**BOROUGH OF SPRING LAKE HEIGHTS**

**ORDINANCE NO. 2016-04**

**AN ORDINANCE AMENDING CHAPTER XVII "FLOOD DAMAGE PREVENTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS, NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Spring Lake Heights, in the County of Monmouth, New Jersey as follows:

**SECTION 1.** Chapter XVII, entitled "Flood Damage Prevention" of the Revised General Ordinances of the Borough of Spring Lake Heights, New Jersey is hereby amended at Section 17-2 (Definitions) to replace the definitions of "substantial damage" and "substantial improvement" with the following:

> SUBSTANTIAL DAMAGE shall mean damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure on two or more separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
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> SUBSTANTIAL IMPROVEMENT shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure during a 10-year period, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. Substantial improvement also means "cumulative substantial improvement." This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed or repetitive loss. The term does not, however, include either:
>
> a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
> b. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any portion of this ordinance shall be determined to be invalid; such determination shall not affect the validity of the remaining portions of said ordinance.

**SECTION 4.** This ordinance shall take effect upon final passage and publication in accordance with law.

Thomas O'Brien
Mayor

6/15/2016
Date

Janine Gillis
Municipal Clerk

6-15-2016
Date