

ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF SIMONTON, TEXAS, ENTITLED “FLOOD DAMAGE PREVENTION”, BY UPDATING THE BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD AS PROVIDED IN SECTION 8-124 OF THE CODE OF ORDINANCES OF THE CITY OF SIMONTON; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Simonton, Texas (the “City Council”), determines it is in the best interest of the health, safety, and welfare of the citizens of the City of Simonton, Texas (the “City”) to amend Chapter 8, Article IV, Section 8-124 of the Code of Ordinances, entitled “Basis for establishing the areas of special flood hazard” (the “Code”); and

WHEREAS, the City Council desires to update the Code to ensure that the health, safety, and welfare of the citizens of the City is maintained and providing for the most up-to-date local statutory requirements for flood damage prevention; and **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS:

SECTION 1. THAT, the City Council hereby finds and determines that the statements set forth in the preamble of this Ordinance are true and correct and are incorporated herein for all purposes.

SECTION 2. THAT, Section 8-124 of the Code of Ordinances, City of Simonton, Texas, is hereby amended to read as follows:

“Sec. 8-124. – Basis for establishing the areas of special flood hazard.

The areas of special flood hazard shall be those areas of special flood hazard identified by the Federal Emergency Management Agency in the scientific and engineering report entitled “Flood Insurance Study for Fort Bend County, TX and Incorporated Areas” made effective January 29, 2021, with accompanying Flood Insurance Rate Maps and Flood Boundary Floodway Maps dated January 29, 2021, and any revisions thereto; with such report and maps being adopted by reference and declared to be a part of this Article.”

SECTION 3. THAT, any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000), with each day of violation constituting a separate offense.

SECTION 4. THAT, in the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent or ordinances jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and, the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 5. THAT, the City Council hereby directs the City Secretary to publish the caption of the Ordinance as required under and according to State law.

SECTION 6. THAT, the amendment to the Code of Ordinances, City of Simonton, Texas provided for in this Ordinance shall be in full force and effect upon the date of its passage.

PASSED AND APPROVED this 17th day of November 2020.


LAURIE BOUDREAUX, MAYOR

ATTEST:


Erica Molina, City Secretary