ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 8-5-21 OF THE CITY CODE TO ADD A NEW SUBSECTION GIVING AUTHORITY TO THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT TO BAN THE USE OF BULL CREEK AND BARTON CREEK DURING FLOODS; AND CHANGING POSTING REQUIREMENTS.

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

PART 1. City Code Section 8-5-21 of the City Code, *(Ban by Fire Chief)* is amended to read:

§ 8-5-21 – Waterway Bans *(Ban by Fire Chief)*.

(A) Except as provided by Subsection (B), the fire chief may ban recreational or commercial boating on, or recreational use of all, or a part of, a lake, river, creek, or other affected area after determining that flooding is occurring or likely to occur.

(B) The director may ban recreational or commercial boating on, or recreational use of all, or a part of, Bull Creek or Barton Creek after determining that flooding is occurring or likely to occur.

(C) In making a determination to order a ban, the fire chief and the director shall consider information available from the City’s flood early warning system and recognized standards for issuing an advisory flood notice.

(D) If the fire chief or the director orders a ban, the official ordering the ban [fire chief] shall:

   (1) post the ban at city hall;

   (2) post the ban on the city website [publish the ban in a newspaper of city-wide circulation]; and

   (3) provide copies of the ban to local radio and television stations.

(E) A ban is effective when posted on the city website [at city hall].

(F) A ban must include an expiration date that is not later than the fifth day after the posting date.

(G) The fire chief or the director may issue another ban if flood conditions persist.
PART 2. This ordinance takes effect on ____________.

PASSED AND APPROVED

________________________, 2018

________________________$_$

________________________$_$

________________________$_$

Steve Adler
Mayor

APPROVED:  ATTEST:
Anne L. Morgan        Jannette S. Goodall
City Attorney         City Clerk