

**ORDINANCE 2021-608**

**AN ORDINANCE OF THE CITY OF SMITHVILLE, TEXAS AMENDING THE BUILDING REGULATIONS ORDINANCE, CHAPTER 3, CITY OF SMITHVILLE CODE OF ORDINANCES, ARTICLE 3.02 CONSTRUCTION CODES AND STANDARDS, DIVISION 3. RESIDENTIAL CODE BY ADDING SEC 3.02.073 MINIMUM 12 INCHES ABOVE THE CROWN OF THE ROAD REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Smithville, Texas, a General Law Type A incorporated municipality and operating under the Laws of the State of Texas;

**WHEREAS**, the City of Smithville has the authority to adopt rules and regulations governing building regulations;

**WHEREAS**, the City Council desires to add to the building regulations ordinance the requirement of any new residential constructed homes shall have a finished floor elevation of 12 inches (12") above the crown of the road as determined by the City of Smithville.;

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

1. **Findings of Fact.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.
2. **Enactment.** Chapter 3 Building Regulations, Article 3.02 Construction Codes and Standards, Division 3 Residential Code, of the Smithville Code of Ordinances the City of Smithville, Texas is amended by adding verbatim the following articles:


**Section I.** Any new residential constructed homes shall have a finished floor elevation of 12 inches (12") above the crown of the road as determined by the City of Smithville:

3. **Repealer.** All ordinances, resolutions, or parts thereof, that are in conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict or inconsistency, and the provisions of this Ordinance shall be and remain controlling as to the matter regulated herein.

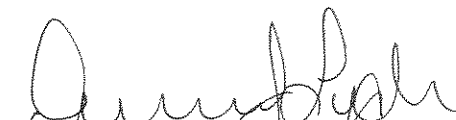
4. **Severability.** Should any section, subsection, sentence, provision, clause, or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and same are deemed severable for this purpose.
  
5. **Effective Date.** This Ordinance shall be effective as of the date of adoption.

**PASSED, APPROVED, AND ADOPTED THIS 9<sup>th</sup> DAY OF AUGUST, 2021.**

**APPROVED:**

  
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Joanna Morgan, Mayor

**ATTEST:**

  
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Jennifer Lynch, City Secretary