 200 were followed. The following information must be provided to support claims for category I projects.

Small Projects

- List of activities performed; and
- Number of locations where activities took place (if applicable).

Large Projects

- List of activities performed;
- Documentation necessary to demonstrate work completed;
- Number of locations where activities took place (if applicable);
- Locations where activities were conducted, including addresses or GPS coordinates (if applicable); and
- Copies of the rights-of-entry and agreements to indemnify and hold harmless the federal government (if applicable).

Ineligible Work

The following activities are ineligible:

- Activities that are associated with the core duties and responsibilities and base salaries for labor costs (overtime costs and unbudgeted labor expenses are eligible).
- Activities associated with non-disaster damaged structures or non-disaster-related development; and,
- Activities to update a community's laws, rules, procedures, or requirements, such as:
 - Adopting new or updating current building codes or floodplain management ordinances;
 - Adopting or updating zoning laws and requirements; and,
 - Developing new land use plans or requirements.

Funding Eligibility Dates

- January 8, 2025 – Major Disaster Declaration (DR-4856-CA)
- January 16, 2025 – Public Assistance Categories C-G Approved (Permanent Work)
- July 15, 2025 – 180 Day Eligible Costs Deadline

Resources

- Public Assistance Program & Policy Guide – PAPPG v5, Effective January 6, 2025
- Building Code and Floodplain Administration and Enforcement - FEMA Policy FP 204-079-01
- Public Assistance Companion Guide – Disaster Recovery Reform Act Section 1206
- Public Assistance Grants Portal