

ORDINANCE NO. 03 - 2015
AN ORDINANCE REVISING CHAPTER 115, FLOOD DAMAGE PREVENTION; and
REVISING CHAPTER 130, LAND USE

WHEREAS since the events of Superstorm Sandy, the Borough of Sea Bright has been working toward creating a more sustainable community in line with guidelines set by the Federal Emergency Management Agency (FEMA); and

WHEREAS in furtherance of the Borough's efforts, certain recommendations have now been made by the Borough's Floodplain Manager and the Borough's Office of Emergency Management as to changes which should be made to the Borough's Flood Damage Prevention and Land Use Ordinances; and

WHEREAS in furtherance of the aforesaid recommendations the Mayor and Council of the Borough of Sea Bright have determined it will be necessary to revisit certain definitions and requirements within its flood damage prevention and land use ordinances;

BE IT NOW ORDAINED, by the Mayor and Council of the Borough of Sea Bright that the following revisions to Chapter 115, Flood Damage Prevention and Chapter 130, Land Use be made:

(1) The following language included at Chapter 115, Section 115-17(A)(1)(b)[1], Chapter 115, Section 115-17(B)(1)(b)[1], Chapter 130, Section 130-47(E)(2)(a)[2][a], Chapter 130, Section 130-47(E)(2)(b)[2][a], Chapter 130, Section 130-50(A)(6)(c), Chapter 130, Attachment 1 "Schedule of Lot and Building Requirements", footnote 2 and Chapter 130, Section 130-59(A)(6)(a) shall be deleted: "reach two (2) feet above BFE" and said language shall be replaced with "reach three (3) feet above BFE".

(2) The following definitions shall be added to Chapter 115, Section 115-5 and to Chapter 130, Section 130-47(B):

- (A)** FLOOD INSURANCE RATE MAP (FIRM) - See definition of Digital Flood Insurance Rate Map (DFIRM).
- (B)** PRELIMINARY WORK MAPS (PWM) - The preliminary work maps created for certain New Jersey/New York communities by the Federal Emergency Management Agency (FEMA) in the development of Preliminary Flood Insurance Rate Maps. The preliminary work maps reflect the full results of an ongoing coastal flood hazard study for the New York/New Jersey coast by FEMA.
- (C)** PRELIMINARY FLOOD INSURANCE RATE MAP - A Flood Insurance Rate Map (FIRM) that is not yet effective and reflects the initial results of a flood map project performed by or for FEMA.

(3) The definitions of "Base Flood Elevation (BFE)", "Digital Flood Insurance Rate Map (DFIRM)", and "Prevailing NFIP Flood Map", as contained within Chapter 115, Section 115-5 and Chapter 130, Section 130-47(B), shall be deleted and replaced with the following definitions:

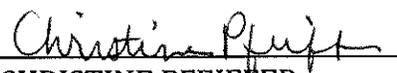
- (A) BASE FLOOD ELEVATION (BFE) - The elevation of surface water resulting from a flood that has a 1% chance of equally or exceeding that level in any given year. The BFE is promulgated by the Federal Emergency Management Agency (FEMA) and delineated on the Digital Flood Insurance Rate Map (DFIRM). However, if FEMA has released Advisory Base Flood Elevations (ABFEs) or Preliminary Work Maps (PWMs) post release of the official DFIRM, all elevations and zones included on the ABFE map or PWM, which ever was created later, shall be recognized by the Borough as the official BFEs. In the event any property within the Borough has not been delineated with an elevation on the DFIRM, ABFE or PWM, whichever is prevailing at the time, then the Borough shall recognize that property's BFE as being the same as the elevation delineated within the nearest adjacent "AE" Zone.
- (B) DIGITAL FLOOD INSURANCE RATE MAP (DFIRM) - The official map on which the Federal Emergency Management Agency (FEMA) has delineated the areas of special flood hazards and the risk premium zones applicable to the community. However, if FEMA has released Advisory Base Flood Elevations (ABFEs) or Preliminary Work Maps (PWMs) post release of the official DFIRM, all elevations and zones included on the ABFE map or PWM, which ever was created later, shall be recognized by the Borough instead of those contained on the official DFIRM. The definition of DFIRM shall be interchangeable with the Flood Insurance Rate Map (FIRM) for the purposes of this ordinance.
- (C) PREVAILING NFIP FLOOD MAP - The Digital Flood Insurance Rate Map (DFIRM) as defined by this Ordinance with Advisory Base Flood Elevations (ABFEs) or Preliminary Work Maps (PWM), which ever was created later, prevailing if any have been released by the Federal Emergency Management Agency.

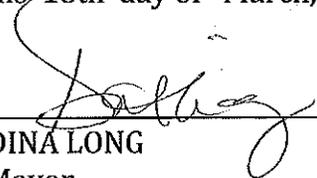
BE IT FURTHER ORDAINED all other sections of Chapter 115 and Chapter 130 shall remain in full force and effect. In the event there is any conflict or inconsistency between this particular ordinance and the rest of Chapter 115 and Chapter 130, the terms in this ordinance shall prevail.

This ordinance shall take effect upon passage and publication as required by law.

INTRODUCED: March 3, 2015
PUBLIC HEARING: March 17, 2015
ADOPTED: March 17, 2015

I hereby approve the adoption of this Ordinance this 18th day of March, 2015.


CHRISTINE PFEIFFER
Borough Clerk


DINA LONG
Mayor