



## Legislation Details (With Text)

**File #:** 20-0438      **Version:** 1      **Name:** Resolution waiving 20 day period for Flood Damage Prevention Ordinance to take effect

**Type:** Resolution      **Status:** Adopted

**File created:** 3/12/2020      **In control:** Engineering

**On agenda:** 3/24/2020      **Final action:** 3/24/2020

**Title:** Dept/ Agency: Engineering  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Waiving 20-day period for an Ordinance to take effect  
Purpose: Authorizes an emergency to be declared and further authorizes Ordinance 6PSF-d, adopted, as amended, on First Reading by the Municipal Council on March 4, 2020, which amends and supplements Title 12, Flood Damage Prevention, to promote the public health, safety, and general welfare of residents and businesses in the City of Newark, New Jersey, as required, in order to remain in compliance with current National Flood Insurance Program (NFIP) regulations, to become effective after being adopted upon Second Reading and Final Passage on March 18, 2020.  
Ordinance No(s): Ordinance 6PSF-d is scheduled for a Public Hearing, Second Reading and Final Passage on March 24, 2020.  
Additional Information:

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
3/24/2020	1	Municipal Council	Adopt	Pass

### Dept/ Agency: Engineering

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

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**Ordinance No(s):** Ordinance 6PSF-d is scheduled for a Public Hearing, Second Reading and Final Passage on March 24, 2020.

### Additional Information:

**WHEREAS**, on March 4, 2020, the Municipal Council amended and adopted on First Reading Ordinance 6PSF-d, which amends and supplements Title 12, Flood Damage Prevention, to promote the public health, safety, and general welfare of residents and businesses in the City of Newark, New Jersey, as required, in order to remain in compliance with current National Flood Insurance Program (NFIP) regulations; and

**WHEREAS**, Congress created the NFIP in 1968 because private insurers were largely refusing to cover flood losses. It was created with three main purposes: to better communicate flood

risks, to provide flood insurance as safety net to help homeowners and businesses rebuild after flood losses, and to encourage local governments to enact better land-use and mitigation practices to reduce flood losses; and

**WHEREAS**, Ordinance 6PSF-d is scheduled for a Public Hearing, Second Reading and Final Passage on March 24, 2020; and

**WHEREAS**, there is an exigent need for Ordinance 6PSF-d to be effective after being adopted upon Second Reading and Final Passage on March 24, 2020 as flood insurance from NFIP is vitally important to promote the public health, safety, and general welfare of residents and businesses in the City of Newark, not only because it helps cities manage their flood risks, but also because it provides insurance payments needed by individuals and businesses to recover from catastrophic flooding; and

**WHEREAS**, the delay in the effective date of Ordinance 6PSF-d is critically important the City of Newark in these times of growing and changing flood risks; and

**WHEREAS**, N.J.S.A. 40:69A-181(b) authorizes a Governing Body to adopt a resolution declaring an emergency and authorizing that an Ordinance take immediate effect so long as at least two-thirds of all the members of the Governing Body vote in favor of such resolution; and

**WHEREAS**, the Municipal Council recognizes the exigent need for the Ordinance to take immediate effect so that the City can participate and remain in compliance with current NFIP regulations; and

**WHEREAS**, the Municipal Council has determined that it is therefore necessary and appropriate to adopt this resolution pursuant to N.J.S.A. 40:69A-181(b) declaring an emergency and determining that the Ordinance is adopted on March 24, 2020 and shall take immediate effect upon the Mayor's signature and publication.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. As a result of the reasons set forth herein and the important public policies enunciated, an emergency is hereby declared to exist and Ordinance 6PSF-d, adopted, as amended, on First Reading by the Municipal Council on March 4, 2020, which amends and supplements Title 12, Flood Damage Prevention, to promote the public health, safety, and general welfare of residents and businesses in the City of Newark, New Jersey, as required, in order to remain in compliance with current National Flood Insurance Program (NFIP) regulations, shall become effective after being adopted upon Second Reading and Final Passage on March 24, 2020, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need for the City to effectively manage their flood risks and continue to provide insurance payments needed by individuals and businesses to recover from catastrophic flooding.

## **STATEMENT**

This resolution hereby authorizes an emergency to be declared, and further authorizes Ordinance 6PSF-d, adopted, as amended, on First Reading by the Municipal Council on March 4, 2020, which amends and supplements Title 12, Flood Damage Prevention, to promote the public

health, safety, and general welfare of residents and businesses in the City of Newark, New Jersey, as required, in order to remain in compliance with current National Flood Insurance Program (NFIP) regulations, to become effective after being adopted upon Second Reading and Final Passage on March 24, 2020, in accordance with N.J.S.A. 40:69A-181(b), due to the exigent need for the City to effectively manage their flood risks and continue to provide insurance payments needed by individuals and businesses to recover from catastrophic flooding.