

**RESOLUTION IN SUPPORT OF THE ABILITY OF MUNICIPALITIES TO ADOPT REGULATIONS TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE FROM THREATS OF FLOODING**

**WHEREAS**, in recent years, residents have experienced more frequent and severe storms, which have caused increased flooding and flood damage in the municipality;

**WHEREAS**, the increase of flooding events and flood damage threatens the public health, safety, and welfare, imposes economic damages to residents, and taxes municipal services that are forced to respond to increased flooding;

**WHEREAS**, pursuant to N.J.A.C. 7:8-1.5(a), municipalities are permitted to impose additional or more stringent stormwater management requirements than the model ordinance promulgated by the New Jersey Department of Environmental Protection (“NJDEP”);

**WHEREAS**, each municipality has unique situations that may require additional or more stringent regulations in order to be in full compliance with the controlling state and federal statutes, regulations, and permits, and in order to protect their residents from threats of flooding and flooding related damage;

**WHEREAS**, the New Jersey Department of Community Affairs is considering proposed regulations that would further curtail a municipality’s ability to protect its residents from the threat of flooding and flood related damage;

**NOW THEREFORE, BE IT RESOLVED** by the [COUNCIL/BOARD] that it supports regulations that provide flexibility to municipalities to adopt additional and/or more stringent stormwater regulations, in order to allow municipalities to protect its residents from threats of flooding and flood damage;

**BE IT FURTHER RESOLVED**, that the [COUNCIL/BOARD] opposes the continuation of any Residential Site Improvement Standard regulations that would limit a municipality’s ability to establish more protective flood prevention and stormwater management regulations than the model ordinances promulgated by the NJDEP; and

**BE IT FURTHER RESOLVED**, that the [COUNCIL/BOARD] requests the Governor and the state legislature take action to ensure that the Residential Site Improvement Standards do not limit a municipality’s ability to protect its residents from the threat of flooding; and

**BE IT FURTHER RESOLVED**, that the [COUNCIL/BOARD] requests the NJDEP to take whatever legal action available to ensure that a municipality’s ability to protect its residents from flooding is not in any way impeded or restricted.

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[SIGNATURE]

[TITLE]

I hereby certify the foregoing to be a true resolution adopted by the [BOARD/COUNCIL] on [DATE].

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[SIGNATURE]

[TITLE]