

**CITY OF ROLLINGWOOD, TEXAS**

**ORDINANCE NO. 2016-03-16**

**AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,  
AMENDING ARTICLE 8.06.006 OF THE CODE OF ORDINANCES  
TO EXTEND THE PERIOD WHEN TRIMMING OAK TREES IS  
PERMITTED; PROVIDING A SAVINGS CLAUSE, AND  
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, the City Council has been presented with information by the Texas A&M Forest Service that trimming of trees should be prohibited during the months February – June in order to prevent the spread of oak wilt disease,

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

**SECTION 1.** Subsection (a) of Section 8.06.006 of the Code of Ordinances of the City of Rollingwood ("**Code**") is hereby amended to provide as follows:

**Sec. 8.06.006    Trimming or cutting of trees susceptible to oak wilt**

(a)    The trimming or cutting of oak trees susceptible to oak wilt disease for purposes other than protecting the public or protecting property from imminent damage shall be conducted only outside of the period February 1st through June 30<sup>th</sup> of each year (the "**Proscribed Period**"). The surface of the cut must be treated immediately with an acceptable paint to mask the exposed wound from contamination.

(b)    Any wounds, whether made by trimming, construction or accident, shall be treated immediately with an acceptable paint.

(c)    Except in exigent circumstances to protect the public from imminent danger, advance written approval must be obtained to trim or cut an oak tree during the Proscribed Period to protect the public or to protect property from imminent damage. Written approval maybe provided by electronic mail or any other means, as authorized by the City Administrator, the Building Official, or the Mayor.

**SECTION 2.** A caption that summarizes the purpose of this Ordinance and the penalty for violating this Ordinance shall be published as provided by Tex. Loc. Gov't Code § 52.011.

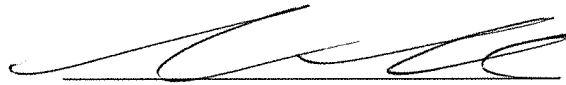
**SECTION 3.** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision

thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.


**SECTION 4.** This ordinance shall take effect immediately.

**APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas, on the 16<sup>th</sup> day of March, 2016.

APPROVED:

  
Thom Farrell, Mayor

ATTEST:

  
Robyn Ryan, City Secretary

**Changes to current Code indicated in red text and strikethrough.**

**Sec. 8.06.006    Trimming or cutting of trees susceptible to oak wilt**

(a)    The trimming or cutting of oak trees susceptible to oak wilt for purposes other than protecting the public or protecting property from imminent damage shall ~~should~~ be conducted only outside of the time period of February 1st~~5th~~ through June 30th~~15th~~ of each year (the “**Proscribed Period**”). The surface of the cut must be treated immediately with an acceptable paint to mask the exposed wound from contamination.

(b)    Any wounds, whether made by trimming, construction or accident, shall be treated immediately with an acceptable paint.

(c)    Except in exigent circumstances to protect the public from imminent danger, advance written approval must be obtained to trim or cut an oak tree during the Proscribed Period to protect the public or to protect property from imminent damage. Written approval maybe provided by electronic mail or any other means, as authorized by the City Administrator, the Building Official, or the Mayor.