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ORDINANCE AMENDMENT TO TITLE IV OF THE CITY OF NEW HAVEN'S CODE OF ORDINANCES (THE FLOOD DAMAGE PREVENTION ORDINANCE) TO CLARIFY THAT WHEN ADDITIONS ARE MADE TO EXISTING BUILDINGS, PROVISIONS OF THE FLOOD DAMAGE PREVENTION ORDINANCE APPLY TO SUCH ADDITIONS BUT DO NOT APPLY TO THE EXISING BUILDINGS.

WHEREAS, the Board of Alders, on May 28, 1980, amended the Building Code of the City of New Haven (the "City") to add Title IV, which consisted of the establishment of Regulations relating to Flood Damage Prevention, and subsequently amended said Regulations on May 16, 1983, to comply with the requirements of the Federal Emergency Management Agency ("FEMA"); and

WHEREAS, subsequently, the State enacted a Uniform Building Code which superseded the City's Building Code, and the Board of Aldermen on March 4, 1991, deleted Title IV of Volume III of the Code of Ordinances (the "City's Building Code") and substituted in its place the Flood Damage Prevention Ordinance (the "Ordinance"); and

WHEREAS, the Board of Alders approved amendments to the Ordinance dated on June 4, 1998; October 4, 2010; May 28, 2013; and September 5, 2023, (the Ordinance as amended on September 5, 2023, may be referred to hereinafter as the "Amended Ordinance"); and

WHEREAS, the Amended Ordinance is ambiguous as to whether when an addition is added to a building, only the addition is required to comply with the Amended Ordinance or whether the building itself also has to be altered to comply with the Amended Ordinance; and.

WHEREAS, requiring the building itself to comply with the Amended Ordinance is inconsistent with the Connecticut Building Code, a number of provisions of the Amended Ordinance and may cause significant hardship to property owners in the City.

NOW, THEREFORE, BE IT ORDAINED by the New Haven Board of Alders that the Ordinance be amended to clarify that when an addition is added to an existing building, the addition must comply with the provisions of the Amended Ordinance but that the existing building may not be required to comply with the Amended Ordinance in the manner shown by the Ordinance attached hereto in Schedule A.