

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY ENTITLED FLOODS BY AMENDING SEC. 50-61 TO ADOPT THE FINAL FLOOD HAZARD DETERMINATION FOR THE CITY OF LEAGUE CITY, GALVESTON COUNTY, TEXAS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), BY AMENDING SEC. 50-66 TO ADJUST VARIANCE PROCEDURES FOR NON-INHABITABLE STRUCTURES, AND AMENDING SEC. 50-81 TO REDUCE SUBSTANTIALLY IMPROVED OR DAMAGED TIME PERIOD TO A FIVE-YEAR PERIOD PROVIDING FOR A PENALTY, CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

**Section 1.** That the Code of Ordinances if hereby amended to AMEND Section 50-61 entitled “*Basis for establishing areas of special flood hazard*” by deleting section 50-61 in its entirety and replacing it with the following:

The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Study in the current scientific and engineering report entitled, “The Flood Insurance Study (FIS) for Galveston County, Texas, and incorporated areas dated August 15, 2019 , with the accompanying flood insurance rate maps and flood boundary-floodway maps (FIRM and FBFM) dated August 15, 2019, and any revisions thereto are hereby adopted by reference and declared to be part of this ordinance

**Section 2.** That the Code of Ordinances if hereby amended to AMEND Section 50-66 entitled “*Appeals and Variances.*” by deleting subsection 50-66(a) in its entirety and replacing it with the following:

The planning and zoning commission, as established by the city, shall hear and render judgment on requests for variances from the requirements of this article. The Director of Engineering may grant variances from the requirements of this article for non-inhabitable structures only.

**Section 3.** That the Code of Ordinances if hereby amended to AMEND Section 50-81 entitled “*General Standards*” by deleting subsections 50-81(10) and 50-81(15) in their entirety and replacing them with the following:

(10) A structure shall be deemed to be substantially improved or substantially damaged when the cumulative costs of the improvements or damage repairs, when combined incrementally over a five-year period of time, equal or exceed 50 percent of the market value of the structure. Structures located within the 0.2% Flood Zone will be excluded from this requirement.

(15) When fill or any other development is placed in the special flood hazard area that has the effect of reducing the storage volume of flood waters in the floodplain, then an equal amount of storage volume must be created in another location of the same floodplain to compensate for the storage capacity lost. Fill or other development within the special floodplain hazard area and the 0.2% floodplain shall not negatively affect upstream/downstream properties.

**Section 4.** Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

**Section 5.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 6.** Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

**Section 7.** Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

**Section 8.** Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective immediately upon passage.

PASSED first reading the \_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED second reading the \_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2019.

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PAT HALLISEY  
Mayor

ATTEST:

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DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

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NGHIEM V. DOAN  
City Attorney