

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 58 - FLOODS OF THE NEW BRAUNFELS CODE OF ORDINANCES TO ADOPT UPDATED FLOOD INSURANCE RATE MAPS AND STUDIES AND UPDATE FLOODPLAIN ADMINISTRATOR DESIGNATION.

WHEREAS, the City Council of the City of New Braunfels, Texas has the authority under its Home Rule Charter and under the laws of the State of Texas to adopt regulations aimed to protect the health, safety and general welfare of its citizens.

WHEREAS, The National Flood Insurance Program (NFIP) was established to reduce the financial risk for property owners and renters of participating communities through insurance in exchange for the adoption of floodplain management regulations that reduce future flood damages.

WHEREAS, new or revised flood hazard data must be incorporated into ordinance through new regulations or amendment of existing regulations within six months of the letter of final determination.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

I.

THAT the City of New Braunfels Code of Ordinances Chapter 58 – FLOODS is hereby amended as follows:

58-28.2. *Basis for establishing the areas of special flood hazard.* The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Comal County, Texas and Incorporated Areas," dated Effective May 8, 2024, with accompanying flood insurance rate maps and/or flood boundary-floodway maps (FIRM and/or FBFM) dated Effective May 8, 2024, and any revisions thereto are hereby adopted by reference and declared to be a part of this article; and

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Guadalupe County, Texas and Incorporated Areas," dated Effective March 27, 2024, with accompanying flood insurance rate maps and/or flood boundary-floodway maps (FIRM and/or

FBFM) dated Effective March 27, 2024, and any revisions thereto are hereby adopted by reference and declared to be part of this article.

58-29.1. *Designation of the floodplain administrator.* The city engineer or city engineer's designee is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

II.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof is declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

III.

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

IV.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the 18th day of March, 2024.

PASSED AND APPROVED: Second reading this the _____ day of _____, 2024.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY