

**ORDINANCE #08-2013**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 115  
“FLOOD DAMAGE PREVENTION” AND CHAPTER 130, “LAND USE” OF  
THE CODE OF THE BOROUGH OF SEA BRIGHT, 1998**

**BE IT ORDAINED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 115 entitled “Flood Damage Prevention” and Chapter 130 entitled “Land Use” of an Ordinance entitled “Code of the Borough of Sea Bright, 1998”, be and the same is hereby amended and supplemented in the following manner:

**SECTION 1**

**CHAPTER 115 “Flood Damage Prevention”**

A. Article II, Definitions, Sub-section 115.5 Word usages; terms defined is hereby amended and supplemented to read as follows with all other section not listed remaining the same.

**REPETITIVE LOSS** – Flood related damages sustained by a structure on two (2) separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25%) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. Substantial Damage shall also mean flood related damage sustained by a structure on two (2) separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 (25%) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50% of the market value of the structure before the start of construction of the improvement. When the combined total of all improvements or repairs made after the adoption of this regulation equals or exceeds fifty (50%) percent of a structure's market value, that structure is considered to be substantially improved. 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 a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

## SECTION II

### CHAPTER 130 "Land Use"

B. Article II, Definitions and Word Usage, Sub-section 130.4 Word usages; terms defined is hereby amended and supplemented to read as follows with all other section not listed remaining the same.

**REPETITIVE LOSS** – Flood related damages sustained by a structure on two (2) separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25%) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. Substantial Damage shall also mean flood related damage sustained by a structure on two (2) separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 (25%) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50% of the market value of the structure before the start of construction of the improvement. When the combined total of all improvements or repairs made after the adoption of this regulation equals or exceeds fifty (50%) percent of a structure's market value, that structure is considered to be substantially improved. 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 a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

## SECTION III

All other ordinances or parts thereof enacted prior to the adoption of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV**

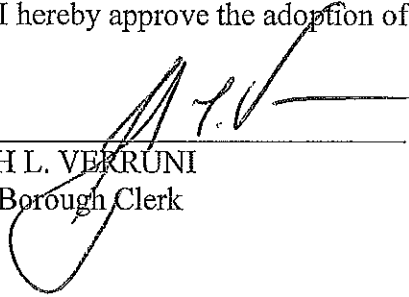
If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjusted invalid such subparagraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

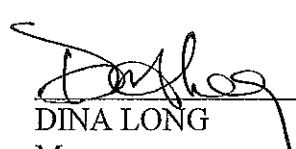
**SECTION V**

This ordinance shall take effect as provided by law after its final passage.

INTRODUCED: March 19, 2013  
PUBLIC HEARING: April 2, 2013  
ADOPTION: April 16, 2013

I hereby approve the adoption of this Ordinance this 17 day of April 2013.

  
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JOSEPH L. VERRUNI  
Acting Borough Clerk

  
\_\_\_\_\_  
DINA LONG  
Mayor

**AFFIDAVIT OF PUBLICATION**

STATE OF NEW JERSEY: SS

COUNTY OF MONMOUTH

Joseph L. Verruni, Acting Administrator/Clerk being duly sworn, did depose and say that the notice hereto attached was published in THE ASBURY PARK PRESS newspaper printed and circulated in said County of Monmouth on

March 12, 2013.

\_\_\_\_\_  
Joseph L. Verruni, Acting Administrator/Clerk

Sworn and subscribed before me this 29th day of

April, 2013.

NOTARY PUBLIC OF NEW JERSEY

My commission expires 4/12 2017

**BOROUGH OF SEA BRIGHT**

NOTICE OF PENDING ORDINANCE  
The following ordinance was introduced and approved upon first reading at the MARCH 19, 2013 meeting of the Mayor and Council of the Borough of Sea Bright. Second Reading and Public Hearing will be held APRIL 2, 2013 at the Regular Meeting of the Mayor and Council at 7:30pm Cecile F. Norton Community Center, Council Chambers, 1167 Ocean Avenue, Sea Bright, NJ. Copies of this Ordinance are available to the public at no cost in the Office of the Municipal Clerk during the hours of 9 am - 4pm.

ORDINANCE NO. 08-2013  
AMENDING CHAPTER 115 "FLOOD DAMAGE PREVENTION" Article II, Definitions, Sub-section 115.5 Word usages; terms defined AND CHAPTER 130, "LAND USE" Article II, Definitions, Sub-section 130.4 Word usages; terms defined OF THE CODE OF THE BOROUGH OF SEA BRIGHT, 1998  
Order of the Mayor and Council of the Borough of Sea Bright  
Joseph L. Verruni, Acting Administrator/Clerk (\$31.00) 713754

STEVEN M. SPAHR  
NOTARY PUBLIC OF NEW JERSEY  
ID # 2352392  
My Commission Expires 4/12/2017

Final - Ord. 08-2013

**AFFIDAVIT OF PUBLICATION**

STATE OF NEW JERSEY: SS

COUNTY OF MONMOUTH

Joseph L. Verruni, Acting Administrator/Clerk being duly sworn, did depose and say that the notice hereto attached was published in THE ASBURY PARK PRESS newspaper printed and circulated in said County of Monmouth on

March 12, 2013.

\_\_\_\_\_  
Joseph L. Verruni, Acting Administrator/Clerk

Sworn and subscribed before me this 20th day of

April, 2013.

NOTARY PUBLIC OF NEW JERSEY

My commission expires 4/12 2017

**BOROUGH OF SEA BRIGHT**

The following ordinance was introduced and approved upon First Reading at the March 19, 2013 meeting of the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey and was adopted after a public hearing on April 16, 2013.

ORDINANCE NO. 08-2013  
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 115 "FLOOD DAMAGE PREVENTION" AND CHAPTER 130 "LAND USE" OF THE CODE OF THE BOROUGH OF SEA BRIGHT, 1998  
By Order of the Mayor and Council of the Borough of Sea Bright  
Joseph L. Verruni, Acting Administrator/Clerk (\$21.00) 731385

STEVEN M. SPAHR  
NOTARY PUBLIC OF NEW JERSEY  
ID # 2352392  
My Commission Expires 4/12/2017