

CITY OF DRIPPING SPRINGS

ORDINANCE NO. _____

AN ORDINANCE ADOPTING ARTICLE 22.08 FLOOD DAMAGE PREVENTION ORDINANCE; ESTABLISHING REGULATIONS FOR DEVELOPMENT RELATED TO FLOOD DAMAGE PREVENTION IN THE HILL COUNTRY ENVIRONMENT; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; CRIMINAL PENALTIES; AND, SEVERABILITY

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality, including its extraterritorial jurisdiction where floodplains and flood damage prevention are considered; and

WHEREAS, the City Council finds that regulating development in a way that prevents flood damage is beneficial to the hill country environment; and

WHEREAS, the City Council finds that flood hazard areas of Dripping Springs are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public’s health, safety and general welfare; and

WHEREAS, the City Council finds that these flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage; and

WHEREAS, the City Council has determined that reasonable rules and regulations governing development for flood damage prevention are necessary to maintain water quality, protect the region’s livability, preserve life and property, and reinforce Dripping Springs’ status as the Gateway to the Hill Country; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Section 16.315 of the Texas Water Code, the State of Texas has delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, the City has determined that adopting an ordinance related to flood damage prevention is required by state law; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt an ordinance regulating development as it relates to flood damage prevention.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Article 22.08, Flood Damage Prevention Ordinance of the City of Dripping Springs Code of Ordinances is adopted to read in accordance with Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

Article 22.08 and all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective when enacted and publication is done as required by law.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the _____ day of _____, 2025, by a vote of _____ (*ayes*) to _____ (*nays*) to _____ (*abstentions*) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS

By: _____
Bill Foulds, Mayor

ATTEST:

Diana Boone, City Secretary

CERTIFICATION OF ADOPTION

APPROVED: _____
Diana Boone, City Secretary

PASSED: January 7, 2025

ORDINANCE BECOMES EFFECTIVE: _____
(effective date)

I, the undersigned, Diana Boone, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the City of Dripping Springs, Texas, at a regular meeting duly convened on January 7, 2025.

Diana Boone, City Secretary