

ARTICLE V. - PUBLIC TREE CARE

Sec. 54-179. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning. Words not specifically defined shall have the meanings given in Webster's Ninth New Collegiate Dictionary, as revised.

Public trees shall mean any trees, shrubs, bushes, and all woody vegetation in town parks or town-owned property and rights-of-way.

(Ord. No. 48-09, § 2, 12-7-2009)

Sec. 54-180. - Care of public trees.

(a) The parks and recreation director and/or his designee shall have the responsibility to plant, prune, maintain, and remove public trees.

(b) No person shall remove, destroy, or cause the removal or destruction of a tree on town property or in any town park without first having obtained written permission for such removal or destruction from the parks and recreation director and/or his designee.

(c) All planting, pruning, maintenance, or removals of public trees shall be done in accordance with approved industry practices and in accordance with specifications set forth by the parks and recreation director and/or his designee.

(Ord. No. 48-09, § 2, 12-7-2009)

Sec. 54-181. - Trees—Generally.

(a) It is hereby declared a nuisance for any person to knowingly maintain a tree which adversely affects the health of public trees or that may adversely affect the safety of the public.

(b) The parks and recreation director and/or his designee may recommend the removal of any tree which is affected by any injurious fungus insect or other pest disease.

(c) The parks and recreation director and/or his designee may, in appropriate cases and upon consultation with a property owner, require a property owner to remove or prune a tree on private property which threatens the safety of those who may use a town street or town park.

(d) The town may take all necessary action to enforce this section, including but not limited to the rights and remedies set forth in V.T.C.A., Local Government Code, Ch. 54

(Ord. No. 48-09, § 2, 12-7-2009)

Sec. 54-182. - Penalty for violations.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00, unless otherwise provided by state law. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

(Ord. No. 48-09, § 2, 12-7-2009)

Secs. 54-183—54-200. - Reserved.