

ORDINANCE NUMBER 22-2021

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 19, Flood Damage Prevention, Section 19-2, Definitions, Establishing a Definition for “Repetitive Loss Property, and Section 19-5, Provisions for Flood Hazard Reduction, Within the City’s Flood Damage Prevention Ordinance.

WHEREAS, the Governing Body recognizes that flood hazard areas of City of Lambertville (the “City”) are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, these flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas; and

WHEREAS, the City participates as a Community in the FEMA National Flood Insurance Program and the Community Rating System; and

WHEREAS, to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas, the City adopted a Flood Damage Prevention ordinance; and

WHEREAS, the Governing Body desires to amend the Flood Damage Prevention ordinance, specifically, Chapter 19-2, “Definitions,” to formally define “Repetitive Loss Property,” and Chapter 19-5, Provisions for Flood Hazard Reduction, within the ordinance; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that Chapter 19, Flood Damage Prevention, Section 19-2, Definitions, and Chapter 19-5, Provisions for Flood Hazard Reduction, to include the following language (additions **underlined**, deletions in **[brackets]**):

Section 19-2 DEFINITIONS

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REPETITIVE LOSS PROPERTY

Shall mean any insurable building for which two or more claims of more than \$1,000.00 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978. A repetitive loss property may or may not be currently insured by the NFIP.

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Section 19-5 PROVISIONS FOR FLOOD HAZARD REDUCTION

Section 19-5.1 General Standards.

In all areas of special flood hazards the following standards are required:

a. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
2. All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters in the system;
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters;
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
4. For all new construction, substantial improvement and repetitive loss properties (where technically feasible), the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be **[designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding] elevated to two (2) feet above the Base Flood Elevation.**

d. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;

2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

4. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less).

e. Enclosure Openings. All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

INTRODUCTION AND FIRST READING: October 21, 2021

PUBLIC HEARING AND SECOND READING: November 18, 2021