

ARANSAS COUNTY HISTORICAL COMMISSION
1919 Hwy 35 N, Rockport TX 78382

**Windstorm Exemption Program
for Historic Properties in Aransas County (WEP – AC, est. 2009)**

What is Windstorm Exemption and why is it important?

If your historic structure is damaged during a storm, the Exemption will allow you to replace damaged windows, shutters, doors and other character defining elements with in-kind items rather than those that must meet the current code requirements. Your timeline to gain permits to repair and rebuild could be reduced by being on file prior to a storm.

This Windstorm Exemption was made possible by the Texas State Legislature in 1997 (Texas Administrative Code: Title 28, Part 1, Chapter 5, Subchapter E, Division 1) It provides for the exemption of historical structures from modifications that can alter the historic character of a building. For a building to be exempted from code requirements, one of these conditions must be met:

- 1) The structure is listed or is eligible for the National Register of Historic Places.
- 2) The structure is a Recorded Texas Historic Landmark (RTHL).
- 3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old and is subject to municipal or county requirements relative to construction, alteration or repair, in order to maintain its historical designation. Criteria may be found on the THC web site under Historical Markers.

This determination of eligibility also exempts the owner from the FEMA regulation that states if your building is damaged over 50% in a storm, you may not rebuild the structure. Similarly, FEMA may require buildings severely damaged in a flood to be raised to meet current flood plain requirements, unless they meet the above requirements.

Insurance from your agent

The Texas Windstorm Insurance Association (TWIA) is the ultimate provider of windstorm insurance coverage for all properties along the Texas coast. Property owners purchase windstorm policy through their insurance agency. Having WEP-AC for a building will not lower you insurance rate, but can provide more rights to you as a property owner.

It is very important to ask your insurance agent if they honor WEP-AC forms that have been approved by Aransas County Historical Commission (ACHC) and Texas Historical Commission (THC). It is ultimately their determination as to whether your insurance company will accept the WEP-AC form. As an owner of a building 50 years or older, it is in your best interest to get your coverage with an agency/company that will honor the WEP-AC and allow you to maintain the characteristics that make your building unique.

- Process:
1. Fill out the application (Form WEP-AC) and attach photos of the building from four sides along with a 1-2 page narrative that documents the significance and age of your building.
 2. Return application to ACHC, 1919 Hwy 35 N, PMB #365, Rockport TX 78382
 3. The ACHC will comment and send the application to THC for determination of eligibility. Their response will go to the ACHC who will contact you. This process may take 30-60 days.
 4. If your property is declared eligible, make a copy of the WEP-AC form and submit it to your insurance agent. The owner should keep the original. ACHC will make a copy for its records and a copy for the building permit department of Rockport, Fulton or Aransas County.
 5. In order to maintain the historic designation, any changes to the exterior must be approved by the ACHC Marker Committee.