

Sec. 98-175. - Purpose and intent.

Sec. 98-176. - Definitions.

Sec. 98-177. - Planting and maintenance of trees in public areas.

Sec. 98-175. - Purpose and intent.

The terms and provisions of this article are intended to accomplish the following public purposes:

Establish rules and regulations governing establishment and maintenance of trees in public rights-of-way, public park land or any other city-owned property.

(Ord. No. O-08-023, § 1, 10-8-2008)

Sec. 98-176. - Definitions.

For the purpose of this article, the following words, terms and phrases, shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

City means the City of Shenandoah, Texas, municipal corporation of the State of Texas.

City administrator shall mean the city administrator or his designee with authority over the tree protection and preservation ordinance.

Department of public works and community development shall mean the city department designated by the city administrator for all permitting and inspecting associated within this article.

Director of public works and community development shall mean the designee of the city administrator to help with administration of the tree protection and preservation ordinance unless otherwise designated by the city administrator.

Tree shall mean any woody plant with one well-defined stem and a more or less definitely formed crown usually attaining a height of at least eight feet in height; however under certain environmental conditions, some tree species may develop multistemmed or a shorter growth form.

Public areas shall mean public rights-of-way, public park land or any other city-owned property.

(Ord. No. O-08-023, § 1, 10-8-2008)

Sec. 98-177. - Planting and maintenance of trees in public areas.

- (a) The director of public works and community development or designee shall be responsible for the management of trees located in all public areas of the city. Management shall include, but not be limited to, planting, maintenance, and removal of protected trees (as defined in section 98-155) located within street rights-of-way, city parks, city buildings, or any other property owned by the

city. It shall be unlawful for any other person to damage or remove any protected tree without a permit issued by the director of public works and community development or designee.

- (b) Planting of new trees in public areas by private individuals or organizations shall not be prohibited; however, written approval must be obtained from the director of public works and community development prior to any planting.
- (c) Maintenance of trees in public areas by private individuals or organizations shall not be prohibited, provided the maintenance does not violate article IV.
- (d) Protected trees that must be removed for repair or construction of infrastructure components in public areas shall be replaced on a tree for tree basis. Minimum canopy area requirements are not required.

(Ord. No. O-08-023, § 1, 10-8-2008)