

**ORDINANCE #989**  
**AN ORDINANCE AMENDING CHAPTER 229 OF THE CODE OF**  
**THE BOROUGH OF OCEANPORT ENTITLED “FLOOD DAMAGE PREVENTION” OF THE**  
**BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey that the purpose of this Ordinance is to amend the ordinance entitled “Flood Damage Prevention” as last revised and passed on August 17, 2017 as follows:

**NOTE:** Additions are underlined and deletions are marked by strike through.

**§ 229-5 DEFINITIONS**

**Appeal** — A request for a review of the ~~Construction Official's~~ Borough Engineer's interpretation of any provision of this ordinance or a request for a variance.

**§ 229-7 BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD**

- A. The areas of special flood hazard for the Borough of Oceanport, Community No. 340320, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:
- 1) A scientific and engineering report “Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)” dated ~~September 25, 2009~~ June 20, 2018.
  - 2) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel(s) ~~34025C0183F~~ 34025C0183G, ~~34025C0184F~~, 34025C0184G, ~~34025C0191F~~, ~~34025C0192F~~, 34025C0203G whose effective date is ~~September 25, 2009~~ June 20, 2018.
  - 3) Advisory Base Flood Elevations and Advisory Flood Hazard Maps titled Long Branch East, NW dated December 12, 2012, Long Branch West NE dated December 12, 2012 and Long Branch West SE dated December 12, 2012. 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.
- B. The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at ~~222 Monmouth Boulevard~~ 315 E. Main Street, Oceanport, New Jersey.

**§ 229-12 ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

**§ 229-13 DESIGNATION OF THE LOCAL ADMINISTRATOR**

The ~~Construction Official~~ Borough Engineer is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

**§ 229-14 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the ~~Construction Official~~ Borough Engineer shall include, but not be limited to:

- B. Use of other base flood and floodway data. When base flood elevation and floodway data have not been provided in accordance with § 229.7, Basis for establishing areas of special flood hazard, the ~~Construction Official~~ Borough Engineer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer § 229-17A, Specific standards, Residential construction, and § 229-17B, Specific standards, Nonresidential construction.

**F. SUBSTANTIAL DAMAGE REVIEW**

- 1) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- 2) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- 3) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

**§ 229-15 VARIANCE PROCEDURE.**

**A. APPEAL BOARD**

- 2) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the ~~Construction Official~~ Borough Engineer in the enforcement or administration of this ordinance.
- 6) The ~~Construction Official~~ Borough Engineer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

**BE IT FURTHER ORDAINED** that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon final passage and publication in accordance with the law.

**INTRODUCED:** May 17, 2018

**APPROVED:** May 17, 2018

**ADOPTED:** June 7, 2018

ATTEST: JEANNE SMITH  
BOROUGH CLERK

JOHN F. COFFEY  
MAYOR