

ORDINANCE NO. 10-2016

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE “LAND DEVELOPMENT CODE” OF THE ABILENE MUNICIPAL CODE, CHAPTER 3 “SUBDIVISION REGULATIONS,” ARTICLE 2, “SUBDIVISION STANDARDS,” DIVISION 11, “STORMWATER MANAGEMENT,” SECTION 1(B) BY AMENDING THE SECTION AS SET OUT BELOW, PROVIDING A DEFINITION FOR BASE FLOOD ELEVATION.

WHEREAS, Base Flood Elevation is not defined by the current ordinance, and

WHEREAS, the inclusion of a definition for Base Flood Elevation would provide further clarification and meet the requirements of FEMA,

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

- PART 1:** That City of Abilene Land Development Code, Chapter 3, Article 2, Division 11, Section 3.2.11.(b) of the Code of Ordinances, City of Abilene, Texas, be amended to include the definition for Base Flood Elevation as set out in Exhibit A, attached and made a part of this ordinance of all purposes.
- PART 2:** That all subsequent definitions be renumbered accordingly.
- PART 3:** That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- PART 4:** That any person, firm, or corporation violating the provisions of this Ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.
- PART 5:** Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 11th day of February, 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on 21st day of February, 2016, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 25th day of February, 2016, to permit the public to be heard. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 25th day of February, 2016.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT A

City of Abilene Land Development Code, Chapter 3, Article 2, Division 11, Section 3.2.11.1(b)

ADD

- (6) Base Flood Elevation (BFE) – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.