

CITY OF WILLOW PARK

ORDINANCE NO. 672-13

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE MUNICIPAL “FLOOD DAMAGE PREVENTION ORDINANCE” (ORDINANCE NO. 582-08 ADOPTED SEPT. 15, 2008) BY ADDING AN ADDITIONAL PARAGRAPH TO ARTICLE 5, SECTION B “SPECIFIC STANDARDS” REGULATING THE PLACEMENT AND ELEVATION OF CERTAIN ELECTRICAL EQUIPMENT; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, Texas (“City”) is a municipal corporation organized under the laws of the State of Texas; and,

WHEREAS, it is the intent of the City Council to protect the public health, safety and welfare and well being of its citizens; and,

WHEREAS, certain flood hazard areas within the City are subject to periodic inundation which may result in the loss of life or property, create health and safety hazards, or disrupt commerce, all of which adversely affect public health, safety and the general welfare of citizens; and,

WHEREAS, flood losses may be created by the cumulative effect of obstructions in the flood plain which may cause an increase of flood heights and velocity; and,

WHEREAS, the State has delegated the responsibility to local municipalities to adopt regulations designed to minimize flood losses pursuant to the Flood Control Insurance Act (“FCIA”) §16.315, TEXAS WATER CODE; and,

WHEREAS, the City finds that participation in the National Flood Insurance Program (“NFIP”) is a benefit by making certain persons eligible for loans, grants, guaranty, insurance or disaster assistance for structures within the special flood hazard areas within the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, or Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

The “*FLOOD DAMAGE PREVENTION ORDINANCE*” (Ordinance No. 582-08 adopted Sept. 15, 2008) is amended by adding a subparagraph (6) to ARTICLE 5 “*Provisions for Flood Hazard Reduction*”, Section B “*SPECIFIC STANDARDS*” as follows:

(6) Power Handling Equipment – Require that electrical power handling equipment for commercial or residential structures including, but not limited to, switches, distribution panels, terminal boxes, or transformers be located so that the electrical power handling equipment is elevated to a minimum of three (3) feet above the base flood elevation.

SECTION 3. SEVERANCE

If for any reason any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4: RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 5: PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof and the effective date of this ordinance as required by Section 52.011 of the TEXAS LOCAL GOVERNMENT CODE.

SECTION 6: APPLICATION

The terms, conditions, and requirements set forth in SECTION 2 herein shall only apply to power handling equipment installed or replaced on or after the effective date herein.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect after publication as required herein.

PASSED AND ADOPTED this the 13th day of August, 2013.

R. C. Neverdousky
Richard Neverdousky, Mayor

ATTEST:

Yael Hoffman
Yael Hoffman, City Secretary

APPROVED AS TO FORM:

/s/ _____
Rider Scott, City Attorney

The Willow Park City Council in acting on Ordinance No. 672-13 did on the 13th day of August, 2013 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	_____/✓	_____
Gene Martin, Place 2	_____/✓	_____
Amy Podany, Place 3	_____/✓	_____
Dan Stalling, Place 4	_____/✓	_____
Bernard Suchocki, Place 5	_____/✓	_____