

60.3 (b)

City of Angus, Texas  
Ordinance # 144

**FLOOD DAMAGE PREVENTION ORDINANCE**

AN ORDINANCE OF THE CITY OF ANGUS, TEXAS APPROVING AND  
ADOPTING A FLOOD DAMAGE PREVENTION ORDINANCE.

**ARTICLE I**

**STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS**

**SECTION A. STATUTORY AUTHORIZATION**

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas has in Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Angus, Texas, does ordain as follows:

**SECTION B. FINDINGS OF FACT**

(1) The flood hazard areas of City of Angus 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 health, safety and general welfare.

(2) 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.

**SECTION C. STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;

(3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) Minimize prolonged business interruptions;

(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

(7) Insure that potential buyers are notified that property is in a flood area.

#### **SECTION D. METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development, which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which unnaturally divert flood waters or which may increase flood hazards to other lands.

## ARTICLE 2

### DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**ALLUVIAL FAN FLOODING** - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

**APEX** - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

**APPURTENANT STRUCTURE** - means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

**AREA OF FUTURE CONDITIONS FLOOD HAZARD** - means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

**AREA OF SHALLOW FLOODING** - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD** - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.E, AR/AO, AR

**BASE FLOOD** - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION (BFE)** - The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equalling or exceeding that level in any given year - also called the Base Flood.

**BASEMENT** - means any area of the building having its floor subgrade (below ground level) on all sides.

**BREAKAWAY WALL** - means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the portion of the building or supporting foundation system.

**CRITICAL FEATURE** - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**DEVELOPMENT** - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**ELEVATED BUILDING** - means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**EXISTING CONSTRUCTION** - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities; the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be

affixed (including the installation of utilities, the construction of streets, and installation of utilities, either final site grading or the pouring of concrete pads):

**FLOOD OR FLOODING** - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD ELEVATION STUDY** - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**FLOOD HAZARD BOUNDARY MAP (FHBM)** - means an official map of a community, issued by the Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.

**FLOOD INSURANCE RATE MAP (FIRM)** - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** - see *Flood Elevation Study*

**FLOODPLAIN OR FLOOD-PRONE AREA** - means any land area susceptible to being inundated by water from any source (see definition of flooding).

**FLOODPLAIN MANAGEMENT** - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS** - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOOD PROTECTION SYSTEM** - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOOD PROOFING** - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY** - see *Regulatory Floodway*

**FUNCTIONALLY DEPENDENT USE** - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE** - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE** - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a historic district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

(4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

**LEVEE** - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**LEVEE SYSTEM** - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**LOWEST FLOOR** - means the lowest floor of the lowest enclosed areas (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

**MANUFACTURED HOME** - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**MANUFACTURED HOME PARK OR SUBDIVISION** - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MEAN SEA LEVEL** - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**NEW CONSTRUCTION** - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**RECREATIONAL VEHICLE** - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light-duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**RIVERINE** - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**SPECIAL FLOOD HAZARD AREA** - see *Area of Special Flood Hazard*

**START OF CONSTRUCTION** - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a



substantial improvement, the actual start of construction means the first actual start of alteration of any wall, ceiling, floor, or other structural part of a building, or floor, or other whether or not that alteration affects the external dimensions of the building.

**STRUCTURE** - means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**SUBSTANTIAL DAMAGE** - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

**VARIANCE** - means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

**VIOLATION** - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal and riverine areas.

## ARTICLE 3

### GENERAL PROVISIONS

#### **SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES**

The ordinance shall apply to all areas of special flood hazard with the jurisdiction of City of Angus.

#### **SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM), Community Number, 481547, dated June 5, 2012, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

#### **SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

#### **SECTION D. COMPLIANCE**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

#### **SECTION E. ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F. INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

**SECTION G. WARNING AND DISCLAIMER OR LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**ARTICLE 4**

**ADMINISTRATION**

**SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR**

The Code Enforcement Officer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

**SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR**

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

### **SECTION C. PERMIT PROCEDURES**

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(e) Maintain a record of all such information in accordance with Article 4, Section (B) (1).

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

#### **SECTION D. VARIANCE PROCEDURES**

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to a lot of 1/2 acre and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

## ARTICLE 5

ARTICLE

### PROVISIONS FOR FLOOD HAZARD REDUCTION

#### SECTION A. GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:



(1) **Residential Construction** - new construction and substantial improvements of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

**(4) Manufactured Homes -**

(a) Require that all manufactured homes to be placed within Zone A on a community's FIRM shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either

(i) the lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

**SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS**

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

**SECTION D. SEVERABILITY**

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION E. PENALTIES FOR NON COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$ 500.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Angus City Council from taking such other lawful action as is necessary to remedy any violation.

**SECTION F. CERTIFICATION OF ADOPTION**

APPROVED: \_\_\_\_\_ (community official)

PASSED: April 12, 2016 (adoption date)

ORDINANCE BECOMES EFFECTIVE: April 12, 2016 (effective date)

I, the undersigned, Julie Humphries, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the Angus City Council, at a regular meeting duly convened on April 12, 2016

APPROVED:  
Julie Humphries  
Julie Humphries, Mayor

APPROVED:  
\_\_\_\_\_  
Julie Humphries, Mayor

ATTEST:  
Trina Jeffers  
Trina Jeffers, City Secretary

ATTEST:  
\_\_\_\_\_  
Trina Jeffers, City Secretary



DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
**APPLICATION FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM**

O.M.B. NO. 1660-0004  
Expires: 09/30/2017

**PAPERWORK BURDEN DISCLOSURE NOTICE**

Public reporting burden for this form is estimated to average 4 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. This collection of information is required to obtain or retain benefits. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, and Paperwork Reduction Project (1660-0004). **NOTE: Do not send your completed form to this address.**

APPLICANT COMMUNITY NAME (City, town, etc.) <b>City of Angus</b>	DATE <b>4/12/2016</b>
---	--------------------------

COUNTY, STATE <b>Navarro County, Texas</b>
---

COMMUNITY OFFICIAL - CHIEF EXECUTIVE OFFICER (CEO) <b>Julie Humphries- Mayor</b>	E-MAIL ADDRESS <b>cityofangus1973@yahoo.com</b>	TELEPHONE # (Include area code) <b>903-874-3513</b>
---	--	--

ADDRESS (Street or box no. city, state, zip code) <b>6008 South IH 45 West Corsicana, TX 75109</b>
---

PROGRAM COORDINATOR (Official, if different from above, with overall responsibility for implementing program)	E-MAIL ADDRESS	TELEPHONE # (Include area code)
---	----------------	---------------------------------

ADDRESS (Street or box #., city, state, zip code)
---

LOCATION OF COMMUNITY REPOSITORY FOR PUBLIC INSPECTION OF NFIP MAPS <b>Angus Government Center</b>
---

ADDRESS <b>6008 South IH 45 West, Corsicana, TX 75109</b>
--

**ESTIMATES FOR THOSE AREAS PRONE TO FLOOD AND/OR MUDSLIDE AS OF THE DATE OF THIS APPLICATION**

AREA IN ACRES	POPULATION	NUMBER OF 1-4 FAMILY STRUCTURES	NUMBER OF ALL OTHER STRUCTURES
<b>35</b>	<b>31</b>	<b>311</b>	<b>2</b>

**ESTIMATES OF TOTALS IN ENTIRE COMMUNITY**

POPULATION	NUMBER OF 1-4 FAMILY STRUCTURES	NUMBER OF ALL OTHER STRUCTURES
<b>414</b>	<b>approx. 200</b>	<b>approx. 10</b>

**FOR FEMA REGIONAL USE ONLY**

FEMA REGIONAL OFFICE	NAME OF CONTACT	TELEPHONE NUMBER
----------------------	-----------------	------------------

LEVEL OF 44 CFR 60.3 REGULATION ADOPTED (Check one) <input type="checkbox"/> 60.3 <input type="checkbox"/> 60.3(b) <input type="checkbox"/> 60.3(c) <input type="checkbox"/> 60.3(d) <input type="checkbox"/> 60.3(e)	CHECK APPROPRIATE BOX: <input type="checkbox"/> EMERGENCY PHASE <input type="checkbox"/> REGULAR PHASE
--	--

IF REGULAR PROGRAM, SPECIFY FIRM INDEX DATE. IF USING ANOTHER COMMUNITY'S FIRM, GIVE COMMUNITY NAME, CID, FIRM INDEX DATE AND MAP PANEL NUMBER DEPICTING COMMUNITY

Corsicana Daily Sun  
405 E. Collin St  
P.O. Box 622  
Corsicana, Texas 75151-0622

\*\*\*\*\*AFFIDAVIT\*\*\*\*\*

CITY OF ANGUS  
6008 SOUTH I-45 WEST  
CORSICANA, TX 75110

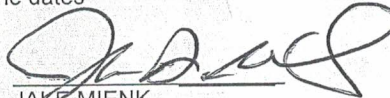
CITY OF ANGUS  
6008 SOUTH I-45 WEST  
CORSICANA, TX 75110

Date	Description	Quantity	Unit	Rate	Total
04/23/16	ORDINANCE	2.00		9.94	19.88
04/26/16	ORDINANCE	2.00		9.94	19.88

COUNTY OF NAVARRO

39.76

BEFORE ME, the undersigned authority, on this day personally appeared JAKE MIENK, says he is the PUBLISHER of the CORSICANA DAILY SUN, a daily newspaper having general circulation in said county and state and that the notice, a copy of which is hereto attached, was published in said newspaper on the dates listed above.

  
JAKE MIENK

SUBSCRIBED AND SWORN TO BEFORE ME, this the

5TH

DAY OF MAY 2016





Notary Public in and for the State of Texas



corsicanadailysun.com

Public Notices

LEGAL NOTICE
Citizens State Bank, Austin, Texas, is applying to the Federal Deposit Insurance Corporation...

NOTICE TO CREDITORS
Notice is hereby given that certain Letters Testamentary of the County Court of Travis County, Texas...

Notice is hereby given that First State Bank, Athens, Texas, has filed an application with the Texas Department of Banking...

Any person wishing to comment on this application, either for or against, may file written comments with the Texas Department of Banking...

Published in the Corsicana Daily Sun on 4-26-2016

BUY IT-SELL IT-FIND IT
DAIY SUN CLASSIFIED

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER RENEWAL

APPLICATION AND PRELIMINARY DECISION. City of Angus, 6008 South Interstate Highway 45 West, Corsicana, Texas 75109...

CHANGE IN LAW: The Texas Legislature enacted Senate Bill 709, effective September 1, 2015...

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application...

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments...

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone numbers...

Following the close of all applicable comment and request periods, the Executive Director will review the applications and any requests for reconsideration...

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request for reconsideration is filed...

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list...

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Information Program...

Further information may also be obtained from City of Angus at the address stated above or by calling Ms. Trina Jeffers, City Secretary, at (903) 878-3331.

CLASSIFIEDS

Public Notices

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

On or about April 10, 2016 the City of Corsicana, Texas will exercise the Corsicana Housing Authority to submit a request to the U.S. Department of Housing and Urban Development...

ENVIRONMENTAL CERTIFICATION
The City of Corsicana Texas certifies to U.S. Department of Housing and Urban Development...

OBJECTIONS TO RELEASE OF FUNDS
U.S. Department of Housing and Urban Development, Office of Public Housing will accept objections to release of funds...

Public Notices

Chuck McLanahan, Mayor
City of Corsicana, Texas
(903) 654-4803

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Public Notices

Chuck McLanahan, Mayor
City of Corsicana, Texas
(903) 654-4803

Tuesday, April 26, 2016 - 11

Miscellaneous

1928 Cline Baby Grand Piano, \$1000
OBC, Located in Athens, TX
(903)881-4676

Free Summer Scares for Trunk or Treat
(903)326-4851

Wood buildings 10x16, \$1850; and 12x24, \$2600
Call (214)869-1703

Free Lab mix, cream female, 10 wks old. Shots & worming current. (903)602-6034

2007 Cadillac DTS, good car, 903-519-4589

2005 Sweetwater 221 Portion Boat, 75HP, Yamaha 4 stroke & trailer, restrooms, anchor, cover, enclosure like new. (214)722-0565

1981 Honda Silverwing, only 2000 mi., adult owned, lots of extras. \$2800. Located in Strat Harbor, 903-498-1950

Public Notices

If you have been treated unfair in Navarro County by a judge including Justice of the Peace, or any attorney, Please reply with proof to: United States Citizens for Justice, PO Box 1735, Corsicana, TX 75151

City of Angus

Employment

NORTHLAND Position Opening PART-TIME DISPATCHER

Northland Communications is seeking a part-time Dispatcher responsible for coordinating and managing the field staff work force...

NORTHLAND IT Support Specialist

Are you? Experienced Technician. Minimum of 2 years of experience that includes maintenance, repair, upgrades, enhancements and configuration of hardware, software and operating systems...

Reporter wanted

The Palestine Herald-Press in Palestine, Texas, is 4-day-only in east Texas in search of our next top news reporter. This is a full time, permanent position with benefits...

Ben E. Keith Budweiser-Palestine

HIRING - 1 POSITION AVAILABLE
Sales and Service Asst. Driver
Job Code #12155
CDL Preferred/Not required
Assisting with product delivery and EOD paperwork

SOMETHING FOR EVERYONE YOU'LL FIND IT IN... The Corsicana Daily Sun (877) 670-3400

Top Notch Personnel Local Area Jobs Heavy Industrial Clerical Production Operators Forklift Operators Apply in person 1023 W. 2nd Ave www.topnotchpersonnel.com

DRIVERS NEEDED
For long haul and regional carrier in Corsicana, TX. Must have 2 years verifiable experience and a clean driving record. Pays \$.38 cents per mile. New equipment. Please apply at 1022 N. Business 45 in Corsicana, TX or 903-878-3025. www.rylletransports.com



Public Notices

**NOTICE TO CREDITORS**

Notice is hereby given that original Letters Testamentary for the Estate of Joseph B. McNally, Deceased, were issued on April 18, 2016, in Case No. P18530, pending in the County Court of Navarro County, Texas, as Joseph B. McNally, Jr.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

Attorney at Law  
 Barbara S. Moss  
 1200 West 2nd Avenue  
 Corsicana, Texas 75110

DATED the 22<sup>nd</sup> day of April, 2016.

*Barbara S. Moss*  
 Barbara S. Moss  
 Attorney at Law  
 1200 West 2nd Avenue  
 Corsicana, Texas 75110  
 Telephone: (903) 674-1199  
 Facsimile: (903) 821-0441  
 E-mail: bmoss@mylawoffices.com

Public Notices

Public Notices

Public Notices

**NOTICE TO CREDITORS**

Notice is hereby given that Letters Testamentary for the ESTATE OF MICHAEL LOYD SHAVER, was issued on April 18, 2016, in Case number P18530, pending in the County Court of Navarro County, Texas, to WARREN JUSTICE MULLER. All persons having claims against this estate which is currently being administered are required to present them to the undersigned as attorney within the time and in the manner prescribed by law. Drew N. B. PC, 8117 Preston Road, suite 300, Dallas TX 752

for voting in a general  
 7 p.m., del 7 de Mayo 2016

**LEGAL NOTICE**

The following ordinance was passed and approved on the 12th day of April 2016 by the Angus City Council and is available in the city secretary's office at the Angus Govt. Center. The caption reads as follows.

An ordinance of the city of Angus, Texas APPROVING AND ADOPTING A FLOOD DAMAGE PREVENTION ORDINANCE.  
 City Secretary  
 Trina Jeffers



ADVERTISING FOR BIDS

The City of Corsicana will receive bids for the Office of the City Manager, 200 N. 12th Street envelope marked "S15th Street Mill and Overlay". Bids will be publicly opened and read aloud at the Government Center.

Bids are invited for the items of work including:

- 6,222 SY of Shoulder Widening
- 9350 TN of Type C Asphalt Paving
- 22,400 LF of TY II Pavement Markings
- 60 LF of 3' X 2' Culvert Extensions
- 6 Concrete Headwalls

A Bid Bond for 5% of the bid amount, issued certified check or bank draft payable to the City. The current Davis-Bacon and Related Acts wage schedule ensures that employees and applicants for employment are of legal age, of good moral character, of American religion, national origin, physical or mental health.

The City of Corsicana reserves the right to reject any or all bids. Bids may be held for 30 days from the date of the opening. Bids may be obtained beginning Tuesday April 26, 2016 at the Government Center. *Potential bidders must be present by May 4, 2016.*

Contractors/subcontractors who are debarred, or who are prohibited from participation on federal assistance programs may not be eligible to bid.

**Sell it...  
 Find it...  
 Buy it...**

**All in the  
 Corsicana  
 Daily Sun  
 Classifieds**

**(877) 670-3400**

ing hours will be between  
 nación extendidas serán  
 (ACION TEMPRANA)  
 A POSTAL)  
 L CALDE)

When you want  
 to sell it,  
 Classified's  
 the best place  
 to tell it!  
 (877) 670-3400

FROST INDEPENDENT SC REQUEST FOR PROPOSAL TOTAL CAMPUS ENERGY OPTIMIZATION

The intent of this Request for Proposal (RFP) is to solicit responses from qualified Energy Service Companies (ESCOs). For the purposes of this RFP, ESCO refers to any turnkey energy conservation program that includes all the services of the Texas Energy Performance Contracting Guidelines. The intent is for an energy conservation project including total price for total savings guarantee, and contract for the district to sign to begin to four year financing with an annual guarantee to equal the capabilities to install, monitor and guarantee savings of a large improvement program. The Frost ISO ("Owner") intends to perform cost effective total campus energy optimization and to the ESCO demonstrating the best overall value to the Owner comprehensive energy efficiency and conservation services to be provided by the ESCO. Bids will be received until 2:00 PM, April, 25, 2016 at the address Indicated within this document.

Sealed responses shall be received no later than: April, 25, 2016 @ 2:00 P.M., LOCAL TIME

RETURN RESPONSE TO:  
**Name: Duane Limbaugh**  
**Title: Superintendent**  
**Address: 208 Wyrick Street**  
**City, ST Zip: Frost, TX 76641**

Please mark envelope: "TOTAL CAMPUS ENERGY OPTIMIZATION"  
 Responses received after the deadline will not be considered.  
 Requests for clarification of any questions must be received at least seven (7) business days prior to the bid opening date.  
 Questions should be directed to Duane Limbaugh at duane.limbaugh@frost-tx.gov or to all known responders as a written response.