

ORDINANCE NO. 20131107-086

AN ORDINANCE WAIVING PERMITTING AND DEVELOPMENT FEES AND REQUIREMENTS AND REIMBURSING FEES AND COSTS RELATED TO DAMAGE RESULTING FROM CERTAIN FLOODING EVENTS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The city council makes the following findings:

- (A) The City of Austin, Texas experienced exceptionally heavy rains and flooding during the week of October 28, 2013, causing the Mayor to declare a local state of disaster.
- (B) At least 15 homes within the City of Austin's planning jurisdiction have been determined to be dangerous, and approximately 1,100 households have been affected by the flooding.
- (C) Approximately 100 cars were disturbed by flood waters and had to be towed to allow City officials to properly inspect damaged property.
- (D) The City has a health and safety interest in protecting the disaster area from the spread of mold, disease or further degradation.
- (E) There is an immediate need to prevent the disaster area from becoming a blighted area within the City of Austin.

PART 2. FEE WAIVERS.

The city council waives all residential permitting and development fees that, in the judgment of the Building Official, are required to repair or reconstruct structures or property damaged or destroyed as a result of the flooding that occurred in the City of Austin's planning jurisdiction during the week of October 28, 2013. The fees covered by this waiver include, but are not limited to, permitting, plan review, inspection, demolition, and variance fees. The fees covered by this waiver are for repair of existing structures only. The fees covered by this waiver do not include fees for reinspections.

PART 3. REIMBURSEMENT OF FEES.

The City Manager is authorized to reimburse Southside Towing for towing fees of \$75.00 for each vehicle the City required to be towed from the flooded area during the week of October 28, 2013, in order for City officials to inspect damaged property in the flooded area.

PART 4. EXPIRATION OF WAIVERS AND REIMBURSEMENTS.

This ordinance expires on May 31, 2014.

PART 5. EMERGENCY PASSAGE.

Based on the findings in Part 1 of this ordinance, the city council finds that repair and reconstruction of flood-related damage constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, November 7, 2013 §
 § Lee Leffingwell
 § Lee Leffingwell
 Mayor

APPROVED: Karen M. Kennard
 Karen M. Kennard
 City Attorney

ATTEST: Jannette S. Goodall
 Jannette S. Goodall
 City Clerk