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SMITH-WHELAN BILL TO REMOVE RED TAPE SO PROPERTY OWNERS CAN ADHERE TO FEDERAL FLOOD INSURANCE GUIDELINES ADVANCES

TRENTON – A bill sponsored by Senators Bob Smith and Jim Whelan that would relieve homeowners from local land use restrictions if they are required by FEMA to raise their homes was unanimously approved today by the full Senate.

“This legislation will have a real impact on property owners who have already been negatively affected by Hurricane Sandy, by eliminating much of the red tape that keeps them from adhering to new FEMA guidelines,” said Senator Smith, D-Middlesex and Somerset. “By allowing property owners to rebuild at the higher elevation without going through the local planning and zoning process, we can save property owners time and thousands of dollars in application, escrow and attorney fees.”

“With the new FEMA flood elevation maps, a large number of homes in some communities may have to be lifted to new heights to protect from future flooding,” said Senator Whelan, D-Atlantic. “Planning and zoning boards could be so overwhelmed that it may take months to wade through all of the applications. In the meantime, homeowners may be penalized from FEMA by having to pay exorbitant flood insurance fees since they had not met the new height requirements for their flood zone. Without this legislation, the financial repercussions on home and property owners will go far beyond the cost of raising their structures and zoning application fees.”

The bill, S-2598, would allow for homeowners or businesses who must raise an existing structure due to the new Federal Emergency Management Agency (FEMA) base flood elevation be exempted from any local land use restrictions that may be currently in place.

FEMA recently released new flood elevation maps determining the likelihood that a structure will endure a 100-year flood in the future. With these new maps, many property owners will be required to raise their homes or incur huge increases in flood insurance costs – in some areas reaching \$31,000 per year. This legislation will assist property owners in following these new regulations.

The bill now heads back to the General Assembly to concur with amendments before heading to the Governor's desk.