

# Model Code Coordinated Ordinance

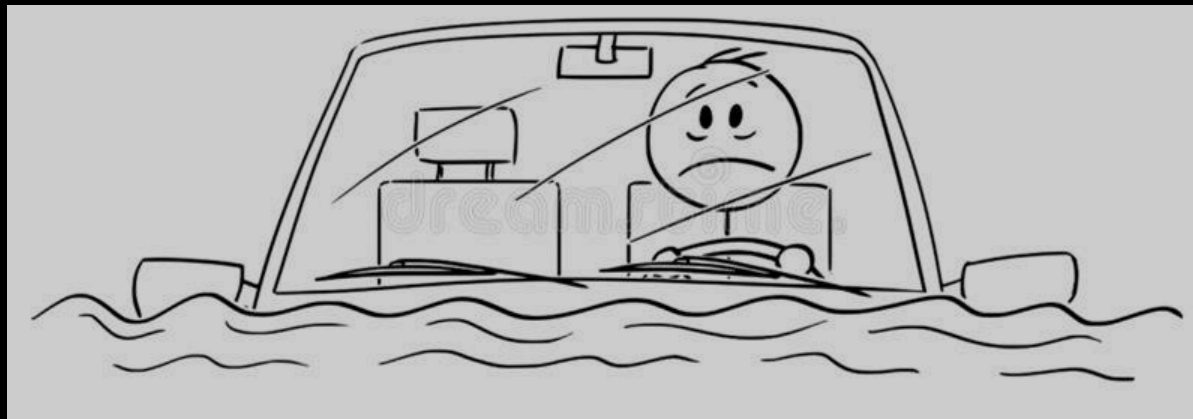
*New Jersey's Updated Flood Damage Prevention  
Ordinance Models*

March 15, 2022



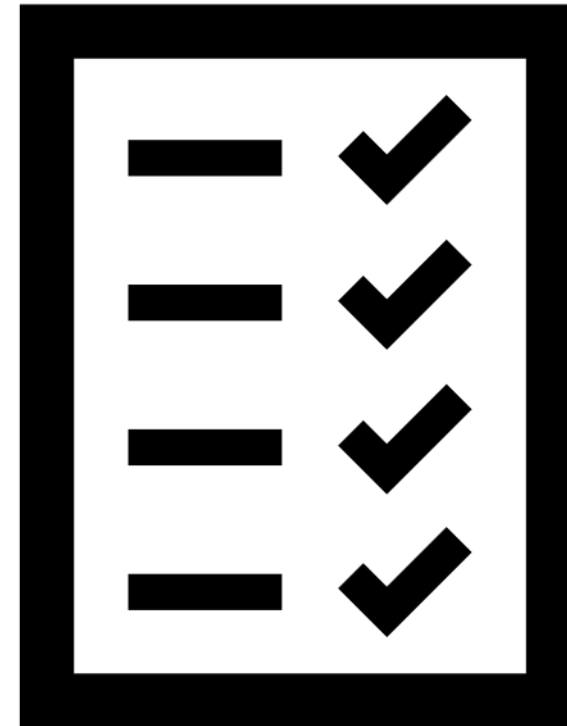
# WARNING

**The following slide show contains references to New Jersey's Model Code Coordinated Ordinances. Do not attempt to adopt these without the supervision and approval of the FEMA Region 2 and State NFIP Coordinator's Office in the DEP Bureau of Flood Engineering.**



# Agenda

- Why a code coordinated ordinance?
- What has changed from previous ordinance models?
- Community Responsibilities
- Supplemental Documents
- Q&A



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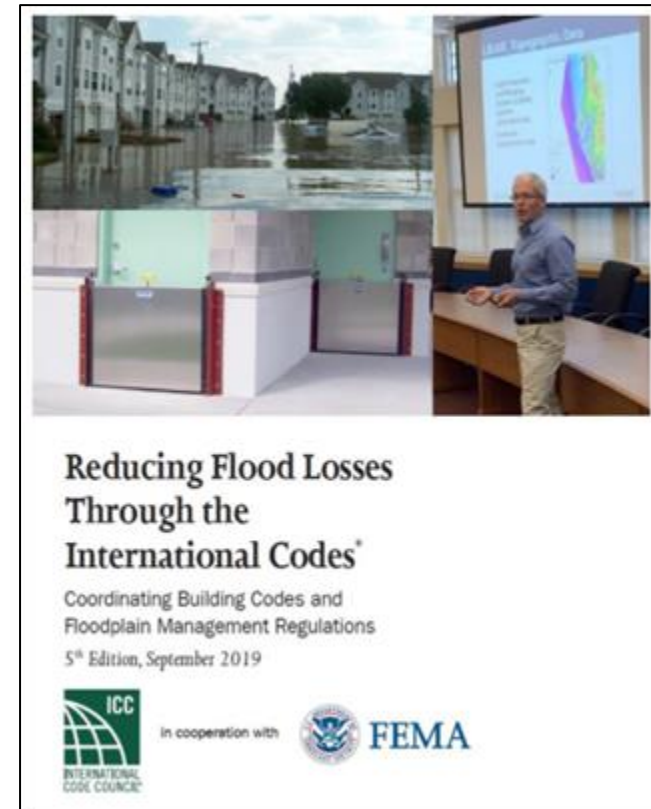


# Why a Code Coordinated Ordinance?

- An initiative of the International Code Council and FEMA to reduce flood losses in communities that have adopted the I-Codes
- [https://www.fema.gov/sites/default/files/2020-07/fema\\_reducing\\_flood\\_losses\\_rfl\\_5th-ed.pdf](https://www.fema.gov/sites/default/files/2020-07/fema_reducing_flood_losses_rfl_5th-ed.pdf)



FEMA



# Why a Code Coordinated Ordinance?

- Post Sandy FEMA recommendation
- They reduce flood damage losses
- They reflect the overlap in duties and responsibilities of all entities responsible for development in floodplains
- They provide an NFIP-compliant ordinance that:
  - Fixes existing gaps in State model ordinances
  - Clarifies flood resistant design requirements contained in the State Uniform Construction Code (ASCE 24)
  - Ensures compliance with the “Higher State Standards” (the Flood Hazard Area Control Act) as required by 44 CFR 60.1(d)
  - Is written in more straight-forward language for property-owners, engineers, architects, floodplain administrators, and construction officials
- They clarify processes for requesting mapping changes and for correcting ordinance violations and achieving compliance.

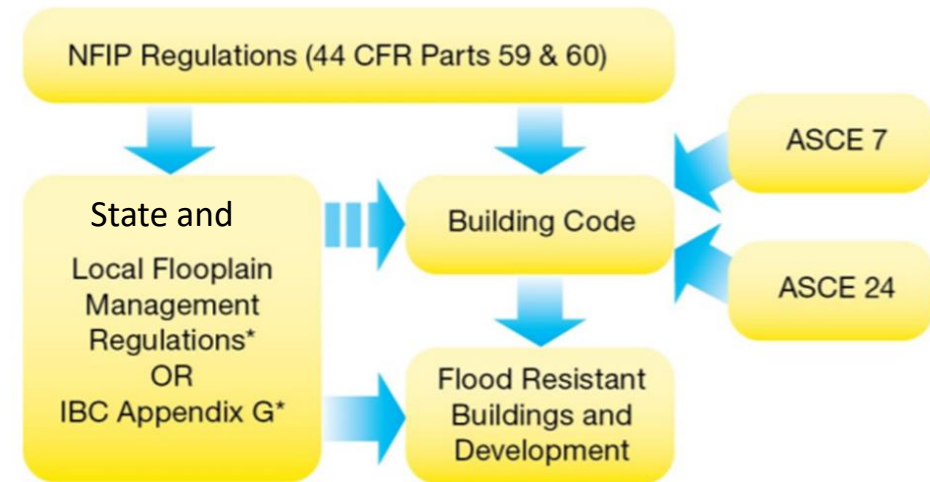


**FEMA**



# Why a Code Coordinated Ordinance?

- FEMA identified gaps and inconsistencies in previous State Model ordinance
- Identified need to tie together 3 regulations that govern development in the Special Flood Hazard Area
  - NFIP Regulations
  - Uniform Construction Code
  - New Jersey Flood Hazard Area Control Act



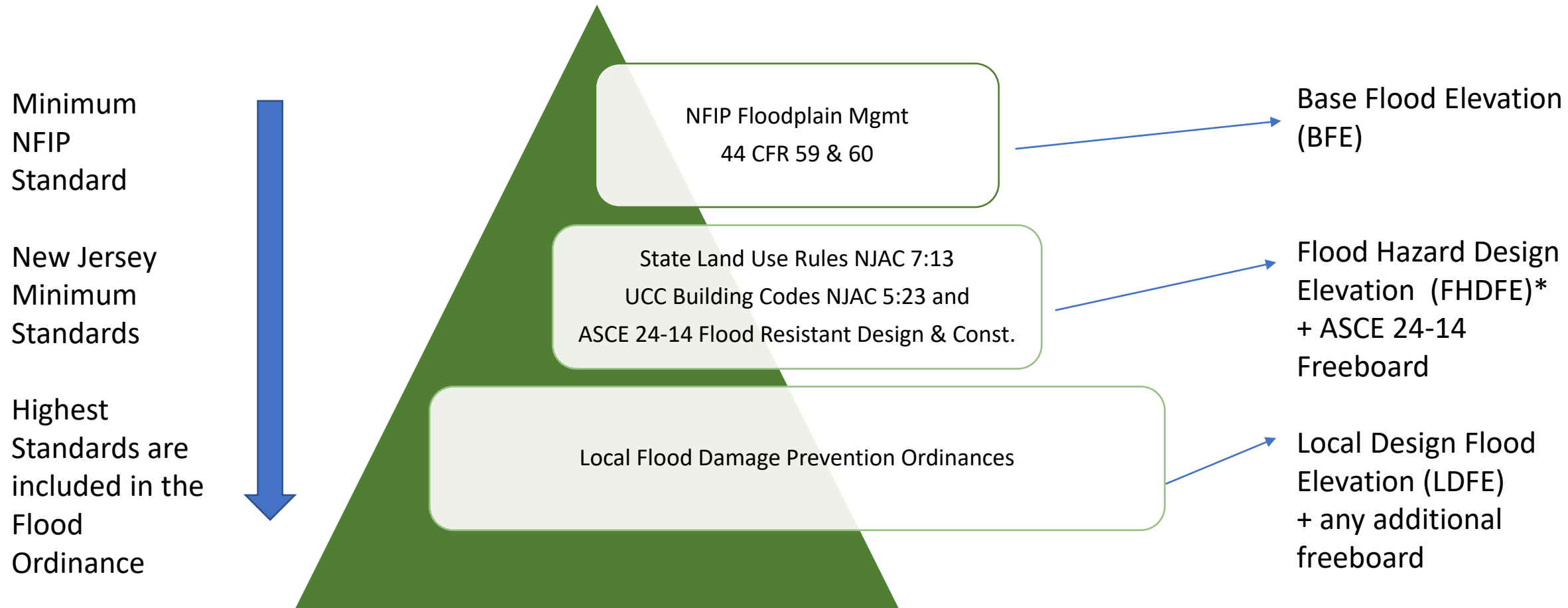
\* NFIP-consistent administrative provisions, community-specific adoption of Flood Insurance Studies and maps, and technical requirements for development outside the scope of the building code (and higher standards, in some communities).



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# The Precedence Rule & Flood Elevation



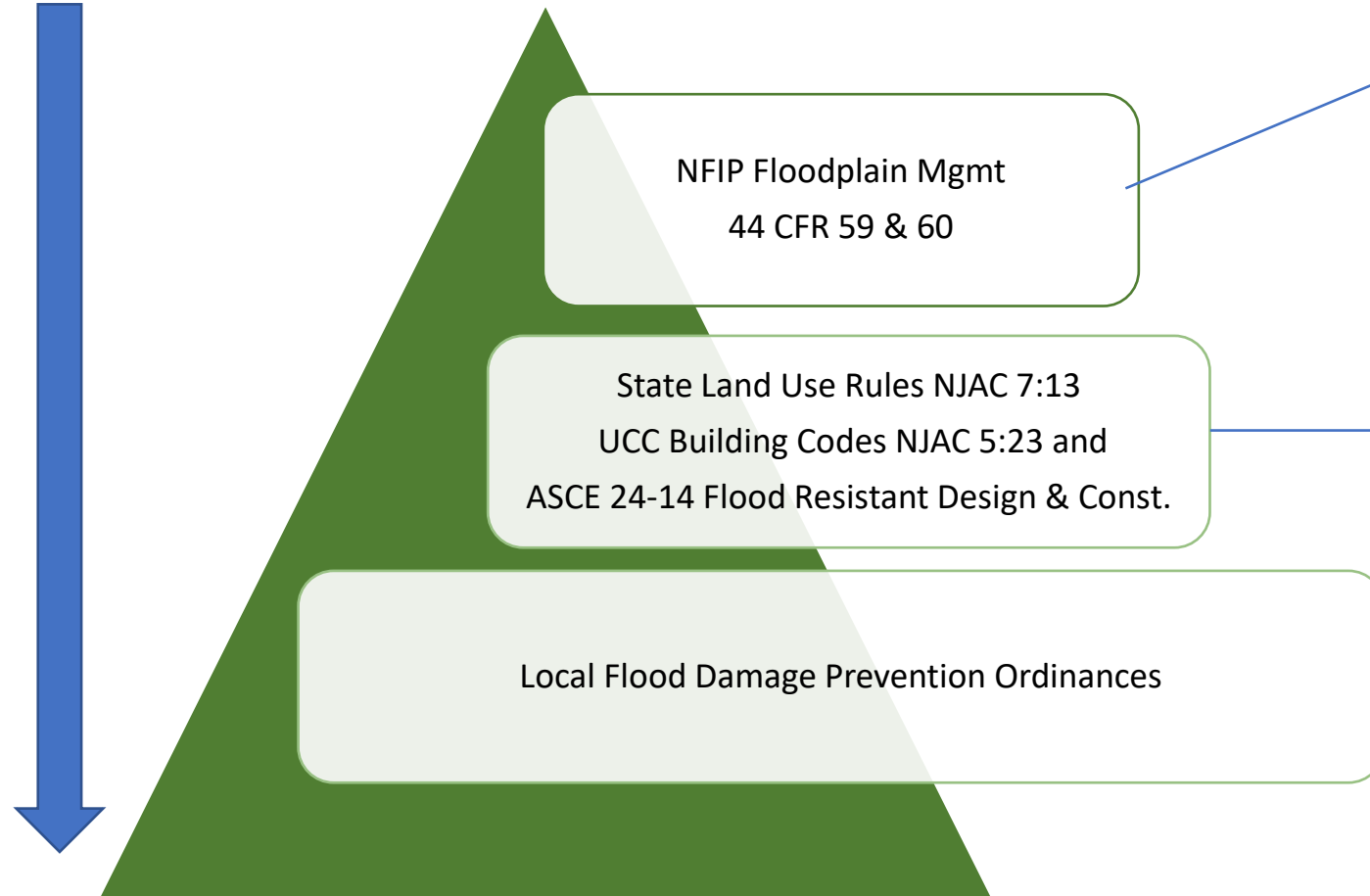
\*The FHDFE adds additional elevation as a factor of safety in riverine areas. The UCC ASCE 24-14 freeboard is added to the FHDFE. The UCC DFE is equivalent to the LDFE which can be no lower than what is required in the Flood Hazard Area Control Act.

# The Precedence Rule & the Regulated Flood Zone

1% Annual  
Chance 100  
Year Flood  
Zone

New Jersey  
Minimum  
Standards  
(Wider, More  
Extensive  
Flood Zone)

Can include  
additional  
Local Flood  
Hazard  
Protection  
Areas



Effective Map 1%  
Annual Chance /  
100 Year Flood  
Zone

Best Available  
Data FEMA Study,  
State Floodplain  
regulations for  
State-studied  
Watercourses, 50  
Acre Watersheds,  
Riparian Zones

Flood Hazard  
Protection Areas  
for High Hazard  
Areas via  
ASCE 24-14 1.23.2



# Why a Code Coordinated Ordinance?

- Together, FEMA and ICC developed the “Version 3 Model Ordinance”, which assumes:
  - No changes that weaken the flood provisions of the ICC
  - Chapter 1 (Administrative Provisions) of the ICC is not adopted to manage the floodplain
  - IBC Appendix G (Flood Resistant Construction) is not adopted
- Because DCA does not adopt Chapter 1 of the ICC or Appendix G of the IBC in the Uniform Construction Code this version is the best fit
- Including this missing language in the code coordinated ordinance makes local flood damage prevention ordinances compliant with the NFIP



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# Why a Code Coordinated Ordinance?

- Version 3 of the model ordinance was the starting point for developing the ordinance. Additionally, the following was incorporated:
  - State Higher Standards in the Flood Hazard Area Control Act were incorporated
  - ASCE 24 construction requirements were clarified
  - N.J.S.A. 40:49 Penalties for Violations of Municipal Ordinances and NJ League of Municipalities model ordinance language was adopted to standardize the approach to violations including a 30-day compliance period.



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# What has changed from previous ordinance?

New Jersey Model Flood Damage Prevention Ordinances have been simplified from more than 6 models to 2 models

- Coastal Model
  - Formerly D&E, E, and D with LiMWA
- Riverine Model
  - Formerly A, B, C, and D without LiMWA



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# What has changed from previous Ordinance?

- Inspections for Non-structural Development and Coordinated Inspections for Structural Development with Construction Official
- N.J.S.A. 40:49 Penalties for Violations of Municipal Ordinances
- Determining Best Available Flood Mapping in Coastal Areas
- Determining Best Available Flood Mapping in Riverine Areas
- Determining Local Design Flood Elevation
- Riparian Zones
- Manufactured Homes, Recreational Vehicles, Temporary Structures
- Other Development and Building Work
- Utility and Miscellaneous Group U Structures  
Section 1001



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# What has changed from previous Ordinance?

## **Inspections for Non-structural Development and Coordinated Inspections for Structural Development with Construction Official**

### **N.J.S.A. 40:49 Penalties for Violations of Municipal Ordinances**

Floodplain Administrators can:

- Issue Notices or Stop Work
- Require a person to remedy or remove a violation or unsafe condition
- Impose a 30-day review
- Provisions for repeat offenses with possibility of imprisonment or community service
- Regulate unsecured materials in the floodplain (fine of \$2,000) as solid waste

Municipal Courts can impose a \$1250 fine (or possibly up to \$2000 by ordinance) for non-compliance with court order.



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# What has changed from previous Ordinance?

## **Determining Best Available Flood Mapping in Coastal Areas**

- The NFIP requires consideration and regulation to the most restrictive area after evaluating both the preliminary and the effective maps;
- State Land Use permits regulate to the most restrictive “best available” mapping, which conflicts with ordinances that do not consider the preliminary mapping.
- State permits including permits-by-rule and CAFRA permits regulate to the most restrictive best available mapping, and, since these are obtained prior to local approval, local permitting cannot contradict State decision-making.



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# What has changed from the previous Ordinance?

## **Determining Best Available Flood Mapping in Riverine Areas**

- The NFIP requires consideration and regulation to the most restrictive area after evaluating both the preliminary and the effective maps;
- State Land Use permits regulate to the most restrictive “best available” mapping which considers the following sources of information:
  - FEMA Effective Map
  - FEMA Preliminary Map
  - NJ Flood Hazard Design Flood Elevation
  - State-Studied Watercourses
  - Watersheds 50 Acres or Greater
  - Riparian Zones based upon Stream Classification
- State permits including permits-by-rule regulate to the most restrictive best available mapping, and, since these are obtained prior to local approval, local permitting cannot contradict State decision-making.

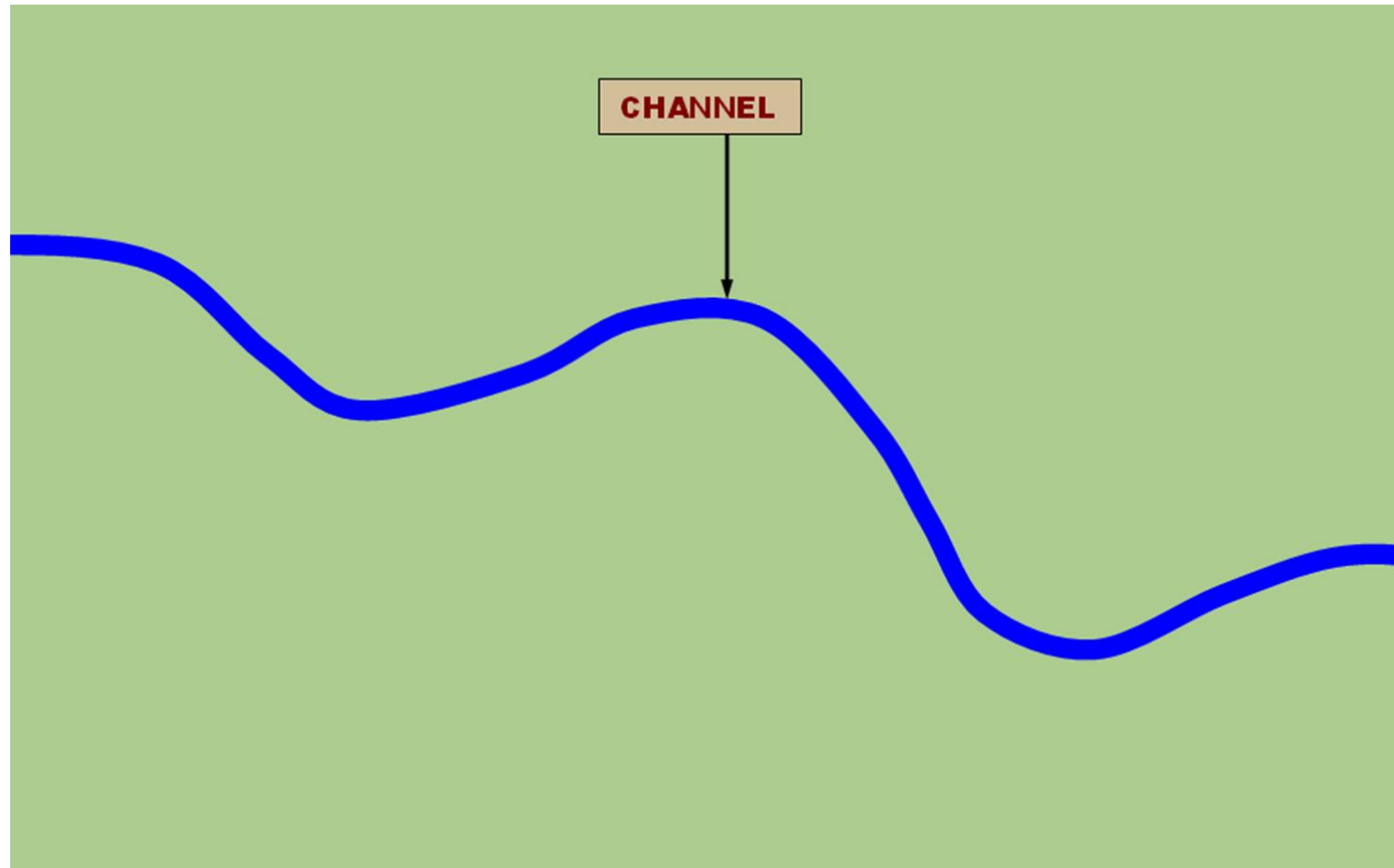


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# Determining Best Available Flood Mapping in Riverine Areas

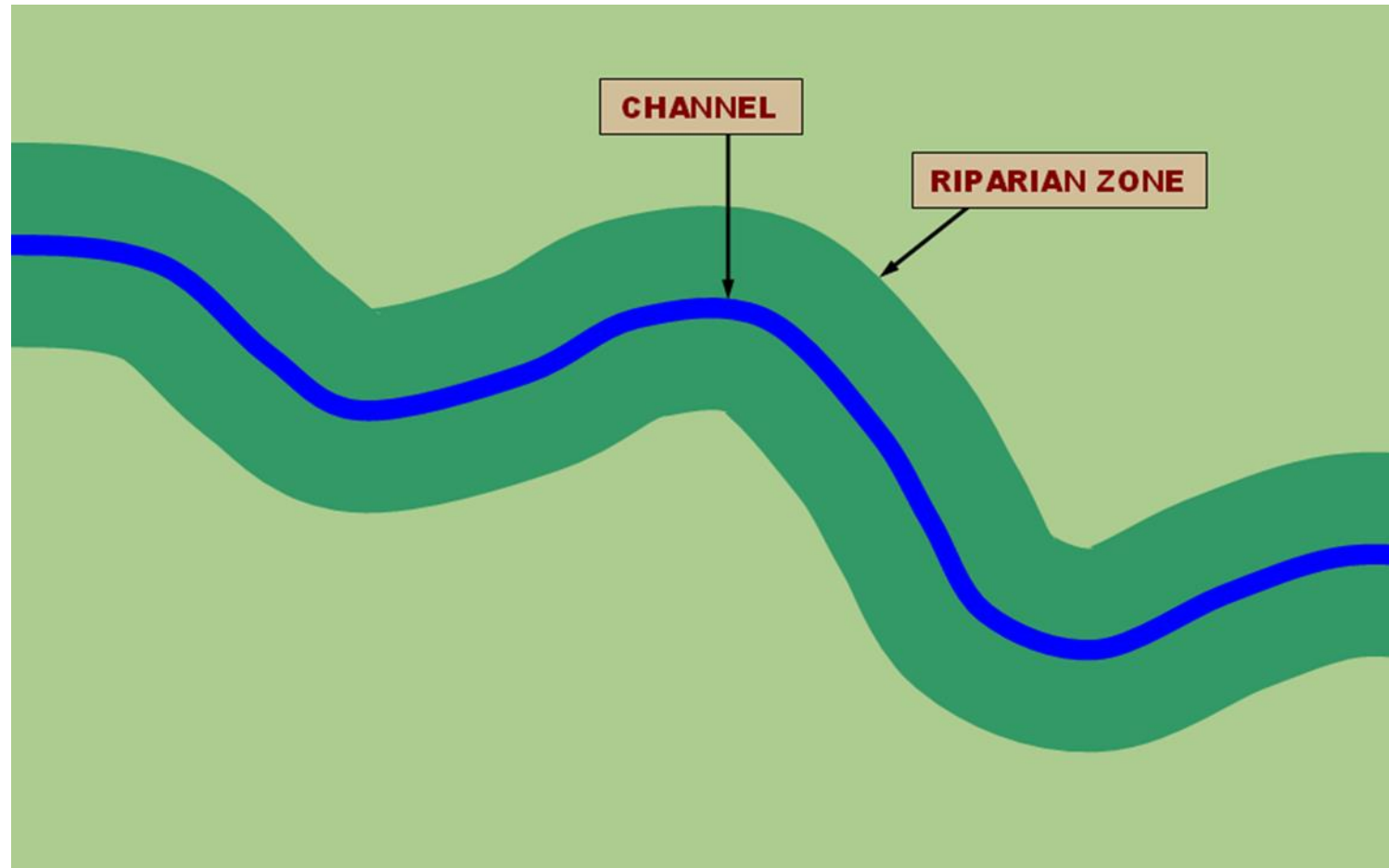


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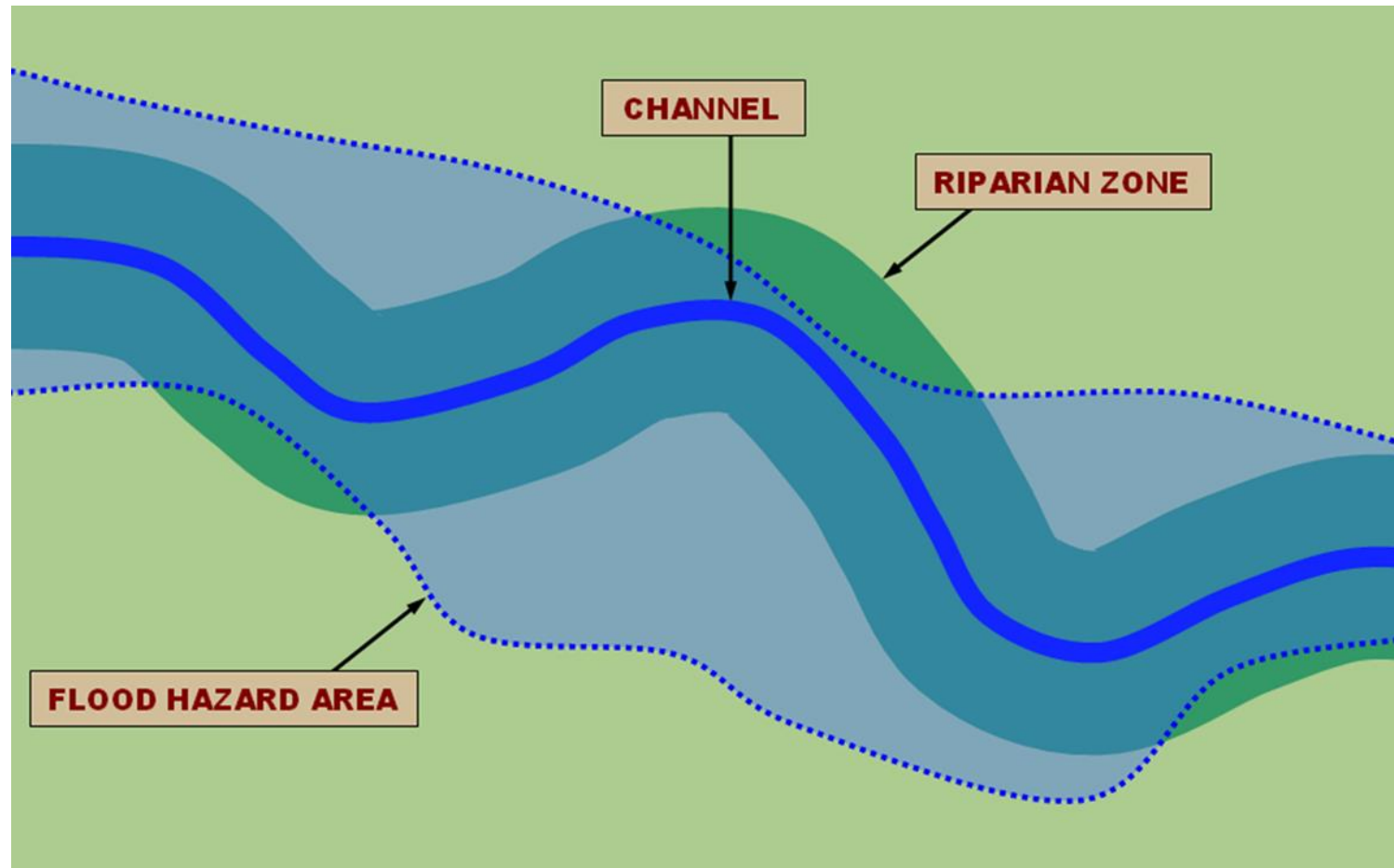
# Determining Best Available Flood Mapping in Riverine Areas



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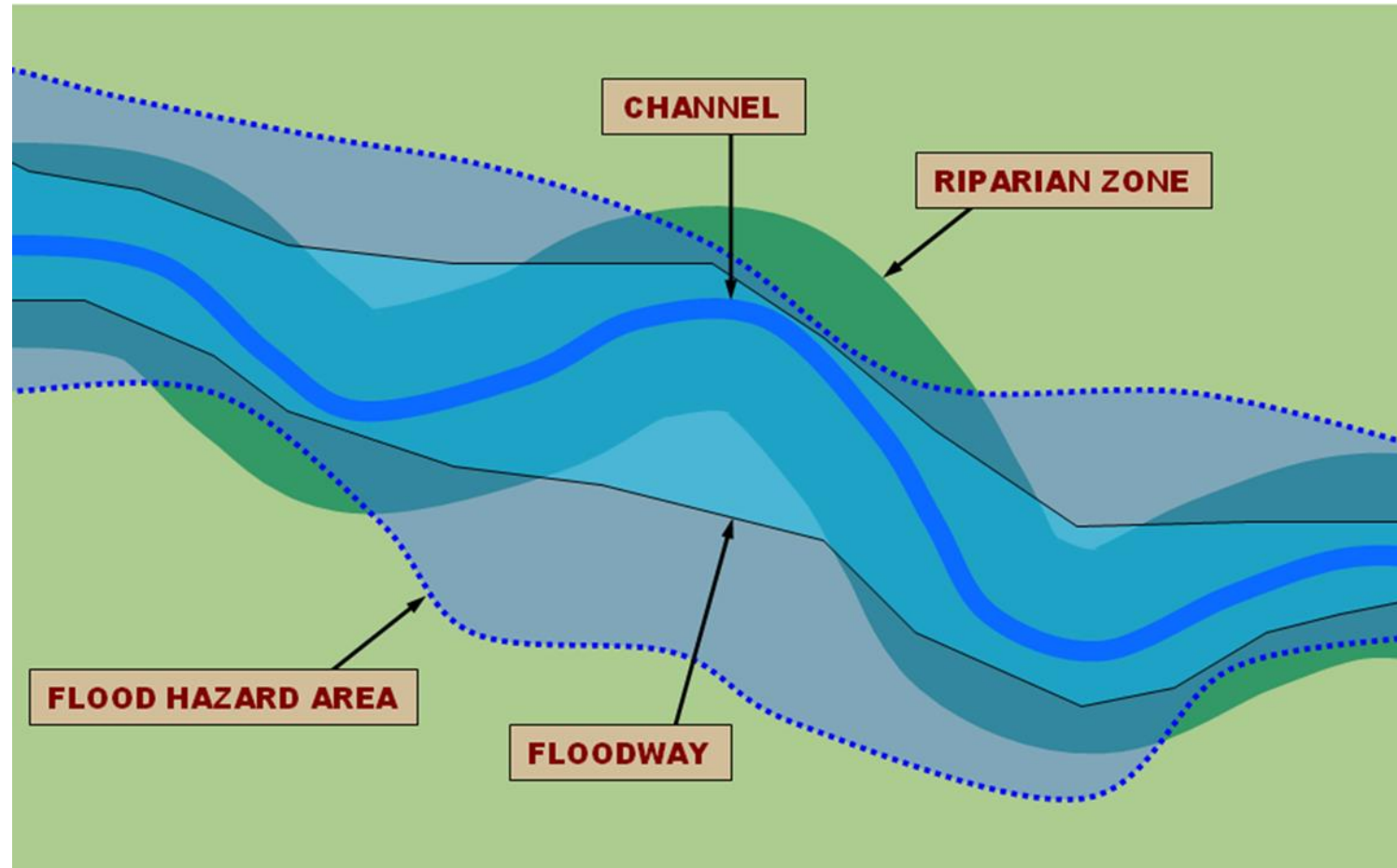
# Determining Best Available Flood Mapping in Riverine Areas



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# Determining Best Available Flood Mapping in Riverine Areas



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# What has changed from previous Ordinance?

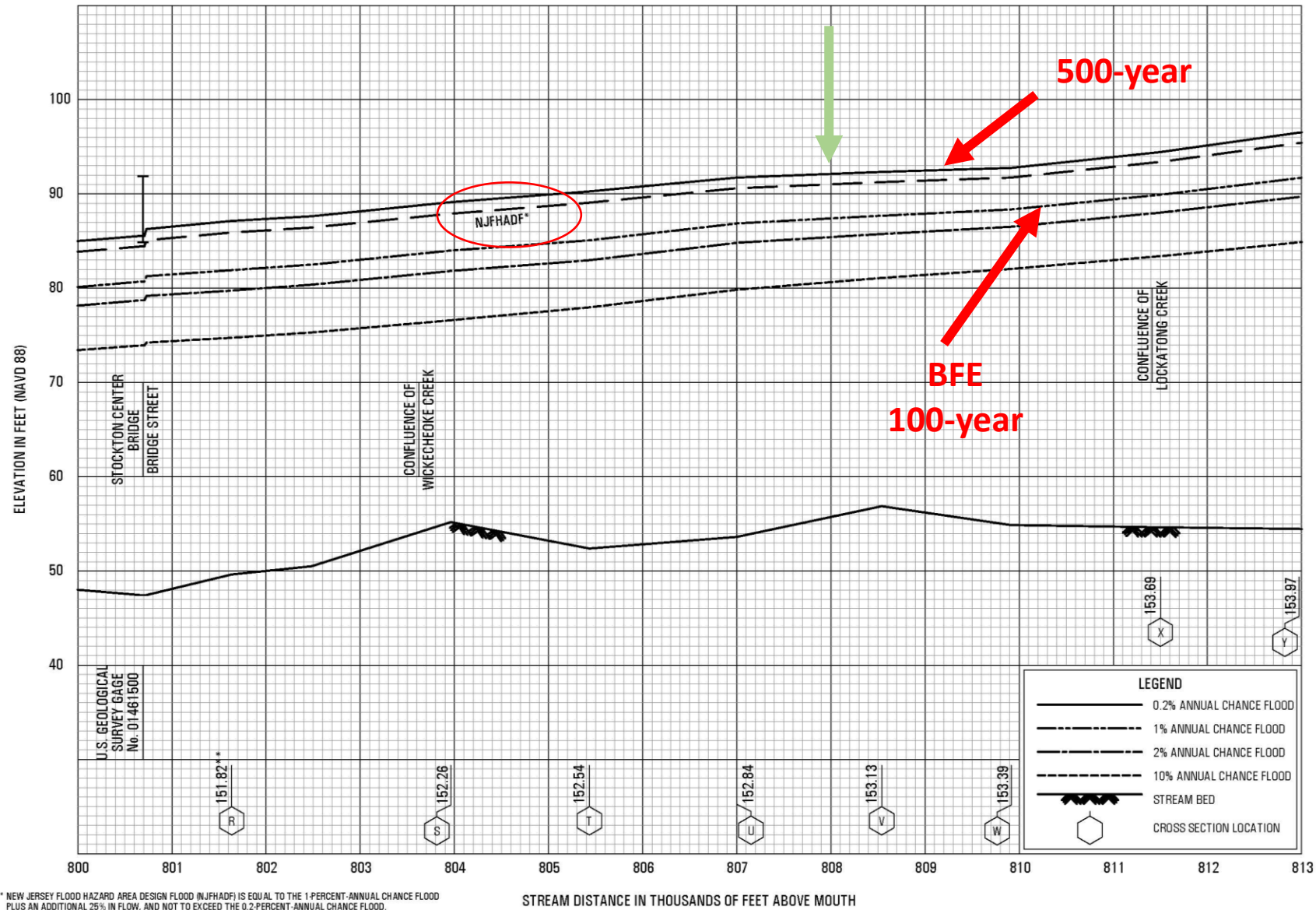
## Determining Local Design Flood Elevation

1. Determine the Best Available Flood Hazard Area then determine the elevation associated with the Best Available Flood Hazard Area.
2. If no elevation associated with the Best Available Flood Hazard Area either because it is an Approximate A Zone or a Watershed greater than 50 Acres in size determine either:
  1. Using “Method 5” in the State regulations to calculate one (this considered a conservative methodology and the one foot of freeboard is not required); or
  2. Using “Method 6” in the State regulations to calculate one and add one foot of freeboard; or
  3. Verify the New Jersey Flood Hazard Design Flood Elevation through a Flood Hazard Area Verification
3. Evaluate any Class III or Class IV Critical Facilities to compare the Flood Hazard Area Design Flood Elevation plus the required additional freeboard against the 500 Year Elevation, selecting the higher of the two.
4. Adding in any additional local freeboard specified in the ordinance.



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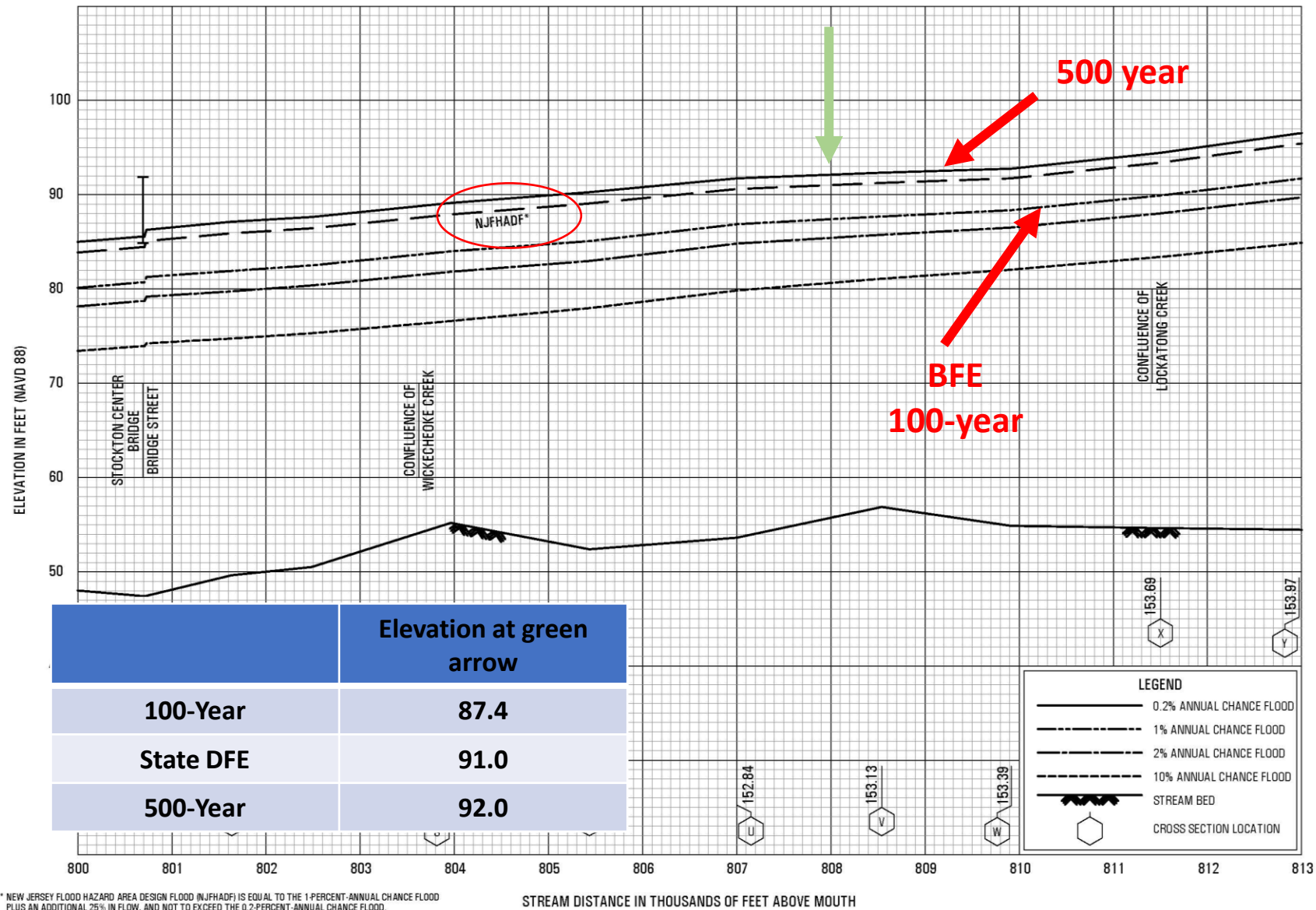




FEDERAL EMERGENCY MANAGEMENT AGENCY  
 HUNTERDON COUNTY, NJ  
 (ALL JURISDICTIONS)

FLOOD PROFILES  
 DELAWARE RIVER





FEDERAL EMERGENCY MANAGEMENT AGENCY  
HUNTERDON COUNTY, NJ  
(ALL JURISDICTIONS)

FLOOD PROFILES  
DELAWARE RIVER

# Determining the Local Design Flood Elevation From Best Available Data by Building Class

Building Class	Best Avail Data	Elevation
Class I + II	BFE + 1 foot	88.4 feet
	NJDFE	91.0 feet
Class III	BFE + 2 feet	89.4 feet
	NJDFE	91.0 feet
	500-Year	92.0 feet
Class IV	BFE + 3 feet	90.4 feet
	NJDFE	91.0 feet
	500-Year	92.0 feet



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# Determining Local Design Flood Elevation From Best Available Data By Building Class with Preliminary map

Building Class	Best Avail Data	Elevation + Zone	Elevation + Zone + Freeboard
Class I + II	Eff. BFE + 1 foot	AE 5	6.0 feet
	Prelim BFE + 1 foot	AE 8	9.0 feet
Class III	Eff. BFE + 2 feet	AE 5	7.0 feet
	Prelim. BFE + 2 feet	AE 8	9.0 feet
	Eff. 500-Year		13.3 feet
	Prelim. 500-Year		12.2 feet
Class IV	Eff. BFE + 3 feet	AE 5	8.0 feet
	Prelim. BFE + 3 feet	AE 8	10.0 feet
	Eff. 500-Year		13.3 feet
	Prelim. 500-Year		12.2 feet



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# What has changed from previous Ordinance?

## Riparian Zones

- No State Flood Hazard Design Flood Elevation is associated with these zones, but State permits are required and should be observed. Local floodplain permits should observe State permits and permits-by-rule/certification in these areas. Local permit applicants can request a permit applicability or verification of the riparian zone from Land Resource Protection
- Stream Classification and water-dependent threatened and endangered species affect the sizes of buffers.



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# What has changed from previous Ordinance?

## **Manufactured Homes, Recreational Vehicles, Temporary Structures**

- Flood Hazard Area Design Elevations for habitable structures require both manufactured homes and permanently placed RV's to meet the same standards as stick-built construction.
- Recreational Vehicles in the floodplain:
  - must be fully licensed and ready for highway use;
  - are prohibited in coastal high hazard areas and floodways;
  - may be placed on-site for no more than 180 days or they must meet the requirements for habitable structures;
- Temporary Structures also have a 180-day requirement if located in the floodplain, but require anchoring and flood openings and must meet the floodway requirements



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# What has changed from previous Ordinance?

## Other Development and Building Work

- **ASCE 24 language**
- **FHACA Higher State standards**
  - Habitable buildings
  - Roads, watercourse crossings, parking area at Flood Hazard Area Design Flood Elevation;
  - Deed restricted enclosures over 6 feet in height;
  - Floodway fence opening;
  - Above ground pools prohibited in floodways;
  - Enclosures must be at or above the adjoining exterior grade on one exterior wall for positive drainage;
- **Section for foundations for both habitable buildings (FHACA) and structures (ASCE)**
- **Certifications – Elevation, V Zone, Breakaway, Floodproofing noted as best practices but referenced in NFIP and ASCE 24**



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# Ordinary Maintenance and Building Work and Floodplain Development Permits

- Since October 1, 1989 Floodplain Administrators have been required to review ordinary maintenance and other building work for substantial damages and improvements by the NFIP
- Uniform Construction Code rule change happened in 2018 where their permits were no longer required for such work
- Because of this change, many FPAs have expressed having difficulty in tracking this work
- Language added to ordinance to fill this gap
- Model Floodplain Development Permit for New Jersey recently posted on website



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# What has changed from previous Ordinance?

## Utility and Miscellaneous Group U Structures

- FHACA – generally defined as non-habitable buildings
- NFIP - New Accessory and Agricultural Structure guidance is available
- Section follows ASCE Definition and Requirements
  - Sets compliance for flood loads, elevation, and enclosures at the Local Design Flood Elevation (LDFE) .
  - Requires abandonment of below grade enclosures below the local design flood elevation for substantial improvements
  - Allows the ASCE exception for below LDFE for mechanical, plumbing, and electrical systems.



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# Typical Six-Month Timeline for Adoption Letters of Final Determination

- **6 month:** FEMA 6-month Letter of Final Determination
- **5 month:** NJDEP Assistance Letter
- **3 ½ month:** Draft Ordinance
- **3 month:** NJDEP review of draft ordinance
- **3 month:** FEMA 90-day Reminder Letter
- **1 month:** FEMA 30-day Reminder Letter

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
31	30	30	31	30	30	30
31	31	31	31	31	31	31
31	31	31	31	31	31	31



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# Monmouth County Adoption Timeline (Letter of Final Determination)

- **Dec. 15, 2021** – FEMA Letter of Final Determination went out giving 6 months to update ordinance
- **Jan. 14, 2022** – State Letter providing model and panels
- **March 15, 2022** – Draft due to DEP for review\*
- **June 15, 2022** – Deadline for adoption

\*If your community would like to incorporate higher standards or customized language from your current ordinance, it is suggested that you meet with us before the March 15<sup>th</sup> deadline to ensure that your changes meet all applicable codes referenced in your ordinance.



Sun	Mon	Tue	Wed	Thu	Fri	Sat
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



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# Monmouth County Communities that Received Letters of Final Determination from FEMA

- Rumson
- Deal
- Neptune Township
- Allenhurst
- Atlantic Highlands
- Avon-By-The-Sea
- Belmar
- Bradley Beach
- Fair Haven
- Highlands
- Interlaken
- Lake Como
- Little Silver
- Monmouth Beach
- Neptune City
- Oceanport
- Red Bank
- Sea Bright
- Spring Lake
- Spring Lake Heights
- Tinton Falls
- Asbury Park
- Long Branch
- Middletown
- Ocean Township
- Wall
- Loch Arbour



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**If your community is in Monmouth County and on this list, the previous slide contains due dates.**

**If your community is in Monmouth County and not on this list, see following slide for due dates.**





# Monmouth and Middlesex County Adoption Timeline (No Letter of Final Determination)

- **Jan. 18, 2022** – State Letters went out giving 6 months to update ordinance
- **Jan. 25, 2022** – Information session provided by the DEP
- **April 18, 2022** – Draft due to DEP for review\*
- **July 18, 2022** – Deadline for adoption



Sun	Mon	Tue	Wed	Thu	Fri	Sat
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
31	30	30	31	30	30	30
31	31	31	31	31	31	31
31	31	31	31	31	31	31

\*If your community would like to incorporate higher standards or customized language from your current ordinance, it is suggested that you meet with us before the April 18<sup>th</sup> deadline to ensure that your changes meet all applicable codes referenced in your ordinance.



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# Hudson County Adoption Timeline (No Letter of Final Determination)

- **Jan. 31, 2022** – State Letters went out giving 6 months to update ordinance
- **Feb. 23, 2022** – Information session provided by the DEP
- **May 2, 2022** – Draft due to DEP for review\*
- **August 1, 2022** – Deadline for adoption



Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

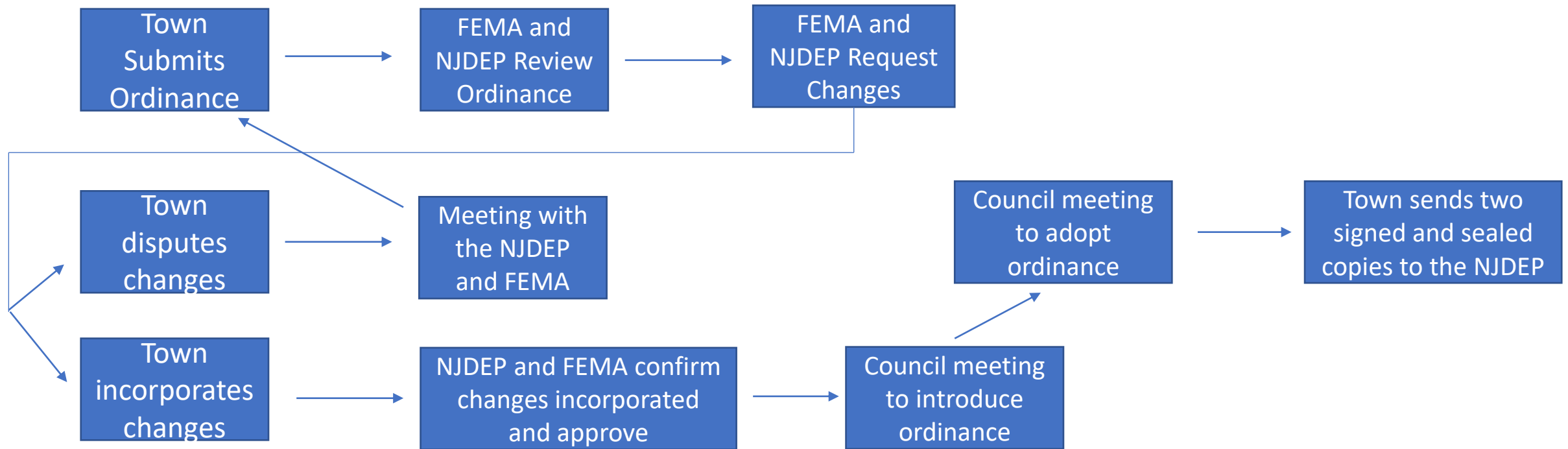
\*If your community would like to incorporate higher standards or customized language from your current ordinance, it is suggested that you meet with us before the May 2<sup>nd</sup> deadline to ensure that your changes meet all applicable codes referenced in your ordinance.



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# Ordinance Review Workflow



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# What is the community responsible for?

- Updated FIS and FIRM panel numbers
- State plan and profile numbers
- Development permit in floodplain
- Local Floodplain Administrator Designation
- Updated map effective date
- Appeal Board designation
- Penalties for noncompliance
- Incorporate or remove higher standards language



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# Common Local Law Mistakes

- Failure to provide map repository location
- Failure to name a floodplain administrator position title (must be a position title; not a name. For example, Construction Official)
- Incorrect FIRM or FIS reference
- Failure to name Town/Village/City Board or Council as appeals board
- Inconsistent section numbering
- Failure to include all sections
- Failure to adopt State laws
- Alterations made which do not include all regulations that need to be followed



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# New Model Ordinances

## Color Coded

- **YELLOW** – Unique to the community
- **BLUE** – Higher standards

Unique and to be revised language highlighted in YELLOW.  
Optional Higher Standards highlighted in BLUE.

\*\* \*\* \* \*\* \* \*\* \* \*\*

### ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF {COMMUNITY}

ORDINANCE NO. XX-XX

AN ORDINANCE BY THE {community's governing body} AMENDING THE {name of community} CODE OF ORDINANCES TO REPEAL {insert appropriate chapter/section numbers}; TO ADOPT A NEW {insert appropriate chapter/section numbers}; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**101.1 Violations and Penalties for Noncompliance.** No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250 [or optional higher threshold amount up to \$2000 under N.J.S.A 40:49-5], imprisonment for a term not exceeding ninety(90) days or a period of community service not exceeding 90 days, in the discretion of the [Municipal Court Judge]



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# Opportunities for Higher Standards

- Higher Freeboards added to the State 1-foot minimum
- Regulation to the FEMA 500-year floodplain or other flood map adopted by the municipality
- Enclosures – prohibition or size limitation
- Certificate of Occupancy Inspections at Property Sale or Rental
- Certificate of Occupancy Deed Notice
- Permit / Appeal Fee Structures



**FEMA**



Photo Credit: Dr. Jon Miller, Stevens Institute of Technology, Hoboken





# More Opportunities for Higher Standards

- Substantial Damage and Substantial Improvement Determination
  - Threshold lower than 50%
  - Cumulative thresholds – 5, 10, Lifetime of structure are common

Cost of Improvement or cost to Repair to Pre-Damage Condition

≥ 50% (or lower %)

Market Value of Building

Can also track Cumulative!



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Table 5-1a. Tracking Cumulative Substantial Improvements, Determining Market Value for Each Permit Application (shows increases in market value).\*

Elapsed time from initial permit application	Current market value (at the time of each permit application)	Cost of improvement	Cost as percentage of current market value	Cumulative percentage
0 year	\$100,000	\$10,000	10%	10%
3 years	\$110,000	\$42,000	38%	48%
6 years	\$120,000	\$10,000	8%	56%

\* In this example, the 50 percent threshold is reached with the third permit application.

Table 5-1b. Tracking Cumulative Substantial Improvements, Determining Market Value for Each Permit Application (shows decrease, then increase in market value).\*

Elapsed time from initial permit application	Current market value (at the time of each permit application)	Cost of improvement	Cost as percentage of current market value	Cumulative percentage
0 year	\$100,000	\$10,000	10%	10%
3 years	\$90,000	\$28,000	31%	41%
6 years	\$105,000	\$10,800	10%	51%

\* In this example, the 50 percent threshold is reached with the third permit application.



# Even More Opportunities for Higher Standards!

- ASCE 24-14 1.3.2 - Flood Hazard Protection Area designation for more restrictive elevations/construction
- ASCE 24-14 Chapter 3 Prohibition of New Construction or Substantial Improvements in High Hazard Areas:
  - Flash Flood Areas
  - Mudslide Areas
  - Erosion-Prone Areas
  - High Velocity Flow Areas
  - Ice Jam
  - Debris areas



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**Floodplain Communicator**



*New Jersey National Flood Insurance Program Coordinator's Office*

Spring 2021 - ISSUE 3 - Floodplain Communicator



Photo Credits-  
Superstorm Sandy Mantoloking Breach, FEMA P-942 Mitigation Assessment Team Report  
Hurricane Sandy in New Jersey and New York

Rt 287, Boonton – Steve Hockstein for the New Jersey Star Ledger



# Instructions to Submit Ordinance

- Start with either the Coastal or Riverine version on the website
  - If your community has both coastal and riverine characteristics, use the coastal version
- Track your changes in Word when completing your community's updates.
- If you need to change the numbering, please **use the ordinance worksheet** discussed in a couple slides to ensure all cross references were updated
- Double check reference tables before removing any language. Removal of language is dependent on NFIP regulations, State regulations and floodplain characteristics including State regulated unmapped floodplains
- Email filled in ordinance to the DEP and FEMA for their review as a Word document, **not PDF**. Contacts are on the next slide.
- After it is reviewed, and requested changes are accepted, the ordinance may be introduced
- After adoption, two signed and sealed copies need to be sent to the DEP, address is on the next slide. Additionally, email a signed virtual copy prior to the deadline.



**FEMA**



# Contacts and Address for Signed and Sealed Copies

## *Email Ordinance Submittals to:*

**Rebecca Jones, CFM**

NJDEP, NJ State NFIP  
Coordinator's Office

[Rebecca.Jones@dep.nj.gov](mailto:Rebecca.Jones@dep.nj.gov)

**Tonya Evans**

Floodplain Management Specialist,  
FEMA Region II

[tonya.evans@fema.dhs.gov](mailto:tonya.evans@fema.dhs.gov)

**Kenya Lovill**

NJDEP, NJ State NFIP  
Coordinator's Office

[Kenya.Lovill@dep.nj.gov](mailto:Kenya.Lovill@dep.nj.gov)

## *Send 2 signed and sealed copies to:*



**FEMA**

New Jersey Department of Environmental Protection  
Division of Resilience Engineering and Construction  
PO Box 420 Mail Code 44-03 A  
Trenton, NJ 08625-0420  
Attn: Ordinances



# Supplemental Documents: Numbering Worksheet

MCCO					
Column A	Column B	Column C	Column D	Column E	Column F
Section Name	Original Section #	New Section #	Cross Reference Change Needed	New Reference	Verified Cross Section Change
<b>SECTION 1. Recitals</b>					
Scope and Administration	101				
Title	101.1				
Scope	101.2				
			102		
Purposes and objectives	101.3				
Coordination with Building Codes	101.4				
Ordinary Building Maintenance and Minor Work	101.5				
			102.3		
Warning	101.6				

## SECTION 101 SCOPE AND ADMINISTRATION

**101.1 Title.** These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter “Uniform Construction Code,” consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter “FHACA”), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of **{name of community}** (hereinafter “these regulations”).

**101.2 Scope.** These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in **Section 102** of these regulations.



# Supplemental Documents: Numbering Worksheet

MCCO					
Column A	Column B	Column C	Column D	Column E	Column F
Section Name	Original Section #	New Section #	Cross Reference Change Needed	New Reference	Verified Cross Section Change
SECTION 1. Recitals					
Scope and Administration	101				
Title	101.1				
Scope	101.2				
			102		
Purposes and objectives	101.3				
Coordination with Building Codes	101.4				
Ordinance Building Maintenance and Minor Work	101.5				
			102.3		
Abrogation and greater restrictions	101.9				
Applicability	102				
General	102.1				
Establishment of Flood Hazard Areas	102.2				
	102.2(1)				
			Table 102.2(1)		
	Table 102.2(1)				
			Table Heading 102.2(1)		
	Table 102.2(2)				
			Table Heading 102(2)		

Scroll down to see new number...

regulations”).

**101.2 Scope.** These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 102 of these regulations.



# Supplemental Documents: Reference Tables

- Break down of each section of the ordinances, indicates which regulations the language has been taken from
- Broken up into 3 tables for section 100, definitions (section 200), and then sections 300 through the end.

401.5	<b>Storm drainage.</b> Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.	FEMA MCCO	
401.6	<b>Streets and sidewalks.</b> Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.	FEMA MCCO	
401.7	<b>Limitations on placement of fill.</b> Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.	FEMA MCCO NJAC 7:13-11.3, 11.4, 12.3	
401.8	<b>Limitations on sites in coastal high hazard areas (V Zones) and Coastal A Zones.</b> In coastal high hazard areas and Coastal A Zones, alteration of sand dunes shall be permitted only when the engineering analysis required by Section 105.3(4) of these regulations demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and	FEMA MCCO, ASCE 24-14 4.3.3 NJAC 7:7	





# Link to Ordinances and Supplemental Documents

- The ordinances and supplemental documents can be found on our website here: <https://www.nj.gov/dep/floodcontrol/modelord.htm>
- There is a brief description of the ordinance and how to use it, and at the bottom you will find links for the documents

## ORDINANCES AND SUPPLEMENTAL DOCUMENTS

### Coastal Model Code Coordinated Ordinance

- [Download Coastal Model](#)

### Riverine Model Code Coordinated Ordinance

- [Download Riverine Model](#)

### Reference Tables

Below is a link to the reference tables that supplement the ordinances. They are a break down of each section of the ordinances and indicate which regulations the language has been taken from. It is broken down into 3 tables for section 100, definitions (section 200), and then sections 300 through the end.

- [Section 100](#)
- [Definitions](#)
- [Section 300 through end](#)

### Ordinance Worksheet

Below is a link to the Ordinance Worksheet which can be used to ensure all community specific information has been updated, all cross sections and numbering is correct, and all optional higher standards have been included or removed.

- [Ordinance Worksheet](#)



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# Frequently Asked Questions

- Where can I find my communities date of regular program entry? (Whereas # 3, and Section 102.2)
  - FEMAs Community Status Book for New Jersey  
<https://www.fema.gov/cis/NJ.html>
- Where can I find the effective and preliminary flood insurance rate maps (FIRMs) for my community? (Section 102.2 (1) and (2))
  - FEMAs Maps Service Center by searching all products  
<https://msc.fema.gov/portal/home>
- How do I know if my community has state studied streams? (Section 102.2 (4))
  - Follow these instructions to download plans and profiles of state studied streams from the DEPs GIS Website  
<https://www.nj.gov/dep/floodcontrol/docs/flood-plans-and-flood-profiles.docx>
  - Flood Plan Locator – can search community name  
<https://njdep.maps.arcgis.com/home/item.html?id=9ef439b13cd54693840967a237e6b520>
  - Flood Profile Locator – can search community name  
<https://njdep.maps.arcgis.com/home/item.html?id=67578724c67b4c57a5b566dfa886df48>



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# Key Takeaways for Communities Updating Ordinances

1. Use the most recent version of the ordinance
2. Please have attorney's talk to us first if they have revision ideas. If they have questions, it is easiest to set up some time to talk before the time to adopt dwindles
3. Be in agreement with township attorneys BEFORE you send the final version to us.
4. Please do the ordinances sooner rather than later. Adoption is easy if you are not adding higher standards.
5. This ordinance is designed to clearly state areal extent, elevation requirements, and construction requirements. Care should be taken to observe these sections because NFIP ICC interpretations of the ordinance may rest on how clearly these higher standards are defined in the ordinance.



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# Key Takeaways for Communities Updating Ordinances

6. Administrative language goes in the administrative section such as permitting section. Please do not load things up in the Construction Section.
7. Elevation language like freeboard goes in the Local Design Flood Elevation, not in the construction section. All local elevation requirements must coordinate with State minimums and that is the place to do it. This is the section that the NFIP will look at to determine if substantially damaged properties can receive ICC funds if they are built to the effective BFE.
8. The areal extent of the special flood hazard area is defined in its own section - the State FHDFE may be wider than the 100 year and local requirements may be wider or more expansive (i.e. include X or Shaded X areas) than the 100 year and NFIP interpretations post-event may rest of what is in the section of the ordinance.
9. We expect that our final approved ordinance will be the one that is adopted and we will check these as part of our review. Do not revise these because it may unnecessarily affect your adoption schedule.



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# What is Mitigation Prevention?

**Avoiding flood damage before it occurs by:**

- **Implementing a FUNCTIONING State and Local regulatory structure**
- **Clearly defining roles and responsibilities for floodplain management**
- **Following Statewide minimum requirements and issuing NFIP-compliant permits at the local level**
- **Adopting higher standards in NFIP Ordinances to:**
  - Adapt structures gradually over time to climate change impacts
  - More fairly distribute the impact of climate-related State and municipal tax increases between those property owners with and those without flood risk
  - Limit the impact of State and local non-Federal cost shares for structure elevations
  - Maximize post-disaster public assistance funds to build higher
  - Maximize Increase Cost of Compliance funds for property owners
- **Encourage private and NFIP flood insurance coverage to avoid blight and tax base loss**

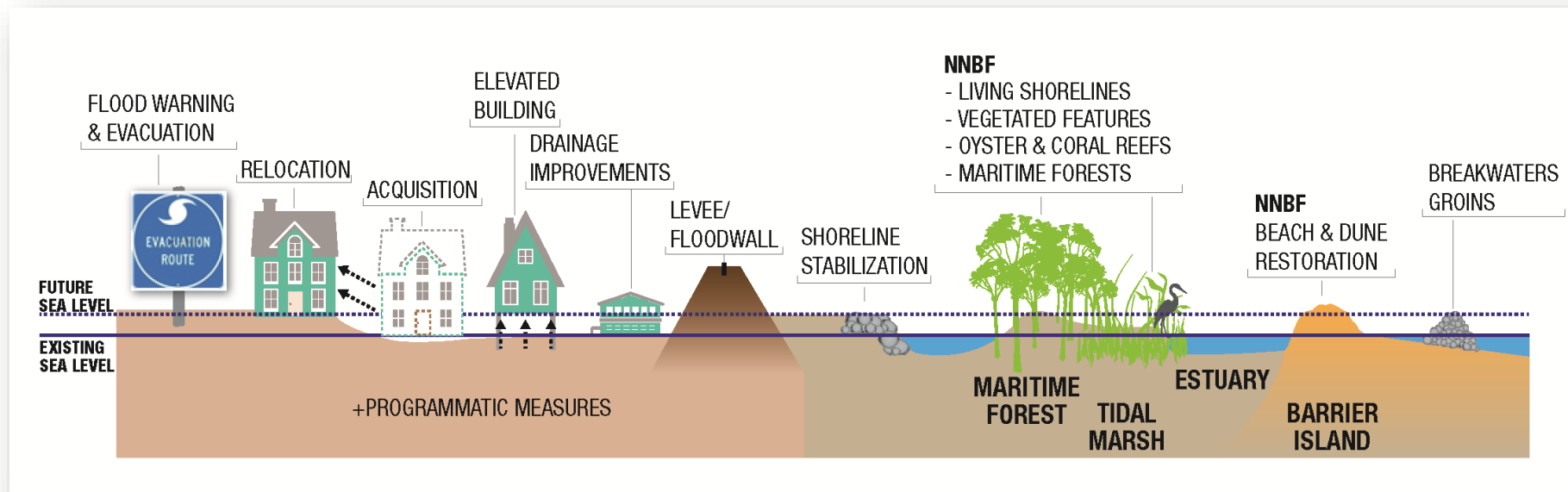


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# New Jersey Floodplain Management

Multi-faceted approach...



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# Resources

- NJ Model Flood Damage Prevention Ordinance  
<https://www.nj.gov/dep/floodcontrol/modelord.htm>
- NJ Model Floodplain Development Permit  
<https://www.nj.gov/dep/floodcontrol/model-floodplain-permit.htm>
- NJ Local Design Flood Elevation Worksheet  
<https://www.nj.gov/dep/floodcontrol/links.htm>
- NJ Substantial Damage Management Plan Template  
<https://www.nj.gov/dep/floodcontrol/docs/njsdmp-templete.docx>
- NJ Floodplain Communicator – Quarterly Newsletter
  - <https://www.nj.gov/dep/floodcontrol/newsletters.htm>



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# Questions?



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# Contacts

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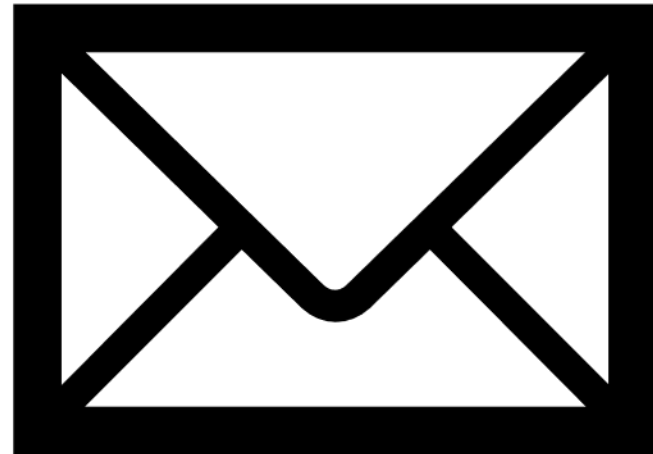
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