

# Town of Boone



Planning and Inspections Department  
680 West King Street, Suite C  
Boone, North Carolina 28607

**RE: Annual Notification - Requirement for Landlords to Provide Written Tenant Notification of Possible Flooding & Tips to Reduce Flood Damage for Property Owners & Tenants**

July 30, 2020

Dear Property Owner,

You have received this letter because your property contains a structure located within a flood zone. Individuals and families who rent may be unaware that their dwelling unit is located within an area subject to flooding. The purpose of this letter is to notify you that Town Code Chapter 152, Sections 152.20-152.22 requires landlords to notify prospective tenants when a rental dwelling unit is located within a flood zone.

**Note: If you do not rent or lease your property please disregard the portion of this letter regarding the "Notice of Possible Flooding". However, as a property owner you should consider all available measures to protect your property from flooding.**

A flood zone is a geographical area defined by the Federal Emergency Management Agency ("FEMA") according to varying levels of flood risk and as shown on the most current Flood Insurance Rate Map (FIRM) that reflects the severity or type of flooding in the area subject to periodic and/or severe flooding. Flood zones present in the Town of Boone are the AE Floodway (formerly the Floodway), the AE Zone (formerly the 100-year Floodplain), and Zone X (formerly the 500-Year Floodplain).

Therefore, pursuant to Boone Town Code Chapter 152, all landlords who lease one or more dwelling units located within a flood zone within the Town of Boone corporate limits is required to disclose to all prospective tenants, by means of a written notice in at least 16-point type that is separate from other lease or application materials and provided before the lease is signed, a notice that contains all of the following:

- (1) The specific flood zone in which the dwelling unit is located; and
- (2) That the specific flood zone may not accurately reflect the frequency of flooding; and
- (3) That the landlord will not accept responsibility for damage to or destruction of the tenant's property by flooding (unless the landlord accepts responsibility); and
- (4) That renter's flood insurance is available through the National Flood Insurance Program; and that the tenant may visit <https://www.floodsmart.gov/> for more information on the National Flood Insurance Program; and
- (5) To the extent the landlord has actual knowledge, the years in which flooding of the dwelling unit has occurred; and
- (6) Shall be signed and dated by the tenant.

The Town's website on Special Flood Hazard areas contains a Word and PDF version of the sample "Notice of Possible Flooding" that is attached as well as provides additional information regarding flood zones. Link below:

<http://www.townofboone.net/departments/planning-inspections/special-flood-hazard-areas/>

Violation of Town Code Sections 152.20 - 152.22 (Tenant Notification of Flood Zone) by any person shall subject the offender to a civil penalty in the amount of \$100.00 per dwelling unit.

In order to determine which flood zone(s) your structure is located in, please call the Town of Boone Planning and Inspections Department (828-268-6960) or visit the North Carolina online interactive flood risk mapping information website that can be accessed at: <https://fris.nc.gov/fris/Home.aspx?ST=NC>. This website contains digitally accessible flood hazard data, models, maps and risk assessments and reports for properties in North Carolina.

### **ADDITIONAL FLOOD DAMAGE PREVENTION INFORMATION**

**Flood Damage Prevention Ordinance:** You can access the Town of Boone Flood Damage Prevention ordinance by visiting the Town of Boone’s website at [www.townofboone.net](http://www.townofboone.net). Please select the “Ordinances” link at the top right of the page, choose the “Unified Development Ordinance”, and then scroll down on the navigation bar on the left of the screen to access UDO Article 30 Flood Damage Prevention. Link below:

[http://www.townofboone.net/wp-content/uploads/2020/02/Art30\\_02202020.pdf](http://www.townofboone.net/wp-content/uploads/2020/02/Art30_02202020.pdf)

### **Tips to Reduce Flood Damage for Property Owners & Tenants:**

**1. Prepare for flooding by doing the following:**

- Know how to shut off electricity and gas to your property when a flood comes.
- Make a list of emergency numbers and identify a safe place to go.
- Make an inventory, especially of basement contents.
- Put insurance policies, valuable papers, in a safe place.
- Develop a disaster response plan.

**2. Know your flood hazard and insure your property for your flood hazard:**

- You need flood insurance.
- Renters should buy flood insurance for their contents.

**3. Protect people from the hazard:**

- Turn around, don’t drown.
- Know flood warnings in your area.
- Designate a place your family can meet and evacuate when an order is issued.

**4. Know your flooding and consider some permanent flood protection measures:**

- Mark your fuse or breaker box to show the circuits to the floodable areas.
- Check your building for water entry points. These can be basement windows, the basement stairwell, doors, and vents. These can be protected with low walls or temporary shields.
- Note that some flood protection measures may need a building permit and others may not be safe for your type of building.

**5. Protect your property from the hazard:**

- Replace mechanical equipment or mechanical equipment needing repair with equipment elevated above the base flood elevation.
- Keep debris and trash out of streams and ditches.
- The Town of Boone can help provide grant information to elevate your structure.
- Provide and keep on hand sand bags to protect flood waters from entering your structure.

**6. Build responsibly:**

- Get a permit before you build or renovate.

**7. Protect natural floodplain functions:**

- Report broken silt fences – they help keep our streams clean of debris and silt.
- Maintain any ditches or drainage ways on your property

Please call (828-268-6960) or email ([brian.johnson@townofboone.net](mailto:brian.johnson@townofboone.net)) if you have any questions or need additional information.

Sincerely,  
Brian Johnson, CFM  
Urban Design Specialist