

ORDINANCE NO. 2012-07

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, REPLACING CHAPTER 50 (FLOODS) OF THE BURNET CODE OF ORDINANCES AND ADOPTING A NEW CHAPTER 50 ENTITLED FLOOD DAMAGE PREVENTION, 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 ordinances of the City establishing a flood management program within the City should be amended or replaced to provide for the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas of the City.

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

Section 1. Findings of Fact:

- a. The flood hazard areas of Burnet, Texas are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- b. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood-proofed or otherwise protected from flood damage.

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. Amendment of the Code of Ordinances. Chapter 50 of the Code of Ordinances of the City are hereby amended, repealed and replaced in their entirety with Exhibit "A" attached herewith.

Section 4. 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 5. 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 6. Effective Date. This ordinance shall take effect on 15 March, 2012 after adoption by the City Council and publication as required by the Local Government Code.

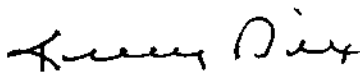
PASSED AND APPROVED on First Reading this 14th day of February 2012.
FINALLY PASSED AND APPROVED on this the 28th day of February 2012.

CITY OF BURNET



Gary Wideman, Mayor

ATTEST



Kelly Dix, City Secretary

