

ORDINANCE NO. 20126-9861

AN ORDINANCE AMENDING CHAPTER 47 ENTITLED “FLOOD DAMAGE PREVENTION” OF THE IRVING LAND DEVELOPMENT CODE BY ADDING SECTION 47-18 TO ADOPT AN OPERATIONS AND MAINTENANCE PLAN FOR THE RUNNING BEAR PARK LEVEE SYSTEM AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Legislature of the State of Texas, has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, pursuant to federal regulation, 44 C.F.R. Part 65, levee systems officially recognized by the U.S. Federal Emergency Management Agency (FEMA) must be maintained in accordance with an officially adopted operations and maintenance plan; and

WHEREAS, the City of Irving made improvements to the levee by increasing the height of the levee as required by FEMA; and

WHEREAS, the levee protects 47 homes from the 100 year flood event from Bear Creek and West Fork Trinity River and adoption of this Ordinance protects the general health, safety, and welfare of the citizens of the City of Irving and the state of Texas and is required by FEMA;

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

SECTION 1. That Chapter 47 entitled “Flood Damage Prevention” of the Irving Land Development Code is hereby amended by adding a new Section 47-18 to read as follows:

Sec. 47-18. Running Bear Park Levee System – Operations and Maintenance Plan.

The City hereby adopts the Running Bear Park Levee System Operations and Maintenance Plan as approved by the U.S. Federal Emergency Management Agency (FEMA), which shall be kept on file in the office of the city secretary of the City of Irving.

SECTION 2. That the official Running Bear Park Levee System Operations and Maintenance Plan is hereby attached to and made a part of this Ordinance as Attachment A.

SECTION 3. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on
September 22, 2016.

BETH VAN DUYNE
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney