



Borough of Manville
Ordinance #2022 -1279

An Ordinance by the Mayor and Council of the Borough of Manville Amending Borough Land Use code Section 26-105.1 To Require the Use of A Flood Plain Development Permit Application Form For All Development Application in Flood Zone AE

Statement of Purpose

The purpose of this Ordinance is to amend Borough Land Use Code Section §26-105.1 to development applications in Flood Zone AE to submit a Flood Plain Development Permit Application.

WHEREAS, the Mayor & Council have determined it to be in the best interests of the citizens of Manville to provide for the use of a standard Flood Plain Development Application Form for certain development applications; and

WHEREAS, it is a FEMA requirement to regulate all development in the Flood Plain, not just buildings; and

WHEREAS, FEMA has notified the Borough of being non-compliant until this Development Application formally adopted and enforced.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor & Council of the Borough of Manville, County of Somerset, and State of New Jersey, as follows:

SECTION 1: AMENDMENT TO BOROUGH LAND USE CODE SECTION §26-105.1

Subsection 26-105.1 of the Manville Borough Land Use Code is hereby amended, by adding a new subsection 26-105.1(c), to read as follows:

§26-105.1(c) All applications for development in Flood zone shall include, in addition to all other required development applications, forms, and information, the submission in duplicate of a signed and completed Flood Plain Development Application Form, in the form as annexed to and made a part of this Ordinance as Exhibit A to this Ordinance.

SECTION 2: SAVED FROM REPEAL

Except as modified herein or in another Ordinance of the governing body, all prior Ordinances and Borough Land Use Code Sections remain in full force and effect.

SECTION 3: REPEALER

All other Ordinances or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed only to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply; provided that, except as explicitly

SECTION 4: SEVERABILITY

In the event that any provision of this Ordinance, or the application of thereof to any person or circumstance is adjudged invalid, such adjudication of invalidity shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

SECTION 5: PURPOSE OF CAPTIONS

Captions contained in this Ordinance have been inserted only for the purpose of facilitation reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 6: EFFECTIVE DATE

This Ordinance shall take effect after adoption, passage and publication according to law.

Borough of Manville,

Richard M. Onderko

Richard M. Onderko, Mayor

ORDINANCE #2022-1279

FIRST READING:

ROLL CALL

Attest:

Wendy Barras

Wendy Barras, Borough Clerk

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	✓	Lukac	✓			
		Agans	✓			
		Madak	✓			
		Maeder	✓			
		Petrock	✓			
✓		Szabo	✓			
		Onderko				

INTRODUCED this 12th day of September, 2022

SECOND READING AND FINAL ADOPTION:

ROLL CALL

Attest:

Wendy Barras
Wendy Barras, Borough Clerk

Introduced	Seconded	Council	Yes	No	Abstain	Absent
✓		Lukac	✓			
	✓	Agans	✓			
		Madak	✓			
		Maeder	✓			
		Petrock	✓			
		Szabo	✓			
		Onderko				

[ADOPTED] [DEFEATED] this 16th day of September, 2022