

ORDINANCE NO. 960

AN ORDINANCE OF THE TOWN OF HOLLYWOOD PARK, TEXAS, AMENDING CHAPTER 72, TREES AND PUBLIC TREE CARE, BY REPEALING SECTION 72-13 (3), TIME FRAME FOR TRIMMING AND REMEDIAL COVERING, AND ADOPTING A NEW SECTION 72-13 (3), AND BY AMENDING SECTION 72-13 (4), PROTECTION OF TREES DURING CONSTRUCTION, TO CLARIFY MAINTENANCE RESTRICTIONS DURING CONSTRUCTION

WHEREAS, the City Council of the Town of Hollywood Park adopted Ordinance #943 on June 17, 2014 which addressed oak tree care in the Town of Hollywood Park; and

WHEREAS, Section 72-13 (3) of Chapter 72, Trees and Public Tree Care, requires residents, proprietors and tree contractors to only cut or trim oak trees from July 1st through January 31st; and

WHEREAS, the City Council of the Town of Hollywood Park desires to clarify the prohibited tree care activities addressed in Section 72-13 (3); and

WHEREAS, the City Council of the Town of Hollywood Park desires to clarify maintenance restrictions during construction in Section 73-13 (4).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS that Chapter 72 of the Code of Ordinances of the Town of Hollywood Park is hereby amended by repealing Section 72-13 (3) and adopting the following new Section 72-13 (3):

"Sec. 72-13. Preventive Measures.

(3) Time Frame for Trimming and Remedial Covering

Maintenance of oak trees on private property, including but not limited to, cutting, trimming, pruning and removal of ball moss, shall be limited to July 1st through the following January 31st when fungal spore formation and beetle activity are lowest. Any maintenance requires that all wounds to the trunk, limbs and root system of oak trees in the town shall be painted immediately, before moving on to the next limb, but no later than 30 minutes after the wound, with asphaltic or black exterior oil or a black latex-based paint. Such painting of the live oak tree is to prevent contact with contaminated nitidulid beetles. Due to the changeable nature of weather in Central Texas, wound dressing should be applied immediately to all wounds/damage to oak trees regardless of the time of year that the wound occurs. The only exception for maintaining oak trees outside the designated time frame is for clearing branches posing a danger to life or

property, and in such event a permit must first be obtained and the remedial covering required in this subsection must be applied.”

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS that Chapter 72 of the Code of Ordinances of the Town of Hollywood Park is hereby amended by adopting the following new sentence at the end of Section 72-13 (4):


“Other than the requirement for the painting of wounds, the maintenance restrictions provided in Section 72-13 (3) shall not apply to the removal and/or maintenance of oak trees during the construction of new structures or additions to existing structures to the extent, and only to the extent, such exemption is necessary for the advancement of the construction project.”

This Ordinance shall become effective after its passage and publication according to law.

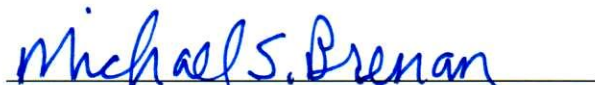
PASSED, APPROVED and ADOPTED by the City Council of Hollywood Park, Texas, on this 21st day of April, 2015.


Chris Fails, Mayor

ATTEST:


Janice Alamia, City Secretary

APPROVED AS TO FORM:


Michael S. Brennan, City Attorney