

File

ORDINANCE NO. 1976-1

AN ORDINANCE TO PROVIDE CERTAIN REQUIREMENTS WHICH MUST BE MET BEFORE A BUILDING PERMIT IS ISSUED AND TO OUTLINE CERTAIN REQUIREMENTS GOVERNING THE DESIGN AND INSTALLATION OF WATER AND SEWERAGE SYSTEMS; TO PROVIDE FOR AND CREATE THE OFFICE OF TOWN BUILDING PERMIT AGENT AND THE APPOINTMENT OF SUCH AGENT; TO PROVIDE FOR PENALTIES FOR THE VIOLATION HEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Board of Aldermen of the Town of San Felipe, Texas, finds it necessary to provide that building construction and installation of water and sewerage systems comply with the requirements of the Federal program of flood insurance; and

Whereas, the Mayor and the Board of Aldermen of the Town of San Felipe, Texas, desires to put into effect such compliance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF SAN FELIPE, TEXAS, AS FOLLOWS:

Section 1. A building permit shall be issued by the Town of San Felipe, Texas, only after the Town Building Permit Agent has determined that the proposed building site is reasonably safe from flooding; or if flood hazard exists, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

- a. be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- b. use construction materials and utility equipment that are resistant to flood damage; and
- c. use construction methods and practices that will minimize flood damage.

Section 2. No person, firm, corporation, partnership, association or any other legal entity shall construct or cause to be constructed any structure of substantial improvement to any structure (residential, industrial, commercial or otherwise) without first obtaining a permit to construct same from the Town Building Permit Agent of the Town of San Felipe, Texas, which said office is hereby created and shall be filled by appointment by this body.

Section 3. Proposed subdivisions and land use areas shall be reviewed to assure that (a) all proposals for construction provide for methods to minimize flood damage, (b) all public utilities and facilities such as sewerage, gas, electric service and water systems are located and constructed to minimize or eliminate flood damage and (c) adequate drainage is provided for so as to reduce exposure to flood hazards.

Section 4. All new or replacement water supply systems and/or sanitary sewerage system shall be designed to minimize or eliminate infiltration of flood waters into the systems/and discharge from the systems into the flood waters.

Section 5. Whoever undertakes construction of a structure without first obtaining a permit as provided for herein shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than \$15.00 nor more than \$50.00 or not less than ten days nor more than twenty days in the Town jail or both at the discretion of the court.

Section 6. All ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 7. If provision of this ordinance be declared void or unconstitutional, such declaration shall not effect the remaining portions of this ordinance.

Section 8. An emergency exists due to the need to preserve the public health, safety and welfare, necessitating that this ordinance become effective immediately upon its passage.