

**ORDINANCE 2018 - 08**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 46B OF THE TOWNSHIP CODE 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 hereby modifies and supplements Article II of the Township Code Chapter 46B Flood Damage Prevention entitled, "Definitions", in particular to add new as follows:

**46B-5. Definitions** (add new)

Zone VE, flood elevation includes flooding and wave heights equal to or greater than three (3) feet.

Zone AE, flood elevation includes flooding and wave heights equal to or less than one and one-half (1.5) feet.

Zone Coastal A, or Limit of Moderate Wave Action, or LiMWA Zone, flood elevation includes flooding and wave heights from one and one-half (1.5) to three (3) feet. ALL LiMWA Zones must be built to Coastal high Hazard Area requirements.

**46B-17. Specific Standards.**

A. Residential construction.

- 1) New construction and substantial improvement of any residential structure in an A shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities; elevated at or above the base flood elevation or best available data flood elevation whichever is more restrictive, plus one (1) foot.

B. Nonresidential construction.

In an area of special flood hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure in an A shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities::

C. Manufactured Homes.

(2) All manufactured homes to be placed or substantially improved in an A Zone within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or best available data flood elevation, plus one (1) foot, whichever is more restrictive.

**SECTION 2.** The Township hereby modifies and supplements Article V of the Township Code Chapter 46B Flood Damage Prevention entitled, "Provisions for Flood Hazard Reduction" as follows:

**46B-19. Coastal high hazard areas.**

Coastal high hazard areas (Coastal A/LiMWA, V or VE Zones) are located within the areas of special flood hazard established in Section 46B-7. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

**SECTION 3.** The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

**SECTION 4.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 5.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 6.** This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**NOTICE**

**ORDINANCE 2018 - 08**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of Barnegat Township, County of Ocean, State of New Jersey on **March 6, 2018, at 10:00 a.m.**; at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **April 3, 2018 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

**MICHELE RIVERS, RMC  
TOWNSHIP CLERK**

**CERTIFICATION**

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance was finally adopted after Public Hearing at a regular meeting held on the 3<sup>rd</sup> day of April, 2018 in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

\_\_\_\_\_  
Michele Rivers, RMC  
Municipal Clerk