

**ORDINANCE NO. 12-09**

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES FOR THE CITY OF SOUTH PADRE ISLAND (*DUNE PROTECTION, BEACH RENOURISHMENT, AND BEACH ACCESS PLAN* IMPLEMENTING PROVISIONS) BY ADDING A NEW SEC 22-2E; ADOPTION OF THE “EROSION RESPONSE PLAN” FOR THE CITY OF SOUTH PADRE ISLAND; AND ESTABLISHING AN EFFECTIVE DATE**

**Whereas**, in 2009 the Texas Legislature passed House Bill 2571 which mandated that each coastal community develop an Erosion Response Plan (ERP); and  
**Whereas**, while this legislative directive is “voluntary,” cities and counties that fail to prepare an ERP are ineligible for state assistance under certain grant programs such as the Coastal Erosion Planning and Response Act; and  
**Whereas**, the Erosion Response Plan has been prepared by the City and reviewed and approved by the Shoreline Task Force, and  
**Whereas**, the City Council has reviewed the Erosion Response Plan, and  
**Whereas**, it is in the best interest of the City to develop an ERP in accordance with the statute and the regulatory requirements found in Texas Natural Resources Code, §33.607 and Chapter 31, Texas Administrative Code, §15.17 et. seq..

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:**

Section 1: That the attached Erosion Response Plan is hereby approved.

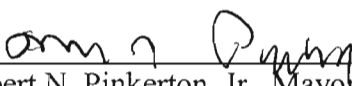
Section 2: That Chapter 22-2 of the Code of Ordinances, is hereby amended to add section E, to read as follows:

“E. The City of South Padre Island does hereby adopt an Erosion Response Plan, to explore means and methods to reduce the public expenditures due to damage to property and infrastructure that can result from shoreline change, erosion, and storm conditions. The plan is filed with the City Secretary or is located on the City’s website.”

Section 3: This ordinance shall become effective immediately.

**PASSED, APPROVED, AND ADOPTED on First Reading, this 18<sup>th</sup> day of July 2012.**

**PASSED, APPROVED, AND ADOPTED on Second Reading, this 1st day of August 2012.**

  
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Robert N. Pinkerton, Jr., Mayor

ATTEST:

  
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Susan Hill, City Secretary

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