

ORDINANCE NO. 618

ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR AMENDMENT OF ORDINANCE 525, FLOOD DAMAGE PREVENTION, AND REVISIONS OF CHAPTER XXIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, 2007 (THE CODE)

BE IT ORDAINED AS FOLLOWS:

See partial text of Ordinance 525, which has been marked to show additions – changes to the following Articles: 23.2.2., 23-3, 23.5.1. 23.5.2, and 23.5.3

23-2.2 Definitions.

Advisory Base Flood Elevation (ABFE) —The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect ($ABFE = SWEL + \text{wave effect}$) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Advisory Flood Hazard Area (AFHA) —The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

Advisory Flood Hazard Map - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

Freeboard - An additional amount of height above the Base Flood Elevation used as a factor of safety (e.g., 2 feet above the Base Flood) in determining the level at which a structure's lowest floor must be elevated or flood proofed.

23-3 GENERAL PROVISIONS.

23-3.2 Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard for the Borough of Mantoloking, Community No. 340383, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

a. A scientific and engineering report "Flood Insurance Study, Ocean County, New Jersey (All Jurisdictions)" dated September 29, 2006;

b. Flood Insurance Rate Map for Ocean County, New Jersey (All Jurisdictions), as shown on Index and panel numbers 0216, 0218; whose effective date is September 29, 2006.

c. Advisory Base Flood Elevations and Advisory Flood Hazard Maps titled Point Pleasant SE dated December 12, 2012, with the exception of the Coastal A recommendation. These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) maps conflict or overlap, whichever imposes the more stringent requirement shall prevail.

23-5.1 General Standards.

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:
~~the following standards are required:~~

d. *Subdivision Proposals.*

1. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage.

2. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

3. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage.

4. Base flood elevation data shall be provided for subdivision and other proposed new development~~proposals and other proposed development~~ which contain at least fifty (50) lots or five (5) acres (whichever is less).

23-5.2 Specific Standards.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in subsection 23-3.2, Basis for Establishing the Areas of Special Flood Hazard, or in subsection 23-4.3 b., Use of Other Base Flood and Floodway Data, the following standards are required:

a. *Residential Construction.* ~~New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus a Freeboard height as provided in Chapter XXX – Land Use Regulations, elevated to or above base flood elevation.~~

b. *Nonresidential Construction.* ~~New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or~~

~~1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;~~

~~2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and~~

~~3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice and meet the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in subsection 23-4.3 c., 2(b).~~

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities: either

1. Elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus a Freeboard height as provided in Chapter XXX – Land Use Regulations;

or

2. Be floodproofed so that below the base flood level plus a Freeboard height as provided in Chapter XXX – Land Use Regulations, or advisory base flood elevation plus a Freeboard height as provided in Chapter XXX – Land Use Regulations, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;

3. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

4. Be certified by a registered professional engineer or architect that the design

and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 23-4.3 c etal.

c. *Manufactured Homes.*

2. All manufactured homes to be placed or substantially improved 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 advisory base flood elevation, plus a Freeboard height as provided in Chapter XXX – Land Use Regulations (whichever is more restrictive).

~~d. *Zone AO.* In Zone AO all new construction or substantial improvement of any residential, commercial, industrial, other nonresidential structure or manufactured home shall have the lowest floor, including basement, elevated to at least the depth number, specified in feet, above the highest adjacent grade and provide adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.~~

~~(Ord. No. 525 § 5.2)~~

d. In an AO zone on the municipality's DFIRM that all new construction and substantial improvement of any residential, or commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade plus a Freeboard height as provided in Chapter XXX – Land Use Regulations above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus a Freeboard height as provided in Chapter XXX – Land Use Regulations, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

~~e. Any residential, or commercial, industrial or other nonresidential structure shall require a Freeboard height as provided in Chapter XXX – Land Use Regulations. In A Zones, freeboard is measured from the top of the lowest floor. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork) must be elevated or waterproofed to the base flood elevation plus freeboard.;~~

23-5.3 Coastal High Hazard Area.

b. *Construction Methods.*

~~Elevation. All new construction and substantial improvements shall be elevated on piling or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood level, with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in subsection 23-5.3 b., 4.~~

a. All new construction and substantial improvements shall be elevated on piling or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (NJAC 5:23), whichever is more restrictive plus a Freeboard height as provided in Chapter XXX – Land Use Regulations and with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in subsection 23-5.3 b.,4.;

b. Any residential, or commercial, industrial or other nonresidential structure shall require a Freeboard height as provided in Chapter XXX – Land Use Regulations. In V Zones, it is measured from the bottom of the lowest horizontal structural member. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork) must be elevated or waterproofed to the base flood elevation plus freeboard.;

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a Regular Meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 18th day of March, 2013, and said Ordinance will be considered for final passage at the G. Harold Antrim Elementary School, Point Pleasant Beach, New Jersey, at 4:30 p.m. on Monday, the 8th of April, 2013, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

Irene H. Ryan, R.M.C.
Municipal Clerk