

ORDINANCE 2014-21

ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 46B ENTITLED "FLOOD DAMAGE PREVENTION"

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

SECTION 1. The Township Committee hereby amends Chapter 46B entitled "Flood Damage Prevention", in accordance with the changes set forth below in this ordinance.

SECTION 2. The existing Section 2.0, entitled "Definitions" shall be amended to add the following definitions:

Cumulative Substantial Improvement – Any reconstruction, rehabilitation, addition or other improvement of a structure that equals or exceeds 50% of the market value of the structure at the time of the improvement or repair when counted cumulatively for 10 years.

Repetitive Loss and Severe Repetitive Loss – (RL) means flood related damages sustained by a structure on two or more separate occasions during a 10 year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damages occurred. **(SRL) Severe Repetitive Loss** means 4 NFIP payment claims of over \$5,000.00 each, exceeding \$20,000.00, or 2 payment claims that the cumulative amount exceeds the market value of the structure. Both of the above require that at least 2 of the referenced payment claims must have occurred within a ten year period, and greater than 10 days apart

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before the damage occurred. **Substantial Damage** also means flood related damages sustained by a structure on two or more separate occasions during a 10 year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damages occurred.

Substantial Improvement – Any reconstruction, rehabilitation, addition, or other improvement of a structure during a 10 year period, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvements. **Substantial Improvement also means Cumulative substantial improvement.** This term includes structures which have incurred "substantial damage"

regardless of the actual repair work performed, or repetitive loss. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."

SECTION 3. This ordinance shall become effective after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat held on the 28th day of July, 2014, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 18th day of August, 2014, at 6:30 PM, at the Municipal Complex located at 900 West Bay Avenue, Barnegat, New Jersey, at which time any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Sharon L. Auer,
Township Clerk

CERTIFICATION

I, SHARON L. AUER, Acting Township Clerk of the Township of Barnegat, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Township Committee of the Township of Barnegat at a meeting held on the 18th day of August, 2014.

Sharon L. Auer
Township Clerk

