Resolution on Section 1316

WHEREAS, the Federal Emergency Management Agency has the responsibility of requiring local
governments to enforce the minimum requirements of the National Flood Insurance Program; and

WHEREAS, Section 1316 of the National Insurance Act stipulates that flood insurance coverage should be
denied for buildings constructed in violation of local or State laws, regulations or ordinances related to
development of flood prone areas; and

WHEREAS, Section 1316 can be a valuable tool for enforcing floodplain regulations; and

WHEREAS, enforcement tools (other than suspension) are needed to help the Federal Emergency
Management Agency and State governments to promote proper enforcement of floodplain regulations; and

WHEREAS, the Federal Emergency Management Agency’s current interpretation of Section 1316 does
not allow state and federal officials to submit section 1316 requests for buildings that are in violation of
local floodplain regulations; and

WHEREAS, local officials are unlikely to submit Section 1316 requests when they have made errors in the
enforcement of their floodplain regulations; and

WHEREAS, the Federal Emergency Management Agency and State NFIP Coordinating Agencies are
charged with the responsibility of monitoring local governments for compliance with the NFIP regulations;

NOW, THEREFORE BE IT RESOLVED, by this Association that:

1. Section 1316 be changed to allow local, state, or federal officials to recommend denial of flood
   insurance coverage on buildings found to be in violation of local or state law or the regulations of the
   NFIP.

2. The Federal Emergency Management Agency expedite the adoption of procedures for
   implementation of Section 1316.

Adopted this 15th day of June, 1984, at the annual meeting of the Association of State Floodplain Managers
in Portland, Maine.