

ORDINANCE 2023-02

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 94 OF THE BOROUGH CODE, ENTITLED "FLOODPLAIN MANAGEMENT REGULATIONS," TO REVISE SECTIONS 94.2 & 94.3 OF THE SAME.

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

SECTION 1. Sections 94.1 of Chapter 94 of the Borough Code of the Borough of Barnegat Light, entitled "FLOOD DAMAGE PREVENTION," is hereby amended and supplemented to provide revised paragraph 94.2.1 to read as follows:

Chapter 94  
FLOODPLAIN MANAGEMENT REGULATIONS

§ 94.2 Applicability.

94.2.1 Establishment of Flood Hazard Areas. The Borough of Barnegat Light was accepted for participation in the National Flood Insurance Program on April 2, 1971. The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies that establish flood hazard areas are on file at the Borough of Barnegat Light, 10 E 7th St, Barnegat Light, NJ 08006.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) Effective Flood Insurance Study. Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Ocean County, New Jersey "All Jurisdictions" dated December 16, 2021, and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 94.2.2(1) whose effective date is December 16, 2021 are hereby adopted by reference.

Table 94.2.2(1)

Map Panel #	Effective Date	Revision Letter
34029CV001C	12/16/2021	
34029CV002A	09/29/2006	
34029C0438F	09/29/2006	
34029C0439F	09/29/2006	
34029C0526F	09/29/2006	

- 2) Federal Best Available Information. The Borough of Barnegat Light shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 94.2.2(2)

Map Panel #	Preliminary Date
34029CV001C	01/30/2015

34029CV002B	01/30/2015
34029C0438G	09/29/2006
34029C0439G	09/29/2006
34029C0526G	09/29/2006 SB 01/30/2015

- 3) Other Best Available Data. The Borough of Barnegat Light shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Borough of Barnegat Light. Other "best available information" may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 94.2.2 (1) and (2), above. This information shall be used for floodplain regulation purposes only.

SECTION 2. Sections 94.3 of Chapter 94 of the Borough Code of the Borough of Barnegat Light, entitled "FLOOD DAMAGE PREVENTION," is hereby amended and supplemented to provide revised paragraph 94.3.1 to read as follows:

§ 94.3 Duties and Powers of Floodplain Administrator.

**94.3.1 Floodplain Administrator Designation.** S/B Construction Official is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

SECTION 3. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

INTRODUCTION:

Passage on First Reading: Date: January 11, 2023

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway			X			
Reynolds	X		X			
Foley			X			
Mikuletzky		X	X			

Attest:

  
BRENDA L. KUHN, Municipal Clerk

ADOPTION:

Final Passage: Date: February 8, 2023

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Alloway			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky			X			

Attest:

  
BRENDA L. KUHN, Municipal Clerk

APPROVED:

  
KIRK O. LARSON, Mayor

Attest:

  
BRENDA L. KUHN, Municipal Clerk