

ORDINANCE NO. 79

AN ORDINANCE PROVIDING FOR THE PREVENTION OF FLOOD DAMAGE WITHIN THE CITY OF PATTISON AND APPOINTING THE OFFICE OF THE MAYOR AS ADMINISTRATOR OF FLOOD CONTROL PREVENTION, PROVIDING FOR MAPS, CERTIFICATIONS, NOTICES, ANNUAL REPORTS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND CONTAINING A SEVERABILITY CLAUSE

WHEREAS, certain areas of The City of Pattison, are potentially subject to periodic flooding, causing serious damages to properties within these areas; and

WHEREAS, it is the intent of this Council to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to:

NOW, THEREFORE, BE IT RESOLVED, that this Council hereby:

I.

1. Assures the Federal Emergency Management Agency or its successor that it will enact as necessary, and maintain in force, in these areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and
2. Vests the Office of the Mayor or its designee including the City Engineer or Building Inspector, with the responsibility, authority and means to:
 - (a) Assist the Administrator, at its request, in the delineation of the limits of the area having special flood hazards.
 - (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood-related erosion areas as the Administrator may request.
 - (c) Maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new construction or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been

floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.

- (d) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e. mudflow) or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide, (i.e. mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (e) Upon occurrence, notify the Administrator in writing whenever tile boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of the map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
 - (f) Submit an annual report to the Administrator concerning the community's participation in the program, including, but not limited to the development and implementation of floodplain management measures.
3. Appoints the Officer of the Mayor or its designee including the City Engineer or Building Inspector, with the responsibility, authority, and means to implement the commitments as outlined in this Ordinance.
 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

II.


1. Severability. If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances if for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion thereof or provision, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.
2. Effective Date. This Ordinance shall be effective immediately upon its passage, approval, and publication and all Ordinances or portions of Ordinances heretofore passed in conflict

with the terms hereof are specifically repealed.

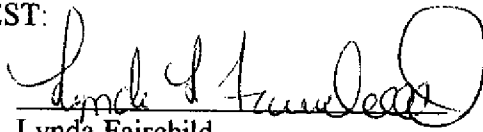
3. The City Secretary is instructed to post and publish notice of this Ordinance as required by law, by publishing only the descriptive caption.

PASSED AND APPROVED this 10TH day of August, 2004.

CITY OF PATTISON, TEXAS

By: 
Bill Matthews
Mayor

ATTEST:

By: 
Lynda Fairchild
City Secretary

ALDERMEN VOTING:

LYNN BELL	<u>No</u>
ROY TAYLOR	<u>Yes</u>
KATHRYN WILSON	<u>Yes</u>
PAT BUFKIN	<u>Abstained</u>
LARRY SABRSULA	<u>Yes</u>

