



## Legislation Text

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**File #:** 19-078, **Version:** 1

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**To:** Mark R. Hafner, City Manager

**From:** Alonzo Liñán, Director of Public Works

**Subject:**

Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 4, Buildings, Article III, Flood hazard prevention, by deleting Article III, in its entirety and adding a new Article III; providing a severability clause; providing a penalty; authorizing publication; and establishing an effective date.

**Background:**

As a member of the National Flood Insurance Program (NFIP), the City of Keller is required by the Department of Homeland Security through the Federal Emergency Management Agency (FEMA) to formally adopt floodplain regulations that meet or exceeds the requirements set forth in Code of Federal Regulations Title 44 Part 59 (44 CFR 59). In summary, these regulations require that the City of Keller have floodplain management regulations in place sufficient to avoid adverse effects to public health, safety and general welfare and to minimize losses due to flood events. By keeping this ordinance current, Keller residents can continue to secure flood insurance and federally backed loans for land/home purchases in known flood areas.

The city currently has an ordinance in place last updated in 2009 that reflects the FEMA flood maps available at the time. However, FEMA has been updating these maps over the last decade and requires that local ordinances be updated to reflect use of these latest flood maps.

FEMA requires evidence be submitted that applicable regulations have been adopted reflecting these new maps by March 21, 2019. Failure to adopt by the required date will result suspension of Keller's participation in the NFIP.

Once the ordinance has been updated as required by FEMA, staff will send notification to FEMA so that the city can continue to participate in the NFIP.

**Financial Impact:**

Not Applicable

**Citizen Input/Board Review:**

Not Applicable

**Legal Review:**

The City Attorney has reviewed and approved the proposed Ordinance.

**Alternatives:**

City Council has the following alternatives:

- Approve as submitted
- Approve with changes
- Denial

**Council Action:**

Staff recommends approval of the proposed ordinance update.