

18-001 G

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON
BY AMENDING CHAPTER XVII, FLOOD DAMAGE PREVENTION**

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter XVII (Flood Damage Prevention Ordinance) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend Chapter XVII (Flood Damage Prevention) to update FEMA Flood Insurance Rate Maps and maintain compliance with the National Flood Insurance Rate Program.

Chapter XVII (Flood Damage Prevention Ordinance) of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1.

That Chapter XVII, Flood Damage Prevention Ordinance, subsection 17-2 (Definitions), subsection 17-3 (General Provisions), and subsection 17-6 (Provisions for Flood Hazard Reduction) shall be amended as follows:

**17-1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE
AND OBJECTIVES.**

No Change.

17-2 DEFINITIONS.

Unless specifically defined below, words or ~~phases~~ phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

Advisory base flood elevation (ABFE) through Recreational vehicle

No Change.

Sand dunes shall mean naturally occurring or manmade accumulations of sand in ridges or mounds landward of the beach.

Start of construction through Substantial damage

No Change.

Substantial improvement shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

a. 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

b. Any alteration of “~~an~~ a historic structure,” provided that the alteration will not preclude the structure's continued designation as “~~an~~ a historic structure.”

Variance shall mean a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

17-3 GENERAL PROVISIONS.

17-3.1 Lands to Which This Chapter Applies.

No Change.

17-3.2 Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard for the Borough of Rumson, Community No. 345316, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a. A scientific and engineering report "Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)" ~~dated September 25, 2009~~ revised June 20, 2018.
- ~~b. Digital Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0068F, 34025C0069F, 34025C0088F, 34025C0181F, 34025C0182F, 34025C0184F, 34025C0201F, 34025C0203F; whose effective date is September 25, 2009.~~
- b. Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0068F, 34025C0069F, 34025C0088G, 34025C0181F, 34025C0182G, 34025C0184G, 34025C0201G, whose effective date is June 20, 2018.
- c. through e.

No Change.

17-3.3 Penalties for Noncompliance through 17-3.6 Warning and Disclaimer of Liability.

No Change.

17-4 ADMINISTRATION through 17-5 VARIANCE PROCEDURE

No Change.

17-6 PROVISIONS FOR FLOOD HAZARD REDUCTION.

17-6.1 General Standards.

No Change.

17-6.2 Specific Standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in subsection 17-3.2, Basis for Establishing the Areas of Special Flood Hazard, or in subsection 17-4.3b., Use of Other Base Flood and Floodway Data, the following standards are required:

- a. The Base Flood Elevation used to determine the lowest floor elevation of a structure shall be the greater of the base flood elevation indicated in:
 1. A scientific and engineering report "Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)" ~~dated September 25, 2009~~ revised June 20, 2018.
 - ~~2. Digital Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0068F, 34025C0069F, 34025C0088F, 34025C0181F, 34025C0182F, 34025C0184F, 34025C0201F, 34025C0203F; whose effective date is September 25, 2009.~~

3. Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0068F, 34025C0069F, 34025C0088G, 34025C0181F, 34025C0182G, 34025C0184G, 34025C0201G, whose effective date is June 20, 2018.

4. through 5.

No Change.

b. Residential Construction through d. Manufactured Homes.

No Change.

17-6.3 Coastal High Hazard Area.

No Change.

17-7 PENALTY CLAUSE THROUGH 17-8 EFFECT

No Change.

SECTION 2.

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3.

This ordinance shall take effect upon final passage and publication according to law.

Introduced: February 13, 2018.

Passed and Approved: March 13, 2018.