

Toms River Township Process For:

Temporary/Continued Occupancy of Substantially Damaged Residential Structures

When the town finds that a structure has been damaged over 51% of the assessed value of the structure alone (land not included) they issue a substantially damaged letter in which the property owner has 4 years to make needed repairs.

The following process will be in place as of 2/7/13 for property owners who want to continue to occupancy substantially damaged homes while awaiting funding or a contractor to elevate structures to comply with the new base flood elevations:

1. Criteria for Participation in the Process:

- a. In order to participate in this program, property owners must meet all of the following three conditions:
1. The property must have sustained "substantial damage" defined as damage greater than 50% of the market value of the dwelling unit, and
 2. The property owner desires to continue to occupy the structure and make repairs consistent with the Uniform Construction Code, and
 3. The property owner needs additional time to comply with the requirements of the flood insurance program, including but not limited to, elevation of the structure in accordance with Federal Floodplain Regulations.

2. If the Property Owner Meets All of the Above Conditions, the Process in Place Will Be As Follows:

1. The property owner will be required to obtain a letter from the Township Engineer/Floodplain Manager certifying that the dwelling unit sustained greater than 50% damage as a result of Super Storm Sandy.
2. Once the property owner obtains the letter from the Township Engineer, he or she would then proceed to the Construction Official to apply for permits to renovate the structure including a request to elevate the structure within four (4) years of the date of the permit.
3. In order to obtain the permits required, the property owner would have to fill out and sign the attached "[Acknowledgement and Release Form](#)" which will be available in the Township Attorney's office. The property owner will be required to have the document notarized either in the Township Attorney's office or at some other location and then submit the executed copy to the Township Attorney's office for recording purposes. In all cases, the property owner will need to provide a copy of their tax bill and the Township's Engineer's letter to the Township Attorney's office.
4. The Township Attorney would then proceed to record the document, and in the interim provide a copy to the property owner and a copy to the Construction Official who will then issue the permits requested once the Construction Official has completed his review of the permit application and finds everything to be in order.
5. **The property owner will then have four (4) years to comply with the floodplain regulations, including but not limited to, elevation of the structure in accordance with the "Acknowledgement and Release Form" the property owner signed. The Construction Official will "tag" the property in the Edmunds system as a way of alerting all Township agencies that the property owner has executed this form, and that requirements will follow with the property.**

The Township will pay for the cost to record the document, and the property owner will be able to move forward with the repairs and renovations to their structure as indicated.

Should you have any questions, or wish to schedule an appointment to have the Township Attorney's office notarize your signature(s), please call R. Gary Mundy, Esq., [732-341-1000 x 8250](tel:732-341-1000)