

ORDINANCE # 5 OF 2013

**AN ORDINANCE OF THE BOROUGH OF TUCKERTON,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 166 OF  
THE BOROUGH CODE, ENTITLED "FLOODPLAIN  
MANAGEMENT," REGARDING ABFE & BUILDING  
HEIGHT LIMITATIONS**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Tuckerton, County of Ocean, State of New Jersey, as follows:

SECTION 1. Section 166-17 of Article 1 (Flood Damage Prevention) of Chapter 166 (Floodplain Management) of the Borough Code of the Borough of Tuckerton, entitled "Specific standards," is hereby amended and supplemented to provide as follows:

CHAPTER 166.  
FLOODPLAIN MANAGEMENT

ARTICLE I.  
Flood Damage Prevention

§ 166-17. Specific standards.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in § 166-7 or in § 166-14B, the following standards are required:

A. Residential construction.

(1) 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 one foot.

(a) Applicant may choose to elevate up to an additional 3 foot for a total of advisory base flood elevation, plus 4 foot. The intent of this section is to allow the buildings height to be measured from this elevations lowest horizontal member to the maximum allowable building height for the zone.

(2) Within any AO zone on the municipality's FIRM all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above, or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

B. Nonresidential construction.

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) Must be elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot.
  - (a) May elevate up to 3 foot additional height for a total of advisory base flood elevation, plus 4 foot. The intent of this section is to allow the buildings height to be measured from this elevations lowest horizontal member to the maximum allowable building height for the zone.
- (2) Require within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above, or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- (3) Be flood proofed so that below the base flood level plus one foot or advisory base flood elevation plus one foot, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;
- (4) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (5) 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 § 166-14C(2).

C. Manufactured homes.

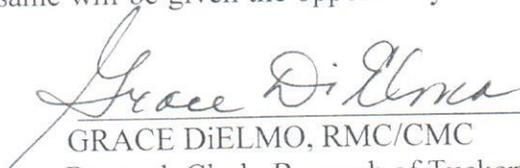
- (1) Manufactured homes shall be anchored in accordance with § 166-16A(2).
- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or advisory base flood elevation, plus a one foot.
  - (a) Manufactured homes may be elevated up to an additional 3 foot, for a total of the advisory base flood elevation, plus 4 foot. The intent of this section is to allow the buildings height to be measured from this elevations lowest horizontal member to the maximum allowable building height for the zone.

SECTION 2. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 20<sup>th</sup> day of May, 2013, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 3<sup>rd</sup> day of June, 2013, at 7:00pm at the Municipal Building located at 140 East Main Street, Tuckerton, New Jersey, at which time and place, any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
GRACE DiELMO, RMC/CMC  
Borough Clerk, Borough of Tuckerton

Passage on First Reading: date: 5/20/13 moved by Schwartz seconded by Foglia  
VOTE:

Edwards y Schwartz y Marshall y Mathisen y Foglia y Short y

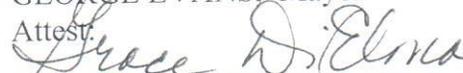
Attest:   
GRACE DiELMO, Borough Clerk

Final Passage: date: 6/3/13 moved by Mathisen seconded by Foglia

VOTE:  
Edwards y Schwartz y Marshall y Mathisen y Foglia y Short y

Attest:   
GRACE DiELMO, Borough Clerk

Mayor Approved:  date: 6/3/13

GEORGE EVANS, Mayor  
Attest:   
GRACE DiELMO, Borough Clerk

**PUBLIC NOTICE**

PLEASE TAKE NOTICE that Ordinance #5 of 2013, an ordinance entitled, AN ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE BOROUGH CODE, ENTITLED "FLOODPLAIN MANAGEMENT," REGARDING ABFE & BUILDING HEIGHT LIMITATIONS was adopted by the Tuckerton Borough Council at a meeting held on June 3, 2013.

  
GRACE DI ELMO, RMC/CMC  
BOROUGH CLERK