

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

C. **Analyses and certifications by a Licensed Professional Engineer.** As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section § 116-5D of these regulations and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section § 116-5D of these regulations. The applicant shall notify the chief executive officer of all

affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.

- (4) For activities that propose to alter sand dunes in coastal high hazard areas (Zone V) and Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage and documentation of the issuance of a New Jersey Coastal Zone Management permit under N.J.A.C. 7:7.
- (5) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

D. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

§ 116-6 INSPECTIONS

- A. General.** Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.
- B. Inspections of development.** The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.
- C. Buildings and structures.** The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.
 - (1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section § 116-15B shall be submitted to the Construction Official on an Elevation Certificate.
 - (2) **Lowest horizontal structural member.** In V zones and Coastal A zones, upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section § 116-15B shall be submitted to the Construction Official on an Elevation Certificate.
 - (3) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section § 116-15B.

- (4) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section § 116-15B shall be submitted to the Construction Official on an Elevation Certificate.

D. **Manufactured homes.** The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

§ 116- 7 VARIANCES

- A. **General.** The Board of Adjustment of the Township of Wall shall hear and decide requests for variances. The Board of Adjustment shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section § 116-7E, the conditions of issuance set forth in Section § 116-7F, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Board of Adjustment has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.
- B. **Historic structures.** A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. **Functionally dependent uses.** A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.
- D. **Restrictions in floodways.** A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section § 116-5C(1) of these regulations.
- E. **Considerations.** In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:
- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
 - (2) The danger to life and property due to flooding or erosion damage.
 - (3) The susceptibility of the proposed development, including contents, to flood

damage and the effect of such damage on current and future owners.

- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

F. Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

§116-8 VIOLATIONS

- A. Violations.** Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation.

A building or structure without the documentation of elevation of the lowest floor, the lowest horizontal structural member if in a V or Coastal A Zone, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

- B. **Authority.** The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.
- C. **Unlawful continuance.** Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.
- D. **Review Period to Correct Violations.** A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine not greater than \$2000.00 under N.J.S.A. 40:49-5 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

§116-9 DEFINITIONS

- A. **General.** The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

- B. **Definitions**

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of 'Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the

elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other

development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on

or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Section § 116-7 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Board of Adjustment requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved State program as determined by the Secretary of the Interior; or
 - 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on an Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map

Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LIMIT OF MODERATE WAVE ACTION (LimWA) – Inland limit of the area affected by waves greater than 1.5 feet during the Base Flood. Base Flood conditions between the VE Zone and the LimWA will be similar to, but less severe than those in the VE Zone.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the

bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

LOWEST HORIZONTAL STRUCTURAL MEMBER - In an elevated building in a Coastal A or Coastal High Hazard Zone, the lowest beam, joist, or other horizontal member that supports the building is the lowest horizontal structural member. Grade beams installed to support vertical foundation members where they enter the ground are not considered lowest horizontal members.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or

local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – “Solid Waste Disposal” shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the **AREA OF SPECIAL FLOOD HAZARD**.

START OF CONSTRUCTION – The Start of Construction is as follows:

- a. For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA), this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50

percent of the market value of the structure before the “start of construction” of the improvement. 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 official 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."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES
– Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

V ZONE CERTIFICATE - A certificate that contains a certification signed by a licensed design professional certifying that the designs, plans, and specifications and the methods of construction in V Zones and Coastal A Zones are in accordance with accepted standards of practice. This certificate also includes an optional Breakaway Wall Design Certification for enclosures in these zones below the Best Available Flood Hazard Data Elevation. A completed certification is required at permit application.

V ZONES – Areas of Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation in any given year shown on the Flood Insurance Rate Map (FIRM) zones V1-V30 and VE and is referred to as the Coastal High Hazard Area.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

§116-10 SUBDIVISIONS AND OTHER DEVELOPMENTS

A. **General.** Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

B. **Subdivision requirements.** Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

§116-11 SITE IMPROVEMENT

A. **Encroachment in floodways.** Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section § 116-5C(1) of these regulations, that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section

§ 116-5(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section § 116-15B of this ordinance and the floodway requirements of N.J.A.C. 7:13.

(1) **Prohibited in floodways.** The following are prohibited activities:

- (a) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (b) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

B. **Coastal High Hazard Areas (V Zones) and Coastal A Zones.** In Coastal High Hazard Areas and Coastal A Zones:

- (1) New buildings shall only be authorized landward of the reach of mean high tide.
- (2) The placement of manufactured homes shall be prohibited except in an existing manufactured home park or subdivision.
- (3) Basements or enclosures that are below grade on all sides are prohibited.
- (4) The use of fill for structural support of buildings is prohibited.

C. **Sewer facilities.** All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

D. **Water facilities.** All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

E. **Storm drainage.** Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

F. **Streets and sidewalks.** Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

G. **Limitations on placement of fill.** 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.

H. **Limitations on sites in coastal high hazard areas (V Zones) and Coastal A Zones.** In coastal high hazard areas and Coastal A Zones, alteration of sand dunes shall be permitted only when the engineering analysis required by Section § 116-5C(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 structures shall comply with Section § 116-5I(3) of these regulations and as permitted under the NJ Coastal Zone Management Rules (N.J.A.C. 7:7).

- I. **Hazardous Materials.** The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

§116-12 MANUFACTURED HOMES

- A. **General.** All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).
- B. **Elevation.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section § 116-15B.
- C. **Foundations.** All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on permanent, reinforced foundations that are designed in accordance with Section R322 of the Residential Code.
- D. **Anchoring.** All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- E. **Enclosures.** Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section § 116-15B.
- F. **Protection of mechanical equipment and outside appliances.** Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section § 116-15B of these regulations.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section § 116-15B, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

§116-13 RECREATIONAL VEHICLES

- A. **Placement prohibited.** The placement of recreational vehicles shall not be authorized in coastal high hazard areas and in floodways.
- B. **Temporary placement.** Recreational vehicles in flood hazard areas shall be fully

licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

- C. **Permanent placement.** Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section § 116-15B for habitable buildings.

§116-14 TANKS

- A. **Tanks.** Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

§116-15 OTHER DEVELOPMENT AND BUILDING WORK

- A. **General requirements for other development and building work.** All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section § 116-5C(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section §116-2C;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section § 116-2C or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - (a) Specifically allowed below the Local Design Flood Elevation; and
 - (b) Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C. 7:13 in floodways.

- B. **Requirements for Habitable Buildings and Structures.**

- (1) Construction and Elevation in A Zones not including Coastal A Zones.
 - (a) No portion of a building is located within a V Zone.
 - (b) No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - (c) All new construction and substantial improvement of any habitable building (as defined in Section § 116-9) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section § 116-2C, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
 - (d) All new construction and substantial improvements of non-residential structures shall:
 - [1] Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section § 116-2C, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - [2] Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 - [a] Meets the requirements of ASCE 24 Chapters 2 and 7; and
 - [b] Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
 - (e) All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - [1] For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
 - [2] Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the

structure is non-residential and the requirements of § 116-5B(1)(d)[2] are met;

[3] Be constructed to meet the requirements of ASCE 24 Chapter 2;

[4] Have openings documented on an Elevation Certificate; and

[5] Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:

[a] The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.

[b] The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;

[c] The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

(2) Construction and Elevation in V Zones and Coastal A Zones.

(a) All new construction and substantial improvements shall be constructed according to structural designs, plans and specifications conforming with ASCE 24 Chapter 4 which are signed by a licensed design professional and certified by that individual in a V Zone Certificate.

(b) All new construction and substantial improvement of any habitable building (as defined in Section § 116-9) located in coastal high hazard areas shall have the lowest horizontal structural member, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to the Local Design Flood Elevation as determined in Section § 116-2C, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.

(c) All new construction and substantial improvements of non-residential structures shall:

[1] Have the lowest horizontal structural member, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and

sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section § 116-2C, be in conformance with ASCE 24 Chapter 7, and be confirmed by an Elevation Certificate; or

[2] Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:

[a] Meets the requirements of ASCE 24 Chapters 4 and 7; and

[b] Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.

(d) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. All breakaway walls shall be constructed according to structural designs, plans and specifications conforming with ASCE 24 Chapter 4, signed by a licensed design professional, and certified by that individual in a Breakaway Wall Certificate.

(e) All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:

[1] Be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited.

[2] Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of § 116-15B(2)(c)[2] are met;

[3] Be constructed to meet the requirements of ASCE 24 Chapter 4;

[4] Have openings documented on an Elevation Certificate and have breakaway wall construction documented on a Breakaway Wall Certificate unless the requirements of § 116-15B(2)(c)[2] are met for a non-residential structure; and

[5] Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located,

shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:

- [a] The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 - [b] The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 - [c] The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;
- (f) For new construction or substantial improvements, enclosures shall be less than 295 square feet in size.

C. Garages and accessory storage structures. Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

D. Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section § 116-5C(1) of these regulations. Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Section § 116-7 of this ordinance.

E. Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section § 116-5C(1) of these regulations and N.J.A.C. 7:13.

F. Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section § 116-5C(1) of these regulations. Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

G. Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been

designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section § 116-5C(1) of these regulations.

H. Other development in coastal high hazard areas (Zone V) and Coastal A Zones.

In Coastal High Hazard Areas (V Zones) and Coastal A Zones, development activities other than buildings and structures shall be permitted only when also authorized by the appropriate Federal, State or local authority; when located outside the footprint of, and not structurally attached to, buildings and structures; and when analyses prepared by a licensed professional engineer demonstrates no harmful diversion of floodwater or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the base flood or otherwise function to avoid obstruction of floodwater; and
- (3) On-site filled or mound sewage systems.

I. Nonstructural fill in coastal high hazard areas (Zone V) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only when an analysis prepared by a licensed professional engineer demonstrates no harmful diversion of floodwater or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection where the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

§116-16 TEMPORARY STRUCTURES AND TEMPORARY STORAGE

A. Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

B. Temporary storage. Temporary storage includes storage of goods and materials for a

period of less than 180 days. Stored materials shall not include hazardous materials.

- C. **Floodway encroachment.** Temporary structures and temporary storage in floodways shall meet the requirements of Section § 116-5C(1) of these regulations.

§116-17 UTILITY AND MISCELLANEOUS GROUP U

- A. **Utility and Miscellaneous Group U.** In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.
- B. **Flood loads.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section § 116-2C.
- C. **Elevation.** Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section § 116-2C and in accordance with ASCE 24. Utility lines shall be designed and elevated in accordance with N.J.A.C. 7:13.
- D. **Enclosures below base flood elevation.** Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section § 116-15B and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.
- E. **Flood-damage resistant materials.** Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section § 116-2C.
- F. **Protection of mechanical, plumbing, and electrical systems.** Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section § 116-2C.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design

Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

§116-18 SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

§116-19 EFFECTIVE DATE.

This ordinance shall take effect on **June 15, 2022.**

Introduced: May 11, 2022

Adopted: June 8, 2022

Attest: _____

Roberta Lang, RMC
Township Clerk

Approve: _____

Kevin P. Orender
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 15-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO REPEAL CHAPTER 116; TO ADOPT A NEW CHAPTER 116; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Adoption of this ordinance repeal chapter 116 and adopt a new chapter 116 which will adopt flood hazard maps and designate a floodplain administrator, providing for severability and an effective date

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **May 11, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **June 8, 2022** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

Roberta M. Lang, R.M.C.
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0601

AUTHORIZATION OF CERTAIN POLICE PERSONNEL ACTIONS

WHEREAS, the following appointments have been reviewed by the Chief of Police;
and

WHEREAS, the the Chief of Police has recommended the appointments of the following individual(s); and

WHEREAS, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointments be made.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the following personnel actions be and are hereby authorized on the effective date included herein.

<u>NAME</u>	<u>DEPARTMENT/ POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Ian Hatch	Police Department/Lieutenant	\$165,656.49	06/09/2022
Frank Kuhl	Police Department/Sergeant	\$144,049.13	06/09/2022
Kevin Donegan	Police Department/Patrolman	\$37,000.00	06/15/2022
Alfredo Flores	Police Department/Patrolman	\$37,000.00	06/15/2022

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held June 8, 2022

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0602

**CERTIFICATION OF TOWNSHIP FUNDS
MAY 26, 2022 THROUGH JUNE 8, 2022 IN THE AMOUNT OF \$8,917,482.88**

We, the undersigned members of the Township Committee of the Township of Wall have reviewed the information provided by the Township Administrator and rely on his recommendation that the attached vouchers are in proper order and may be executed for payment. This authorization for execution does not extend to any voucher that would constitute a conflict of interest for any of the undersigned Committee members.

Kevin P. Orender, Mayor

Daniel Becht, Deputy Mayor

Timothy J. Farrell, Committeeman

Thomas M. Kingman, Committeeman

Erin M. Mangan, Committeewoman

TOWNSHIP OF WALL

RESOLUTION NO. 22-0603

AUTHORIZATION TO EXECUTE A CONTRACT WITH TRANE TECHNOLOGIES FOR ANNUAL HVAC SERVICES THROUGH THE US COMMUNITIES COOPERATIVE PRICING PROGRAM AT A PRICE NOT TO EXCEED \$57,172.19

WHEREAS, the Township Committee is desirous of entering an annual service contract for HVAC services through the US Communities Cooperative Pricing Program; and,

WHEREAS, the Superintendent of Public Works, recommends that the Township Committee enter into an annual HVAC service contract through the US Communities Cooperative Pricing Program from Trane Technologies at a price not to exceed \$57,172.19 (fifty-seven thousand one hundred seventy-two dollars and nineteen cents); and,

WHEREAS, the Township Administrator and Township Committee concurs with the recommendation to enter into an annual HVAC service contract from Trane Technologies through the US Communities Cooperative Pricing Program at a price not to exceed \$57,172.19 (fifty-seven thousand one hundred seventy-two dollars and nineteen cents); and,

WHEREAS, the Township of Wall began to participate on May 28, 2014, in the cooperative purchasing program operated by the US Communities Cooperative Pricing Program.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The Township Committee hereby concurs with the recommendations of the Superintendent of Public Works, to authorize the contract for annual HVAC s being through the US Communities Cooperative Pricing Program from Trane Technologies at a price not to exceed \$57,172.19 (fifty-seven thousand one hundred seventy-two dollars and nineteen cents).
2. This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).
3. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022

Roberta M. Lang, RMC
Township Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available enter into an annual HVAC service contract through the US Communities Cooperative Pricing Program from Trane Technologies at a price not to exceed \$57,172.19 (fifty-seven thousand one hundred seventy-two dollars and nineteen cents).

Operating		
Account	Description	Amount
2-01-26-310-000-170	HVAC Contract	\$57,172.19

Date:

Thomas O'Hara, CFO
Chief Financial Officer

TOWNSHIP OF WALL

RESOLUTION NO. 22-0604

**AUTHORIZATION TO GRANT FIVE HUNDRED DOLLARS (\$500.00) FROM ITS
CLEAN COMMUNITIES PROGRAM TO GIRL SCOUTS OF THE JERSEY
SHORE**

WHEREAS, the New Jersey Clean Communities Program is a statewide litter abatement program created by the passage of the Clean Communities Act of 1986, N.J.S.A. 13:1E-213; and,

WHEREAS, the Clean Communities Act provides a funding source by placing a tax on fifteen (15) categories of businesses that may produce litter generating products. The program generates approximately \$20 million each year and 80% of these funds are received by municipalities; and,

WHEREAS, the Township of Wall recognizes the valuable activities undertaken by the Girl Scouts of the Jersey Shore in mitigating the harmful effects of littering; and,

WHEREAS, the Township Committee desires to provide funding to Girl Scouts of the Jersey Shore in the amount of \$500.00 for anti-littering activities; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township wishes to grant \$500.00 to the Girl Scouts of the Jersey Shore from the Clean Communities funds received by the Township and that the Administration is authorized to take whatever ministerial action is necessary to effectuate the goals of this Resolution.

I, Roberta M. Lang, Municipal Clerk, of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Municipal Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for a Clean Communities Mini Grant at a price not to exceed \$500.00 (five hundred dollars).

Operating		
Account	Description	Amount
G-02-21-710-000-101	Clean Communities	\$500.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0605

**AUTHORIZATION TO GRANT FIVE HUNDRED DOLLARS (\$500.00) FROM ITS
CLEAN COMMUNITIES PROGRAM TO THE WALL HIGH SCHOOL
ENVIRONMENTAL CLUB**

WHEREAS, the New Jersey Clean Communities Program is a statewide litter abatement program created by the passage of the Clean Communities Act of 1986, N.J.S.A. 13:1E-213; and,

WHEREAS, the Clean Communities Act provides a funding source by placing a tax on fifteen (15) categories of businesses that may produce litter generating products. The program generates approximately \$20 million each year and 80% of these funds are received by municipalities; and,

WHEREAS, the Township of Wall recognizes the valuable activities undertaken by the Wall High School Environmental Club in mitigating the harmful effects of littering; and,

WHEREAS, the Township Committee desires to provide funding to the Wall High School Environmental Club in the amount of \$500.00 for anti-littering activities; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township wishes to grant \$500.00 to the Wall High School Environmental Club from the Clean Communities funds received by the Township and that the Administration is authorized to take whatever ministerial action is necessary to effectuate the goals of this Resolution.

I, Roberta M. Lang, Municipal Clerk, of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Municipal Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for a Clean Communities Mini Grant at a price not to exceed \$500.00 (five hundred dollars).

Operating		
Account	Description	Amount
G-02-21-710-000-101	Clean Communities	\$500.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0606

**AUTHORIZATION TO GRANT FIVE HUNDRED DOLLARS (\$500.00) FROM ITS
CLEAN COMMUNITIES PROGRAM TO CUB SCOUT PACK 333**

WHEREAS, the New Jersey Clean Communities Program is a statewide litter abatement program created by the passage of the Clean Communities Act of 1986, N.J.S.A. 13:1E-213; and,

WHEREAS, the Clean Communities Act provides a funding source by placing a tax on fifteen (15) categories of businesses that may produce litter generating products. The program generates approximately \$20 million each year and 80% of these funds are received by municipalities; and,

WHEREAS, the Township of Wall recognizes the valuable activities undertaken by the Cub Scout Pack 333 in mitigating the harmful effects of littering; and,

WHEREAS, the Township Committee desires to provide funding to Cub Scout Pack 333 in the amount of \$500.00 for anti-littering activities; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township wishes to grant \$500.00 to the Cub Scout Pack 333 from the Clean Communities funds received by the Township and that the Administration is authorized to take whatever ministerial action is necessary to effectuate the goals of this Resolution.

I, Roberta M. Lang, Municipal Clerk, of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Municipal Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for a Clean Communities Mini Grant at a price not to exceed \$500.00 (five hundred dollars).

Operating		
Account	Description	Amount
G-02-21-710-000-101	Clean Communities	\$500.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0607

**AUTHORIZATION TO GRANT FIVE HUNDRED DOLLARS (\$500.00) FROM ITS
CLEAN COMMUNITIES PROGRAM TO ALLENWOOD BOY SCOUTS OF
AMERICA TROOP 82**

WHEREAS, the New Jersey Clean Communities Program is a statewide litter abatement program created by the passage of the Clean Communities Act of 1986, N.J.S.A. 13:1E-213; and,

WHEREAS, the Clean Communities Act provides a funding source by placing a tax on fifteen (15) categories of businesses that may produce litter generating products. The program generates approximately \$20 million each year and 80% of these funds are received by municipalities; and,

WHEREAS, the Township of Wall recognizes the valuable activities undertaken by the Allenwood Boy Scouts of America Troop 82 in mitigating the harmful effects of littering; and,

WHEREAS, the Township Committee desires to provide funding to Allenwood Boy Scouts of America Troop 82 in the amount of \$500.00 for anti-littering activities; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township wishes to grant \$500.00 to the Allenwood Boy Scouts of America Troop 82 from the Clean Communities funds received by the Township and that the Administration is authorized to take whatever ministerial action is necessary to effectuate the goals of this Resolution.

I, Roberta M. Lang, Municipal Clerk, of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Municipal Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for a Clean Communities Mini Grant at a price not to exceed \$500.00 (five hundred dollars).

Operating		
Account	Description	Amount
G-02-21-710-000-101	Clean Communities	\$500.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

DRAFT

TOWNSHIP OF WALL
RESOLUTION NO. 22-0608

**AUTHORIZATION TO REAPPOINT THEODORE LAMICELLA AS WALL
TOWNSHIP TAX ASSESSOR PURSUANT TO N.J.S.A.40A:9-148 et seq**

WHEREAS, the Township of Wall (the “Township”) is a public body corporate and politic of the State of New Jersey seeks to reappoint the Tax Assessor, effective July 1, 2022, in accordance with N.J.S.A.40A:9-148 et seq; and

WHEREAS, in accordance with N.J.S.A. 54:1-35-32 et seq. that with this reappointment tenure is granted; and

WHEREAS, the Tax Assessor shall, among other duties, establish values for all real property within the Township; and

WHEREAS, the Township Administrator desires to reappoint Theodore Lamicella as Tax Assessor upon review of his continued qualifications and licenses, suitability for the position and past performance; and

WHEREAS, the Township Committee concurs and provides advice and consent of the aforesaid reappointment of the Tax Assessor at a salary prescribed by ordinance in accordance with N.J.S.A 40:69A-43(b); and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Wall, County of Monmouth, and State of New Jersey as follows:

1. The Township Committee hereby provides its advice and consent to the Mayor’s appointment of Theodore Lamicella as Tax Assessor, as set forth above.
2. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
3. This Resolution shall take effect immediately.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0609

AUTHORIZATION OF CERTAIN PERSONNEL ACTIONS

WHEREAS, the Township of Wall desires to provide and maintain a knowledgeable, certified, safe, and dependable first response system comprised of both paid and volunteer Emergency Medical Technicians and first aid providers; and

WHEREAS, the Township through its Police Department operates an Emergency Medical Services Division consisting of both full-time and part-time employees; and

WHEREAS, Chief of Police Kenneth Brown has analyzed and reported his findings that require the need to make certain salary and wage adjustments as a result of more recent changes in manpower supply and competing employment opportunities in the region over the past 18 months; and

WHEREAS, Township Administrator Jeffrey Bertrand has reviewed and concurs with Chief Brown's recommendations and has reported those salary/wage adjustments to the Township Committee in order to provide a more competitive compensation level in order to maintain the current staffing and ultimately the level of service that the Township residents expect and deserve; and

WHEREAS, those specific adjustments for current and future employees are in concurrence with the Township Salary Ordinance and are specifically as follows:

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Amanda Kahlke	Police/ Full-Time EMT	\$56,160.00	06/01/2022
Alex Scamardella	Police/ Full-Time EMT	\$52,000.00	06/01/2022
Steve Yarosz	Police/ Part-Time EMT	\$28.00/ hour	06/01/2022
Eric McLaughlin	Police/ Part-Time EMT	\$28.00/ hour	06/01/2022
Patti Cicala	Police/ Part-Time EMT	\$27.50/ hour	06/01/2022
Walter Motus	Police/ Part-Time EMT	\$27.50/ hour	06/01/2022
Chris Trischitta	Police/ Part-Time EMT	\$27.50/hour	06/01/2022
Trevor Good	Police/ Part-Time EMT	\$27.50/hour	06/01/2022
Frank Passantino	Police/ Part-Time EMT	\$27.50/hour	06/01/2022
Colleen Kelly	Police/ Part-Time EMT	\$27.00/ hour	06/01/2022
Michael McAllister	Police/ Part-Time EMT	\$26.50 / hour	06/01/2022
James Mount	Police/ Part-Time EMT	\$27.00/ hour	06/01/2022
Patrick Morris	Police/ Part-Time EMT	\$27.00/ hour	06/01/2022
Korey Lawlor	Police/ Part-Time EMT	\$27.00/ hour	06/01/2022
Devin McGowan	Police/ Part-Time EMT	\$27.00/ hour	06/01/2022

Dalton Hamlin	Police/ Part-Time EMT	\$26.50/ hour	06/01/2022
Liam Murphy	Police/ Part-Time EMT	\$26.00/hour	06/01/2022
Tyler Lokerson	Police/ Part-Time EMT	\$26.00/ hour	06/01/2022
William King	Police/ Part-Time EMT	\$26.00/ hour	06/01/2022
Michael Sulewski	Police/ Part-Time EMT	\$26.00/ hour	06/01/2022
Paul Whille	Police/ Part-Time EMT	\$25.50/ hour	06/01/2022
Joseph Marsicano	Police/ Part-Time EMT	\$25.50/hour	06/01/2022
Julia Bland	Police/ Part-Time EMT	\$25.00/ hour	06/01/2022
Adam Erbe	Police/ Part-Time EMT	\$25.00/ hour	06/01/2022
Shaun Burke	Police/ Part-Time EMT	\$25.00/ hour	06/01/2022
Dominique Salazar	Police/ Part-Time EMT	\$25.00/ hour	06/01/2022
Jaime Siino	Police/ Part-Time EMT	\$25.00/ hour	06/01/2022

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the Township Committee concurs with the recommendations of the Administrator and the following personnel actions be and are hereby authorized on the effective date included herein.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0610

**AUTHORIZATION TO CLOSE HILL AVENUE BETWEEN EDGEMERE ROAD
AND EVANS ROAD FOR A BLOCK PARTY**

WHEREAS, Dawn Thompson has requested a street closure for Hill Road, between Edgemere Road and Evans Road for the purpose of a block party; and,

WHEREAS, the closing will occur on Saturday, July 9, 2022, between the hours of 12:00 P.M. and 11:00 P.M.; and,

WHEREAS, the aforesaid proposal has been reviewed and approved by the Traffic Bureau of the Police Department; and,

WHEREAS, the Mayor of the Township of Wall is authorized by Section 215-20 of the Code of the Township of Wall to order the closing of any street to motor vehicle traffic.

NOW THEREFORE, I, Kevin Orender, Mayor of the Township of Wall, do hereby order as follows: Hill Road, between Edgemere Road and Evans Road will be closed on Saturday, July 9, 2022. Specifically, the street will be closed to all but emergency vehicle traffic on, Saturday, July 9, 2022, between the hours of 12:00 P.M. and 11:00 P.M. with a rain date scheduled for Sunday, July 10, 2022 between the hours of 12:00 P.M. until 11:00 P.M.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 22-0611

AUTHORIZATION TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY, DIVISION OF HUMAN SERVICES, DIVISION OF MENTAL HEALTH AND HUMAN SERVICES TO APPROVE ALLOCATION OF DEDR FUNDS FOR FY 2023 IN THE AMOUNT OF \$33,980.00 AS AWARDED TO THE WALL COMMUNITY ALLIANCE

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in communities throughout New Jersey; and,

WHEREAS, the Township Committee of the Township of Wall recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has established the Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Monmouth and hereby recognizes the following:

1. The Township Committee does hereby accept the Grants for the Wall Municipal Alliance for the fiscal year of 2023 in the amount of:

DEDR	\$16,990.00
Cash Match	\$4,247.50
In- Kind	\$12,742.50

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance Grant, including administrative compliance and audit requirements

APPROVED: _____
Kevin P. Orender, Mayor

I, Roberta M. Lang, Township Clerk of the of the Township of Wall, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on June 8, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0612

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

WHEREAS, the Department Head(s) has recommended the appointment of the following individual(s); and

WHEREAS, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointment(s) be made:

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Jessica Anan	Police Department/Part-Time Dispatcher	\$23.16/ hour	06/09/2022
Kiliko Lowe	Police Department/Part-Time EMT	\$25.00/ hour	06/09/2022
Antoinette Sommella	Recreation/Head Counselor II-Year 1	\$13.40/hour	06/09/2022
Nicole Uccello	Recreation/Head Counselor II-Year 1	\$13.40/hour	06/09/2022
Emily Dilello-Allen	Recreation/Head Counselor I-Year 1	\$12.65/hour	06/09/2022
Joseph Giblin	Recreation/Head Counselor I-Year 1	\$12.65/hour	06/09/2022
Tara Phalin	Recreation/Head Counselor I-Year 1	\$12.65/hour	06/09/2022
Isabella Tancorra	Recreation/Head Counselor I-Year 1	\$12.65/hour	06/09/2022
Caitlin McBarron	Recreation/Counselor-Year 1	\$11.90/hour	06/09/2022
Ashlyn Wells	Recreation/Counselor-Year 1	\$11.90/hour	06/09/2022

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the following personnel actions be and are hereby authorized on the effective date included herein.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on June 8, 2022

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0613

AUTHORIZATION TO APPOINT MEMBERS TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, pursuant to N.J.S.A. 40:55D-69, the Zoning Board of Adjustment will hereby continue to consist of seven (7) regular members and two (2) alternate members who shall be residents of the Township and who shall be appointed by the Township Committee.

WHEREAS, no member may hold any elective office or position with the Township; and

WHEREAS, the term of each regular member shall be four (4) years and the term of each alternate member shall be two (2) years.

BE IT RESOLVED by the Township Committee of the Township of Wall that the following appointments be and are hereby made to the Board of Adjustment.

<u>REGULAR MEMBERS</u>	<u>LENGTH OF TIME</u>	<u>EXPIRING</u>
Robert Shimko	Appointed: 4-year term	12/31/2025

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Meeting held on June 8, 2022.

Roberta M. Lang, RMC
Township Clerk