

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLLTON, TEXAS CHAPTER 174, "STORMWATER AND FLOOD PROTECTION ORDINANCE", BY REVISING ARTICLE 8, FLOODPLAIN GUIDELINES AND ADDING REQUIREMENTS FOR MANUFACTURED HOMES AND CONSTRUCTION STANDARDS FOR STRUCTURES; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, the City of Carrollton, Texas (the "City") is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, Section 54.004 of the Texas Local Government Code provides that a Home Rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City Council previously enacted Ordinance 3685 for the regulation of development within floodplain areas and stormwater and flood protection; and

WHEREAS, certain revisions to Ordinance 3685 are necessary to comply with federal regulatory requirements; and

WHEREAS, the City Council has investigated and determined that the revisions are necessary to protect health, life, and property of the citizens in the City and comply with federal regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The above and foregoing premises are found to be true and correct legislative and factual findings of the City Council and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

The Code of Ordinances of the City of Carrollton Title XVII, Chapter 174, Article 8, Section B(4)(a) is hereby amended to read as follows:

Article 8, Section B (4)(a) - Manufactured Homes

“For all manufactured homes that are placed or substantially improved within a floodplain and flood-prone area that are moved onto sites for manufactured homes within an existing manufactured home park in which a manufactured home has not incurred substantial damage as a result of a flood, require that:

- All manufactured homes meet the minimum FEMA requirements;
- Stands or lots are created so that the lowest floor of the manufactured home is at minimum one foot (1’) above the design flood elevation;
- Adequate surface drainage and access for a hauler are provided; and;
- Manufactured homes shall be placed in a floodplain area on a pad site created by compacted fill or supported.”

SECTION 3

The Code of Ordinances of the City of Carrollton Title XVII, Chapter 174, Article 8, Section B(9)(e) is hereby amended to read as follows:

Article 8, Section B, Item 9e – Additional Construction Standards for Structures

- “Mechanical, electrical, and utility equipment shall be located at minimum one foot (1’) above the design flood elevation. Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations must not be placed in basements. Electrical circuits for basements shall be separate from circuits serving floors above the basement, and circuits for basements shall be installed lowered from above.”

SECTION 4

All provisions of the ordinances of the City of Carrollton in direct conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Carrollton not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

SECTION 6

This Ordinance shall take effect immediately upon its adoption and publication.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas,
this 6th day of June, 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Jonathan Wheat
Engineering Director