

City of Houston, Code of Ordinances

Chapter 19 Section 11. - In general.

No building permit, paving permit, utility construction permit or other permit required for a structure or development shall be issued, and no plat shall be approved, unless the applicant demonstrates that the permit or plat meets the applicable requirements of this chapter, or unless a variance, excepting such structure or development from the provisions of this chapter, is granted under the terms of this chapter.

(Ord. No. 85-1705, § 1, 9-25-85; Ord. No. 96-1376, § 4, 12-18-96; Ord. No. 03-1190, § 4, 12-3-03; Ord. No. 06-894, § 10, 8-30-06)

Sec. 19-12. - Duties of city engineer.

The city engineer is charged with exercising best engineering judgement in the administration and implementation of the provisions of this chapter. His duties in this regard shall include, but are not limited to, the following:

- (1) Maintaining and holding open for public inspection all records pertaining to the provisions of this chapter including a record of all floodproofing certificates filed hereunder with the specific elevation (in relation to mean sea level) to which such structures are floodproofed.
- (2) Reviewing, approving, or denying all applications for development permits required by the adoption of this chapter.
- (3) Reviewing applications for development permits to ensure that all necessary licenses, approvals, or permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
- (4) Where interpretation is needed as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), making the necessary interpretation of the maps which shall be liberally construed by the city engineer in favor of inclusion of the site in a special flood hazard area.
- (5) Notifying adjacent communities, the Harris County Flood Control District and the Texas Commission on Environmental Quality prior to any alteration or relocation of a watercourse within the city, and submitting evidence of such notification to the Federal Emergency Management Agency.
- (6) Cooperate with the responsible local, state and federal agency to maintain the flood-carrying capacity of the altered or relocated portion of any watercourse within the city.
- (7) When and where base flood elevation data has not been provided, obtaining, reviewing and reasonably utilizing any base flood elevation data and floodway data

available from a federal, state or other source including any information obtained in connection with the provisions of [section 19-13](#)(b) of this chapter, as criteria in administering the applicable provisions of this chapter.

(8) Where an amendment or supplement to a FIRM that is being administered as provided in [section 19-4](#) of this Code expresses base flood elevation based on different data than the FIRM it amends or supplements, reconciling the conflicting data to determine the more restrictive base flood elevation.

(Ord. No. 85-1705, § 1, 9-25-85; Ord. No. 87-393, § 2, 3-25-87; Ord. No. 90-635, § 48, 5-23-90; Ord. No. 96-1376, § 5, 12-18-96; Ord. No. 03-1190, § 5, 12-3-03; Ord. No. 04-383, § 4, 4-28-04; Ord. No. 06-894, § 11, 8-30-06)

Sec. 19-13. - Plat approval; issuance.

(a) Any person who is required or elects to obtain a plat shall also comply with the provisions of this chapter, if applicable.

(b) When a person files an application for approval of a plat, the approval of the plat is subject to the approval of a drainage plan for the property that is the subject of the plat application if the property is located in whole or in part in a special flood hazard area within the city. The drainage plan shall include the base flood elevation data for the property certified as true and correct on the face of the drainage plan by a registered professional engineer licensed in the State of Texas. If alternative base flood elevations exist for the property because of the administration of supplemental data as provided in [section 19-4](#) of this Code, the drainage plan shall include both base flood elevations.

(c) The city engineer shall review the drainage plan and determine whether the development will be reasonably safe from flooding and whether such proposed development is:

(1) Consistent with the need to minimize flood damage within the special flood hazard area;

(2) To be constructed so that all public utility facilities including, but not limited to, sanitary sewer, gas, water and electrical systems are located and constructed so as to minimize flood damage from the base flood;

(3) To be constructed so that drainage is provided to reduce exposure of such development to flood hazards; and

(4) Would comply with the applicable requirements of article III of this chapter.

(d) If the proposed development satisfies the criteria in subsection (c) of this section, the city engineer shall approve the drainage plan and shall so notify the city planning commission in writing.