Time to Update Your Ordinances
A Call to Adopt Higher Standards
October 21, 2015
In Progress Flood Studies

- FIRMs updates underway 18 New Jersey Counties
- Over 350 communities are affected
- Ordinance updates required
Near Term Effective Studies

- Salem & Cumberland counties to adopt by 6/16/2016
- LFD scheduled for mid-February for Camden & Gloucester counties
- Others remain in the appeal process
Overview

- NJ model ordinance new standards
- NJ model ordinance higher standards
- Share success stories
- Goal: Get you thinking about how you can reduce your community’s flood risk by adopting higher standards.

START THE PROCESS NOW
Why Higher Standards?

- Less damage
- Faster post-disaster recovery
- Lower flood insurance costs
- Keep more money in the community
- Credit under the Community Rating System
WHEN YOU MODIFY YOUR ORDINANCE

- Required To Adopt FEMA Changes
  - New Maps
  - New Flood Insurance Study

- Bring The Ordinance Up To Date
  - One Foot Of Freeboard
  - New & Modified Definitions
  - Substantial Damage Review
  - Some Uniform Construction Code Standards

- Incorporate Higher Standards
## The New Model Ordinance

- **Color Coded**
  - **YELLOW** – Unique to the community
  - **GREEN** – New minimum requirements
  - **BLUE** – Higher standards

| Unique and to be revised data highlighted in **YELLOW** |
| Updates highlighted in **GREEN** |
| Optional higher standards highlighted in **BLUE** |

### 1.1 STATUTORY AUTHORIZATION
The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the (governing body) of the (twp/city/boro) of (municipality) of (county) County, New Jersey does ordain as follows:

### 5.2-1 RESIDENTIAL CONSTRUCTION
a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation plus one foot [optional – higher standard – freeboard – replace “one foot” with two feet or three feet];
YELLOW – Unique to the Community

- Section 1.0 – Statutory Authorization
- Section 2.0 – Appeal Definition
- Section 3.1 – Municipality & County
- Section 3.2 – FIS, Panels & Effective Date
- Section 3.3 – Penalties
YELLOW – Unique to the Community

- **Section 4.0 – Administration**
  - Local Administrator
  - Appeal Board
  - Higher Court
GREEN—New Minimum Requirements

Section 2.0 – Definitions

- AO Zone
- AH Zone
- Base Flood Elevation
- Existing Manufactured Home Park or Subdivision
- Floodproofing
- Limit of Moderate Wave Action
- Violation
GREEN—New Minimum Requirements

- **Section 4.0 – Administration**
  - Substantial Damage Review

- **Section 5.1 – General Standards**
  - Uniform Construction Code (UCC)
  - New Construction or SI of Service Facilities

- **Section 5.2 – Specific Standards**
  - One (1) Foot Freeboard
  - Floodproofing
GREEN– New Minimum Requirements

- Section 5.4 – Coastal High Hazard Areas
  - One (1) Foot Freeboard at Lowest Horizontal Member
  - Coastal A Zone/Limit of Moderate Wave Action (LiMWA) Open Construction
  - Below the Lowest Floor – Construction Code Official or Building Sub-Code Official Approval
BLUE – Higher Standards

- Section 2.0 – Definitions
  - Accumulative Substantial Improvement
  - Substantial Damage – Accumulative
  - Substantial Damage – Lower Threshold
  - Substantial Improvement – Accumulative
  - Substantial Improvement – Lower Threshold
  - Critical Facilities
  - Realtor Disclosure
BLUE – Higher Standards

- Section 4.0 – Administration
  - Realtor Disclosure

- Section 5.2 & 5.4 – Specific Standards & Coastal High Hazard Area
  - Greater Than One (1) Foot Freeboard
  - Manufactured Home Moratorium

- Section 5.3 – Floodways
  - Restrict/Remove Critical Facilities
Success Stories

- Hoboken – V zone 3 ft freeboard, coastal A zone, and hard and soft coastal defenses

- Longport – ABFE or 1 ft freeboard, accumulative Substantial Damage/Improvement (SD/SI), lower SD/SI threshold, critical facility restrictions including access routes

- Union Beach – 2 ft freeboard

- Lambertville ordinance – real estate disclosure
No silver bullets...

Multi-faceted approach...
Questions? Need Ordinance Assistance?

Visit our website:

www.nj.gov/dep/floodcontrol

Contact our office:

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