

ORDINANCE NO. 05-101

AN ORDINANCE OF THE CITY OF HAWK COVE, TEXAS, LIMITING SEWER SERVICE TO NEW DEVELOPMENT ON LOTS WITHIN THE 100-YEAR FLOOD PLAIN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code, Chapter 51, provides for municipal ordinances not inconsistent with state law, necessary for the good order of the municipality; and

WHEREAS, the City of Hawk Cove, Texas ("City") recognizes the risks involved in locating structures in the 100-year floodplain, as identified by the Federal Emergency Management Administration; and

WHEREAS, the City Council of the City of Hawk Cove believes it is in the best interest of the citizens of the City to limit sewer service to new development on lots that are within the 100-year flood plain.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAWK COVE, TEXAS, THAT:

SECTION 1

That 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

The City Council hereby adopts the following ordinance:

"The City of Hawk Cove will not extend sewer service to new development on lots that are within the 100 year floodplain, as identified by the Federal Emergency Management Administration (FEMA), without the following:

On-site sewerage disposal facilities shall be approved by the Hunt County Health Department; comply with local requirements for development within the 100-year floodplain; and be in conformance with TCEQ regulations. Evidence that all required permits have been obtained with respect to the sewerage disposal facility should be demonstrated.

The floor elevation of the structure shall be a minimum of 1.0 feet above the established 100 year floodplain and be located in an area in which flood insurance is available.