

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 151 FLOOD DAMAGE PREVENTION, SECTION 151.55 FLOODPLAIN ADMINISTRATOR BY REDESIGNATING THE CITY ENGINEER OR APPOINTEE AS THE FLOODPLAIN ADMINISTRATOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; 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 has adopted Chapter 151 Flood Damage Prevention pursuant to this authority to manage floodplain development to minimize flood losses; and

WHEREAS, Section 151.55 designates a 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 floodplain management; and

WHEREAS, the City Council has the authority to amend its ordinances and regulations as necessary to comply with current operations and to ensure 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. **Findings.** The findings contained in the preamble of this Ordinance are hereby declared to be true and correct and are adopted as part of this Ordinance.

Section 2. **Amendment to Municipal Code of Ordinances.** The City of Pflugerville, Texas Code of Ordinances, Title XV (“Land Usage”), Chapter 151 (“Flood Damage Prevention”), section 151.55 (“Floodplain Administrator”) is hereby amended by deleting language that is stricken-through (~~strikethrough~~) and amending language that is underlined (underlined) as follows:

§ 151.55 FLOODPLAIN ADMINISTRATOR.

(A) The ~~development engineering director~~ City Engineer or appointee 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 floodplain management.

Section 3. 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 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. 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 _____, 2020.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney

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