

**CITY OF JOSHUA, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, AMENDING SECTION 3.07.007, “BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD”, OF ARTICLE 3.07, “FLOOD DAMAGE PREVENTION,” OF CHAPTER 3, “BUILDING REGULATIONS,” OF THE CODE OF ORDINANCES OF THE CITY OF JOSHUA, TEXAS; MAKING FINDINGS RELATIVE THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the United States Federal Emergency Management Agency (FEMA) is progressing towards the adoption of a newly revised Flood Insurance Rate Map (FIRM) for Johnson County and Incorporated Areas; and

**WHEREAS**, the new FIRM and Flood Insurance Study (FIS) for Johnson County and Incorporated Areas will be effective September 21, 2023; and

**WHEREAS**, FEMA has requested that the City Council adopt the new FIRM and FIS prior to September 21, 2023, and the purpose of this revision to Section 3.07.007 of the Code of Ordinances is to adopt the new FIRM and FIS prior to said date; and

**WHEREAS**, the City Council has determined that such amendment would be in the best interests of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:**

**SECTION 1**

All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2**

From and after the effective date of this Ordinance, Section 3.07.007, “Basis for Establishing the Areas of Special Flood Hazard,” of Article 3.07, “Flood Damage Prevention,” of Chapter 3, “Building Regulations,” of the Code of Ordinances of the City of Joshua, Texas, is hereby amended as follows:

**“Sec. 3.07.007      Basis for Establishing the Areas of Special Flood Hazard**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, “The Flood Insurance

Study (FIS) for Johnson County, Texas, and Incorporated Areas,” dated September 21, 2023, with accompanying Flood Insurance Rate Maps (FIRM) dated September 21, 2023, and any revisions thereto are hereby adopted by reference and declared to be a part of this article.”

### **SECTION 3**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

### **SECTION 4**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

### **SECTION 5**

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the laws of the State of Texas.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THIS THE 20TH DAY OF JULY, 2023.**

\_\_\_\_\_  
Scott Kimble, Mayor

**ATTEST:**

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Alice Holloway, City Secretary

**APPROVED AS TO FORM:**

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Terrence S. Welch, City Attorney