

**ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, CHAPTER 151(A) AND (B)(6) OF CHAPTER 151 FLOOD DAMAGE PREVENTION TO REDESIGNATE THE DEVELOPMENT ENGINEERING DIRECTOR AS THE FLOODPLAIN ADMINISTRATOR AND REDESIGNATING THE PROPER STATE AGENCY FOR NOTIFICATION; REPEALING AND REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local government units to adopt regulations designed to minimize flood losses; and

WHEREAS, the City Council currently designates by Ordinance the Building Official to act as Floodplain Administrator; and

WHEREAS, the City Council recognizes the need from time to time to consider the resources of the city are allocated appropriately.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. Section 151.55(A) and (B)(6), of the City of Pflugerville, Texas Code of Ordinances is repealed and replaced with new Section 151.55(A) and (B)(6) to read as shown below:

(A) The Development Engineering Director is hereby designated as the Floodplain Administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to flood plain management.

(B) Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

....

(6) Notification, in riverine situations, of adjacent communities and the Texas Commission on Environmental Quality (TCEQ) prior to any alteration or relocation of a watercourse and submission of evidence of such notification to the Federal Emergency Management Agency;

....

Section 2. Severability.

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 3. Effective Date.

This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Jeff Coleman, Mayor

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
George E. Hyde, City Attorney

DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH P.C.