

**ORDINANCE NO. 08-03**

**AN ORDINANCE OF THE TOWNSHIP OF LACEY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 185 OF  
THE TOWNSHIP CODE, ENTITLED "FLOOD HAZARD  
AREAS," SO AS TO ADD A REPETITIVE LOSS  
PROVISION**

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Lacey, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Chapter 185 of the Township Code of the Township of Lacey, entitled "Flood Hazard Areas," is hereby amended and supplemented so as to amend Article II, §185-5, entitled "Terms defined," so as to revise the definition for "Substantial Improvement," and add a definition for "Repetitive Loss," which shall read in their entirety as follows:

**REPETITIVE LOSS** -- Flood-related damages sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25%) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** -- Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "repetitive loss" or "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) 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
- (2) Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby

repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Lacey held on the \_\_\_\_\_ day **January, 2008**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the \_\_\_\_\_ day of **January, 2008**, at 8:00 p.m., at the Municipal Building located on Lacey Road in Forked River, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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**VERONICA LAUREIGH, CMC, AAE**  
Township Clerk, Township of Lacey

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