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**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 to read:

**§ 8-5-21 – Waterway Bans [~~Ban by Fire Chief~~].**

- (A) Except as provided by Subsection (B), t[T]he 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:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

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

Jannette S. Goodall  
City Clerk