

**ORDINANCE NO. 20151108-002**

**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 beginning the week of October 26, 2015 (the "Flood Event"), causing the Mayor to declare a local state of disaster.
- (B) The City has a health and safety interest in protecting the disaster area from the spread of mold, disease or further degradation.
- (C) 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 beginning the week of October 26, 2015. 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. PERMITTING REQUIREMENTS.**

Notwithstanding any provisions of the City Code, the Building Official has the authority to allow minimum life safety repairs to a building damaged in the Flood Event if the Building Official determines that the building is structurally sound.

**PART 4. EXPIRATION.**

This ordinance expires on May 31, 2016.

## 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 8, 2015

APPROVED: \_\_\_\_\_

Anne L. Morgan  
Interim City Attorney

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ATTEST: \_\_\_\_\_

Steve Adler  
Mayor

Jannette S. Goodall  
City Clerk