

**RESOLUTION NO. R-020-2001**

**RESOLUTION OF THE VILLAGE OF WIMBERLEY AUTHORIZING THE EXERCISE OF POWER BY THE VILLAGE TO TAKE ACTIONS PROVIDED UNDER TEXAS WATER CODE CHAPTER 16; PROVIDING FOR THE FOLLOWING: ENFORCEMENT AUTHORITY; INSPECTION AUTHORITY; CIVIL ENFORCEMENT; CUMULATIVE AUTHORITY; AN EFFECTIVE DATE; AND PROPER NOTICE AND METING.**

**WHEREAS** certain areas of the Village of Wimberley, are subject to periodic flooding, causing serious damages to properties within these areas; and

**WHEREAS** it is the intent of the City Council to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

**WHEREAS** the City Council has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to TEXAS WATER CODE Chapter 16, and other law.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the Village of Wimberley, Texas hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force, in these areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and
2. Vests the Village of Wimberley with the responsibility, authority and means to:
  - (a) Assist the Administrator, at his/her request, in the delineation of the limits of the area having special flood hazards.
  - (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood related erosion areas as the Administrator may request.

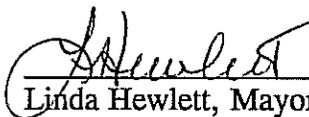
- (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood related erosion areas as the Administrator may request.
- (c) Maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new construction or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.
- (d) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e., mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBM'S AND firm's accurately represent the community's boundaries, include within such notification a copy of the map of the community suitable for reproduction, clearly

delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

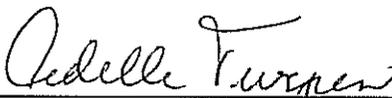
- (f) Submit an annual report to the Administrator concerning the community's participation in the Program, including, but not limited to the development and implementation of floodplain management measures.
3. Appoints the Mayor or the Mayor's designee with the responsibility, authority, and means to implement the commitments as outlined in this Resolution.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2001, by a 5 to 0 vote of the City Council of the Village of Wimberley.

**VILLAGE OF THE WIMBERLEY**

By:  \_\_\_\_\_,  
Linda Hewlett, Mayor

**ATTEST:**

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Adelle Turpen, City Secretary