

ORDINANCE NO. 2015-29

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING SEC. 50-32 OF CODE OF ORDINANCES CHAPTER 50, FLOOD DAMAGE PREVENTION FOR THE PUPOSE OF ADOPTING THE "SHADY GROVE FLOOD STUDY REPORT, SHADY GROVE SUBDIVISION, CITY OF BURNET, TEXAS" AS THE BASIS FOR ESTABLISHING BASE FLOOD ELEVATIONS FOR LOTS DEVELOPED ALONG A DRAINAGE SWALE CONTRIBUTING TO DAUGHERTY BRANCH; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Flood Insurance Study (FIS) for Burnet County, Texas and Incorporated Areas dated 15 March, 2012 designates an area of shallow flooding (A-zone) that encompasses or impacts certain properties located in the vicinity of a drainage swale that contributes to the Daugherty Branch; and

WHEREAS, said A-zone, because it was established without benefit of a flood hazard study, does not establish Base Flood Elevations (BFE) for those properties encompassed or impacted by said zone; and

WHEREAS, established Base Flood Elevations provide for the public health, safety and general welfare, and provide the information needed to minimize public and private losses due to flood conditions in specific areas of the City; and

WHEREAS, the October 2015, "Shady Grove Flood Study Report; Shady Grove Subdivision; City of Burnet, Texas" prepared by William H Engineering provides a basis for establishing base flood elevations for such a specific area of the City;

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

Section 1. Chapter 50, Article III, Sec. 50-32 – Amended:

Code of Ordinances Chapter 50, Article III, Sec. 50-32 – Basis for establishing the areas of special flood hazard is hereby amended to read as follows:

The areas of special flood hazard identified by the Federal Emergency Management Administration in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Burnet County, Texas and Incorporated Areas" dated 15 March 2012, the "Zone A Drainage Study, Base Flood Elevation Study of Delaware Creek, Burnet, Texas" dated October 2012, the "Shady Grove Flood Study Report; Shady Grove Subdivision; City of Burnet, Texas" prepared by William H Engineering and dated October 2015, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

Section 2. Repeal of Conflicting Ordinances. All Ordinances or parts thereof in conflict herewith are amended to the extent of such conflict only.

Section 3. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

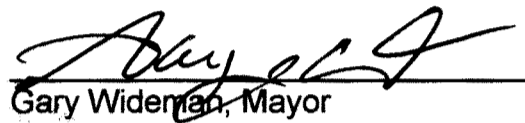
Section 4. Open Meetings. That it is hereby officially found and determined that the meeting which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

Section 5. Effective Date. This ordinance shall take effect after adoption by the City Council and publication as required by the Local Government Code.

PASSED AND APPROVED on First Reading this 8th day of December 2015.

FINALLY PASSED AND APPROVED on this the 12th day of January 2016.

CITY OF BURNET


Gary Wideman, Mayor

ATTEST


Kelly Dix, City Secretary

