



THE TOWNSHIP OF UPPER

2100 Tuckahoe Road
PO Box 205
Tuckahoe, NJ 08250-0205

PAUL E. DIETRICH, SR., P.E., P.P.

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Memo

To: Real Estate Brokers and Title Agencies

From: Paul Dietrich

Date: January 25, 2021

Subject: Flood Compliance Certificate

Upper Township has adopted Ordinance 11-2020 that requires a Flood Compliance Certificate be required of all residential dwelling units including one-family, two-family, three-family and multiple-family, and individual condominium and cooperative units contained therein prior to the transfer of title of a residential dwelling and long term rental (11 months or more). The inspection of the residential dwelling shall be made to determine that there has been no substantial or material change from non-habitable space to habitable space as identified in the building plans upon which the Certificate of Occupancy was issued for the residential dwelling, and that there is not any other substantial or material deviation from the building plans upon which the Certificate of Occupancy was issued for the residential dwelling.

Any residential dwelling receiving a Certificate of Occupancy prior to January 1, 1999 will be presumed to have met the requirements of this Ordinance for the issuance of Flood Compliance Certificate. The Township, or any other person challenging this preemptive validity, must show by clear and convincing evidence that the Flood Compliance Certificate should not be issued; However, an inspection is still required.

The fee for inspection is \$100.00 and must be submitted with the attached application form.

It shall be the responsibility of the seller of the residential dwelling to obtain the Flood Compliance Certificate prior to the transfer of title. The seller shall make application to the Floodplain Manager, on forms provided by the Floodplain Manager, for the certificate. The seller shall make his/her residential dwelling available for inspection by employees of the Floodplain Manager, upon appointment, during regular business hours, Monday through Friday, from 8:30 a.m. to 4:00 p.m. The Floodplain Manager shall notify the seller of the result of the inspection within three (3) business days of the inspection. If the inspection demonstrates that a Flood Compliance Certificate should be issued, it shall be issued by the Floodplain Manager within three (3) business days of the inspection.

A Flood Compliance Certificate shall not be required if (a) A Certificate of Occupancy has been issued in connection with new construction of the residential dwelling within one (1) year of the transfer of title or (b) If, prior to the closing and transfer of title, the prospective owner provides a notarized affidavit to the Zoning Office that the property will be demolished within ninety (90) days of the transfer of title, and that the property will not be occupied during that period of time. If demolition has not occurred prior to the expiration of the ninety (90) day period, and the owner has not requested, in writing, to extend the ninety (90) day period, or the property is occupied during the initial or extended ninety (90) day period, the owner shall immediately obtain a Flood Compliance Certificate.



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TOWNSHIP OF UPPER FLOOD COMPLIANCE CERTIFICATE

Applicant's Name _____

Mailing Address (include zip code) _____

Email _____ Phone _____

Property Address _____

Block(s) _____ Lot(s) _____

Flood Zone _____ Year Built _____

Elevation Certificate Available Yes _____ No _____
(if yes please attach copy)

Settlement Date _____

Contact for Inspection _____ Phone _____

.....
(do not write below)

Date Submitted _____ Fee Paid: _____

Inspection Date _____

Compliant _____

Notes _____
