

A RESOLUTION URGING THE GOVERNOR OF NEW JERSEY TO RESCIND HIS ORDER APPLYING THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S PRELIMINARY ADVISORY BASE FLOOD ELEVATION MAP STANDARDS

#61 of 2013

WHEREAS, Hurricane Sandy caused unprecedented property damage to the City of Margate; and

WHEREAS, the City of Margate is still recovering from the effects of Hurricane Sandy; and

WHEREAS, prior to Hurricane Sandy, the Federal Emergency Management Agency ("FEMA") began the process of updating New Jersey's Flood Insurance Rate Map; and

WHEREAS, while the mapping process is ongoing FEMA has issued a preliminary Advisory Base Flood Elevation ("ABFE") map for the coastal areas of New Jersey, including the City of Margate; and

WHEREAS, the preliminary ABFE is not scheduled to be finalized until the summer of 2013 and not scheduled to go into effect until 2014; and

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WHEREAS, the preliminary ABFE map does not take into account engineering, such as dunes, bulkheads, and seawalls that mitigate the risk of flood damage; and

WHEREAS, the preliminary ABFE map will be revised in the future to account for engineered mitigations to flood risk, and for other factors; and

WHEREAS, portions of the City of Margate are protected by engineered flood mitigation structures, such as dunes, bulkheads, and seawalls; and

WHEREAS, the preliminary ABFE map substantially increases the size of high risk "velocity zones" on the Flood Insurance Rate Map; and

WHEREAS, homes located within that area will either be required to be raised on pilings or face exponential increases in the cost of flood insurance, and

WHEREAS, in many cases in the City of Margate it is impossible from an engineering standpoint to raise homes to the levels required by the preliminary ABFE map; and

WHEREAS, in many cases in the City of Margate the cost of elevating a home to the level required by the preliminary ABFE map exceeds the value of the home, and

WHEREAS, on January 24, 2013, the Honorable Christopher Christie, Governor of the State of New Jersey, took executive action adopting the preliminary ABFE map; and

WHEREAS, as a result of that executive action, the requirements of the preliminary ABFE map now binding on New Jersey's municipalities; and

WHEREAS, Governor Christie's action was well-intentioned, but implementation of the preliminary ABFE map standards will be devastating, for many homeowners who will not be able to afford elevating their homes on pilings or the enormous flood insurance increases; and

WHEREAS, many homeowners will have no choice but to abandon their homes; and

WHEREAS, implementation of the preliminary ABFE map standards will also substantially devalue the properties located within the delineated velocity Zones; and

WHEREAS, the devaluation will serve to increase the tax burden on other members of the community; and

WHEREAS, a more sensible and prudent approach is to apply to preliminary ABFE map standards to new construction and to the reconstruction of homes totally destroyed by Hurricane Sandy and to await further implementation until the preliminary ABFE map is corrected and finalized.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the City of Margate strongly urge Governor Christie to amend his executive action so as to apply the preliminary Advisory Base Flood Elevation Map standards only to new construction and to homes that must be completely rebuilt as a result of damage sustained by Hurricane Sandy, until such time as the preliminary ABFE map is corrected and finalized; and

BE IT FURTHER RESOLVED that Commissioners of the City of Margate strongly urge the Federal Emergency Management Agency to revise the preliminary Advisory Base Flood Elevation map as quickly as possible to account for engineered mitigations to flood damage such as dunes, bulkheads and seawalls; and

BE IT FURTHER RESOLVED that the City Clerk shall transmit a duly authenticated copy of this resolution to the Governor of the State of New Jersey, the Director of the Federal Emergency Management Agency, each member of the second legislative delegation, the Board of Chosen Freeholders of Atlantic County, and the mayor of each municipality located within Atlantic County.

Date: February 21, 2013

I, Thomas D. Hiltner, Clerk of Margate City, Atlantic County, do hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Commissioners of the City of Margate City at a meeting of said Commission held on February 21, 2013 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.

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