

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE CITY OF BASTROP, TEXAS CODE OF ORDINANCES, CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.17 FLOOD DAMAGE PREVENTION, SECTION 3.17.007 ADMINISTRATION TO ALLOW THE CITY MANAGER TO APPOINT A DESIGNEE TO SERVE AS FLOODPLAIN ADMINISTRATOR; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROPER NOTICE AND MEETING; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager is the only person currently designated to serve as the Floodplain Administrator; and

WHEREAS, technical training, knowledge, and skills are required to adequately perform in the position of Floodplain Administrator; and

WHEREAS, the technical training, knowledge, and skills required for a Floodplain Administrator are separate from the training, knowledge, and skills of a City Manager; and

WHEREAS, the City Manager makes assignments, appointments, and staffing decisions based on the best qualified personnel.

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

Section 1: That Chapter 3 of the City of Bastrop, Texas Code of Ordinances, entitled "Building Regulations", Article 3.17, entitled "Flood Damage Prevention", Section 3.17.007, entitled "Administration", shall be amended as follows:

ARTICLE 3.17 - FLOOD DAMAGE PREVENTION

Section 3.17.007 Administration

- (a) *Designation of the Floodplain Administrator.* The City Manager, or their designee, is hereby appointed the Floodplain Administrator to administer and implement the provisions of this section and other appropriate sections of 44 CFR (Emergency Management and Assistance National Flood Insurance Program regulations) pertaining to floodplain management.
- (b) *no change*
- (c) *no change*
- (d) *no change*

Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.


Section 4: This Ordinance shall take effect upon the date of final passage noted below.

Section 5: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ and APPROVED on First Reading on the 26th day of March 2019.

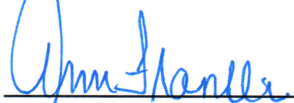
READ and ADOPTED on Second Reading on the 9th day of April 2019.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney