

City of Carrollton :

Date:

7-10-

2010

ORDINANCE NUMBER

ORDINANCE NO.:\_3388\_\_ OF THE CITY OF CARROLLTON AMENDING CHAPTER 155 of TITLE XV OF THE CARROLLTON CITY CODE ESTABLISHING REGULATIONS FOR THE PRESERVATION AND PROTECTING OF TREES; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE ORDINANCE; PROVIDING FOR EXEMPTIONS; PROVIDING FOR REQUIREMENTS FOR THE PROTECTION AND PRESERVATION OF CERTAIN TREES; PROVIDING FOR REQUIREMENTS FOR A TREE REMOVAL PERMIT AND APPEAL; PROVIDING FOR REQUIREMENTS FOR STANDARDS FOR TREE REPLACEMENT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR VARIANCES TO THIS ORDINANCE; PROVIDING FOR A PROTECTED TREE LIST; PROVIDING FOR A PENALTY CLAUSE OF \$500.00 PER INCIDENT; A SAVINGS CLAUSE; A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION

WHEREAS, trees are of great value in the conservation of natural resources;

WHEREAS, trees are a valuable amenity to the urban environment by providing shade, cooling of the air and otherwise tempering the effect of summer heat;

WHEREAS, trees purify the air by filtering pollutant and dust and release oxygen into the air;

WHEREAS, trees are known to add value to property by maintaining and enhancing a positive image of the city;

WHEREAS, trees protect land and structures by reducing run-off and binding soil;

WHEREAS, the City Council has determined the following amendment to Title XV of the City Code would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

## Section 1.

That Title XV. Land Usage, Chapter 155. Tree Preservation of the Code of Ordinances, City of Carrollton, Texas is hereby amended to read as follows:

**Sec. 155.01. Title.**

This chapter may be known and cited as the Tree Preservation Ordinance for the City of Carrollton, Texas.

**Sec. 155.02. Scope.**

This chapter shall be effective within the geographical limits of the city, including any areas subsequently annexed by the city.

**Sec. 155.03. Definitions.**

**Caliper:** Diameter of the trunk of a newly installed tree (planted within the previous year) as measured 12 inches above grade, or the diameter of an existing tree measured at the DBH of four and one-half feet (4 ½') above the ground, measured from the root flare at the base of the tree.

**Clear-cutting:** The indiscriminate cutting down or mechanical removal of a protected trees from a site or tract.

**Critical root zone:** The circular zone around a tree defined by a concentric circle extending a distance of one and a half foot (1 ½') per caliper inch of tree as measured from the tree trunk or stem with a minimum radius no less than fifteen feet (15') from the trunk of the tree as shown in section 155.11, Figure 2.

**DBH:** Diameter at breast height (DBH), is the tree trunk diameter measured in inches at height of four and one half feet (4 ½') above ground level.

**Incident:** Each tree, protected or unprotected, with at least a four inch (4") DBH that was removed from a site or tract or severely damaged in violation of this ordinance. Note: Each tree would represent one incident.

**Landscape Architect:** A person licensed through the Texas Board of Architectural examiners to use the title of "landscape architect" in the State of Texas in accordance with the state law.

**Mitigation:** The method by which trees are replaced according to Section 155.08 of this ordinance.

**Tree:** Any self-supporting, woody perennial plant which will attain a trunk diameter of two inches or more when measured at a point four and one-half foot (4 ½') above ground level as measured from the root flare, and which will attain a minimum mature height of twelve feet (12').

**Tree, protected:** A tree as listed in the Approved Plant List, section 155.11, Figure 1, that has a diameter of four inches or greater measured at four and one-half foot (4 ½') above ground. For a multi-trunk tree, the diameter shall be the total diameter of the largest trunk plus one-half of the diameter(s) of each additional trunk.

**Tree Reforestation Fund:** A fund set aside for the planting of trees only. Developers have the option of paying into the tree fund as a form of tree mitigation.

**Tree, replacement:** A tree as listed in the Approved Plant List that has a minimum caliper required per Section 155.08 of this chapter, and a minimum height of seven feet, measured at ground level, at the time of planting.

**Tree, Unprotected:** Any existing tree that is not a protected tree per the definition of 'protected tree' in this section.

#### **Sec. 155.04. Applicability.**

The terms and provisions of this section apply to all property as follows:

- (A) All vacant (without structures), undeveloped land.
- (B) All property to be redeveloped, including additions and alterations but excluding interior alterations.
- (C) Rights-of-way, streets, parks, and any other public property under the jurisdiction of the city shall be governed by this chapter.
- (D) Common Areas such as those properties in a single family or multi-family residential development or business complex.
- (E) The redevelopment of a single family dwelling, duplex or single family attached dwelling into any new nonresidential or multi-family structure on a lot previously used or zoned for a single family, duplex and single family attached dwelling residential use.

**Sec. 155.05. Exemptions.**

(A) This chapter, as amended, does not apply to the following: Single-family, duplex and single-family attached lots after initial development and final inspection of the dwelling, nor to any expansion, addition or alteration to any existing single-family dwelling, duplex and single-family attached dwelling.

(B) This chapter, as amended, does not apply to the redevelopment of single-family, duplex or single-family attached dwellings on a lot previously used for a single-family, duplex and single-family attached dwelling.

(C) During the period of an emergency, such as a tornado, storm, flood or other natural disaster, the requirements of this chapter may be waived as deemed necessary by the City Manager or designee. In addition to rights granted by easement, utility service providers, lawfully within the right-of-way, may remove trees during the period of an emergency that are determined by the company to be a danger to public safety and welfare by interfering with utility service.

(D) In the pursuit of maintenance or installation of its facilities, utility service providers or their contractors, agents, successors and assigns shall have the right to trim or remove trees so as to prevent any part of the trees from becoming a danger to public health, safety and welfare by interfering with utility service. Any trimming or removal shall be done in a manner such that the aesthetics and health of the trees are not destroyed and shall be done under the supervision and direction of the City Manager or designee. The City may require boring under trees within the drip line instead of trenching. The regulations of the City right-of-way management ordinance shall also apply.

(E) A tree damaged by a force of nature, which is deemed beyond the point of recovery or in danger of falling by the City Manager or designee, shall be exempt from the provisions of this chapter as amended.

(F) A diseased tree, which is deemed beyond the point of recovery or in danger of falling by the City Manager or designee in which the removal by the city or by an individual is required to reduce the chance of spreading disease to adjacent, healthy trees, shall be exempt from the provisions of this chapter as amended.

(G) Trees planted and growing on the premises for sale at any plant nursery, as defined by article XXXIV of the Comprehensive Zoning Ordinance, shall be exempt from the provisions of this chapter, as amended.

(H) Any property for which a design contract has been awarded by the City Council on or before the adoption of this chapter shall be exempt from the provisions of this chapter as amended.

(I) Nothing herein contained shall require any change in the plans, construction or designated use of any parcel of property for which a permit for construction has been issued, at the effective date of this chapter or amendments hereto.

**Sec. 155.06. Tree preservation and protection.**

(A) No clear-cutting of land is allowed.

(B) Prior to any construction or development on a site that contains one or more protected trees, a Tree Preservation Plan must be submitted and approved by the City Manager or designee. If the site does not contain any protected trees, an affidavit prepared by a registered landscape architect, shall be submitted to the city, verifying that protected trees are not on the subject site.

(C) The application for a Tree Preservation Plan shall be submitted on a form provided by the city and accompanied by a site plan that includes, but is not limited to the following:

(1) Application for Tree Removal Permit. Reference Section 155.07

(2) Delineation of site boundaries.

(3) Location of all existing or proposed structures; improvements such as streets, alleys and easements.

(4) A survey of the site depicting the location and caliper of all protected trees to be preserved or mitigated, and all unprotected trees to be preserved or removed. The survey shall included protected trees on adjacent property if within 25 feet of the site or within 50 feet of the proposed construction.

(5) A proposed grading plan if any elevation changes are being designed within 40 feet of a protected tree to be preserved.

(D) Trees, including those that are within 25 feet of the proposed site or tract, which are not proposed for removal or have been indentified on the tree preservation plan to be preserved, must be protected under the following conditions:

(1) No materials intended for the use in construction or waste materials accumulated due to excavations or demolition shall be placed within the limits of the critical root zone.

- (2) No equipment shall be cleaned or other foreign materials deposited or allowed to flow overland within the critical root zone of a protected tree including but not limited to paint, oil, solvents, asphalt, concrete, mortar or similar materials.
- (3) No signs, wires or other objects, other than those of a protective nature shall be attached to any tree. However, lighting of a decorative nature may be attached to any tree. The lighting shall be attached in a manner as not to damage the protected tree. A detail of the proposed lighting shall be submitted and approved by the City Manager or designee prior to installation.
- (4) No vehicular and or construction machinery traffic or parking shall take place within the limits of the critical root zone of any tree other than on an existing paved surface, except when accessing the critical root zone for clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.
- (5) Grade changes shall be allowed within the limits of the critical root zone of any protected tree only upon approval by the City Manager or designee.
- (6) Asphalt, concrete or other impervious paving materials is prohibited—within the critical root zone of a protected tree. Paving may encroach up to seven feet (7') from the trunk upon approval and certain stipulations by the City Manager or designee.
- (7) If a protected tree is within 50 feet of a construction area, a protective chain link fence, minimum of four feet in height, shall be erected and maintained on the perimeter of the critical root zone of each protected tree or tree grouping; however, the fence shall follow the property line on the subject site where the critical root zone extends onto the adjacent property. The protective fencing shall be installed prior to any construction activities and approved by the City Manager or his designee prior to any construction activities.
- (8) No person, directly or indirectly, shall prune, cut down, destroy, remove or move, or effectively destroy through damaging, any tree on city-owned property unless otherwise permitted by this chapter.

- (E) The city shall have the right to plant, prune, and maintain any tree located within a right-of-way, easement, public park land or any other municipally-owned property as may be necessary to prevent any part of the tree from becoming a danger to public health, safety and welfare, or to preserve or enhance the symmetry and beauty of the public properties. The City Manager or designee as appointed by the City Manager may cause or order to be removed any tree or part of thereof, which is in an unsafe condition, or which, by reason of its species is injurious to sewers, electric power lines, gas lines, water lines or other public improvements.

**Sec. 155.07. Tree Removal Permit.**

- (A) No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any tree without first obtaining a tree removal permit, unless otherwise specified in this chapter. The application for a tree removal permit shall be submitted on a form provided by the city. Permits may be issued with verification that the protected tree is damaged or diseased.
- (B) The application for a tree removal permit shall be submitted in conjunction with the following:
- (1) An application for a development permit to fill or grade property.
  - (2) An application for a preliminary plat, including the development of new internal streets, final plat, or an administrative plat, whichever is applicable for the initial phase in the platting process.
  - (3) If the property is platted, an application for a tree removal permit shall be submitted in conjunction with either a permit application for new construction or a zoning case to be reviewed by the Planning and Zoning Commission.
  - (4) The tree removal permit application shall be submitted in conjunction with a Tree Preservation Plan.
- (C) The application for a tree removal permit shall be accompanied by a Site Plan that includes, but is not limited to the following:
- (1) Delineation of site boundaries.
  - (2) Location of all existing or proposed structures in conjunction with a building permit application, or improvements or facilities such as streets, alleys and easements in conjunction with a plat application.

- (3) A survey depicting the location, species and DBH of all trees to be removed and all trees to remain.
  - (4) The reason for the proposed tree removal summarized on legend form on the plan. The same summary shall also be submitted on a legible 8.5-inch x 11-inch document.
- (D) Upon receipt of a valid application for a tree removal permit, the City Manager or designee shall be responsible for the review and approval of all requests submitted in accordance with the requirements specified herein.
- (E) Any decision of City Manager or designee may be appealed to the Property Standards Board, which shall provide a recommendation to the City Council. Action by the City Council shall be final.
- (F) Consideration for the approval of a tree removal permit shall be based upon the following guidelines:
- (1) Whether the removal of the protected tree is permitted by Section 155.05 of this chapter.
  - (2) Whether or not a reasonable accommodation or alternative solution can be made to accomplish the desired activity without the removal of the protected tree.
  - (3) The effect of the removal of the protected tree on erosion, soil moisture, retention, flow of surface waters, and drainage systems.
  - (4) The need for buffering of residential areas from the noise, glare, and the visual effects of nonresidential uses.
  - (5) Whether the removal of the protected tree affects the public health, safety or welfare of the city.
  - (6) Whether the application demonstrates the attempt to preserve existing trees on the site.
  - (7) Whether the tree is an unprotected tree. Removal of an unprotected tree will be approved; however, a tree removal permit is required.
- (G) An approved tree removal permit shall expire within 12 months of final action of the city if the permits or plats are not approved as identified in subsection (B) of this section.

(H) Appeal process.

(1) *Filing appeal.* Any applicant that has been denied a Tree Removal Permit by the City Manager or designee may appeal this action to the Property Standards Board within 20 days from receipt of the permit denial. The applicant must file at the office of the city building official a written appeal containing the following:

- (a) A heading in the words: "Before the Property Standards Board of the City of Carrollton."
- (b) A caption reading: "Appeal of Denial for a Tree Removal Permit," giving the names of all appellants participating in the appeal.
- (c) A brief statement setting forth the legal interest of each of the appellants in the property involved in the denial of the permit.
- (d) A brief statement in ordinary and concise language of that action protested, together with any material facts claimed to support the contentions of the appellant.
- (e) A brief statement in ordinary and concise language of the relief sought and reasons why it is claimed the denial should be reversed, modified or otherwise set aside.
- (f) The signatures of all parties named as appellants and their official mailing addresses.
- (g) The verification (by declaration under penalty or perjury) of at least one appellant as to the truth of the matters stated in the appeal.
- (h) Produce all documents that they relied upon.

(2) *Processing of appeal.* Upon receipt of any appeal filed pursuant to this section, the building official shall present it at the next available regular or special meeting of the Property Standards Board.

(a) *Notice of hearing.*

(i) Notice of the hearing before the Board shall be delivered to the owner and appellants as listed on the application, and any lienholder or mortgagee that can be discovered with a reasonably diligent search of the instruments on file in the office of the County Clerk of the county where the property is located.

(ii) Notice shall be by one of the following methods at least 15 days prior to the hearing:

- a. Personal service delivered; or
- b. Certified mail, return receipt requested, and regular mail. Notice shall be sufficient if the return receipt is returned; or unsigned for any reason, and the regular mail is not returned;
- c. If the owner, operator or lien holder of interest in the property cannot be located, by publication in a newspaper of general circulation in the city.

(b) *Contents of notice.* The notice of hearing shall contain the following:

- (i) The street address or a legal description of the property.
- (ii) The place, date, and time of the hearing.

(iii) A statement that the owner, operator, lien holders, or mortgagee will be required to submit proof at the hearing of the scope of work that may be required to comply with the ordinances of the city and the time it will take to reasonably perform the work.

(iv) A brief summary of the action of the City Manager or designee related to the property.

(3) *Hearing.*

(a) The City Manager or designee shall present to the Board evidence of the property condition and all other evidence that supports denial of the permit.

(b) The owner and appellant may present evidence on relevant issues and has the burden of proof to demonstrate consideration for approval of the permit based on the scope of the city code.

(c) Any party may examine or cross-examine any witness before the Board. Strict rules of evidence or procedure are not required, but the Board has the authority to enforce strict decorum and may cause the removal of anyone who causes a disruption.

(4) Enforcement of the denial for the permit shall be stayed during the pendency of an appeal there from that is properly and timely filed.

(5) *Findings and orders of the Board.* After hearing evidence, the Board may find that the denial of the Tree Removal Permit is upheld, reversed, or modified.

(6) *Appeal from the Board.* The action of the Property Standards Board may be appealed to a District Court of the county in which the property, which is the subject of the action, is located if such appeal is filed within 20 days of the Board's action. Such appeal shall be decided based on the standards and procedures established in Section 214.012 of the Texas Local Government Code.

(A) Replacement trees shall be required under the following conditions:

- (1) To remove a protected tree as specified in Section 155.07.
- (2) To replace a tree that was identified on a Tree Preservation Plan that dies within two years from the end of the project.

(B) Replacement trees shall be planted in accordance with the provisions of this chapter per the following rates:

<b>For Each Protected Tree To Be Removed</b>	<b>Required Size and Number of Replacement Trees</b>
4-inch DBH to 12-inch DBH	Minimum 3-inch caliper, equivalent to 100 percent of DBH removed
Greater than 12-inch to 30 DBH	Minimum 4-inch to 30-inch DBH caliper equivalent to 100% of DBH removed
Greater than 30-inch DBH	Minimum 6-inch caliper, equivalent to 100 percent

(C) No more than 34 percent of the number of replacement trees shall be of the same species when 12 or more trees are required, unless approved by the City Manager or designee.

(D) Acceptable types of replacement trees are designated in the Protected Tree List, Section 155.11, Figure 1.

(E) The replacement trees shall be located on the subject site whenever possible. However, if there is not a suitable location for the replacement trees on the subject site and upon recommendation of the City Manager or designee may approve either of the following or a combination of the following:

- (1) The planting of the replacement trees within public right-of-way, public parkland or any other publicly-owned property. If the public area is not irrigated, landscape irrigation installation shall be installed by the developer prior to the planting of the replacement trees.
- (2) The planting of the replacement trees within irrigated private open space.
- (3) The payment of a fee into the Tree Restoration Fund in the amount in accordance with a fee schedule provided by the city. The fee schedule shall be based on the average cost of the required replacement tree, irrigation and the average cost of installation. The funds shall be used solely for the purpose of purchasing and installing trees on public rights-of-way, public park land or any other municipally-

owned property. The funds shall be spent within two years of the final action of the City Council regarding a request for payment into the Tree Restoration Fund.

**Sec. 155.09. Miscellaneous provisions.**

- (A) Trees identified on a Tree Protection Plan or trees identified to be replaced shall be eligible to meet the requirements and credits of Article XXV of the Comprehensive Zoning Ordinance for areas of the site not within the landscape buffer. The minimum landscape requirements of the landscape buffer shall be met in addition to this chapter when applicable.
- (B) No protected tree shall be pruned in a manner which significantly disfigures the tree, or in a manner which would reasonably lead to the death of the tree. This section is not intended to require a tree removal permit for reasonable pruning performed or contracted to be performed by the owner of the tree.
- (C) Trees required to be planted by this chapter shall be planted in accordance with the intersection visibility triangles as specified in Sections 53.40 through 53.59 of this Code.
- (D) The filling and reclamation of property and mitigation as delineated on a Section 404 permit, issued by the U.S. Army Corps of Engineers, shall be permitted in lieu of the requirements of this chapter, as amended. The removal of any protected tree on the subject property shall be in accordance with a filling, reclamation, and mitigation plan approved and/or ordered by the Corps of Engineers incident to the filling and reclamation of wetlands and flood lands on the property. As soon as the reclamation and mitigation prescribed by the Corps of Engineers has been completed, and the property is no longer under the supervision and authority of the Corps of Engineers, this chapter, as amended, shall immediately apply to the property thereafter

**Sec. 155.10. Variances.**

The City Council after conducting a public hearing, shall hear appeals from decisions of the city staff and may approve a tree removal permit and approve a variance to all or a portion of the requirements to provide for replacement trees for the following:

- (A) A public or recreational use or structure but not including rights-of-way or easements.
- (B) A private use that usually requires large areas of open space (impervious surface).
- (C) Development of heavily forested sites where the strict compliance of the requirements of this chapter, as amended, will unreasonably burden the use of the property.

**Sec. 155.11. Figures.****FIGURE 1: PROTECTED TREE LIST****LARGE TREES (40+FEET)**

Bigtooth Maple	<i>Acer grandidentatum</i>
Caddo Maple	<i>Acer saccharum</i> 'Caddo'
Pecan	<i>Carya illinoensis</i>
Ginkgo	<i>Ginkgo biloba</i>
Sweetgum	<i>Liquidamber styraciflua</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Escarpment Live Oak	<i>Quercus fusiformis</i>
Bur Oak	<i>Quercus macrocarpa</i>
Chinkapin Oak	<i>Quercus muehlenbergii</i>
Shumard Red Oak	<i>Quercus shumardii</i>
Post Oak	<i>Quercus stellata</i>
Live Oak	<i>Quercus stellata</i>
Bald Cypress	<i>Taxodium distichum</i>
Pond Cypress	<i>Taxodium ascendens</i>
American Elm	<i>Ulmus americana</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Drake Elm	<i>Ulmus parvifolia</i> 'drake'
Lacebark Elm	<i>Ulmus parvifolia</i>
Slippery Elm	<i>Ulmus rubra</i>

**MEDIUM TREES (25-40 feet)**

Maple, October Glor	<i>Acer rubrum</i> -'October Glory'
Chittamwood	<i>Bumelia lanuginose</i>
Arizona Cypress	<i>Cupressus arizonica</i>
Texas Persimmon	<i>Diospyros texana</i>
Eastern Persimmon	<i>Diospyros virginiana</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Texas Ash	<i>Fraxinus texensis</i>
Texas Walnut	<i>Juglans microcarpa</i>
Ashe Juniper	<i>Juniperus ashei</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Eldarica Pine	<i>Pinus eldarica</i>
Chinese Pistachio	<i>Pistacia chinensis</i>
Texas Oak	<i>Quercus buckleyi</i>
Havard Shin Oak	<i>Quercus havardii</i>
Bluejack Oak	<i>Quercus incana</i>

Lacey Oak  
 Blackjack Oak  
 White Shin  
 Western Soapberry  
 Winged Elm  
 Leland Cypress

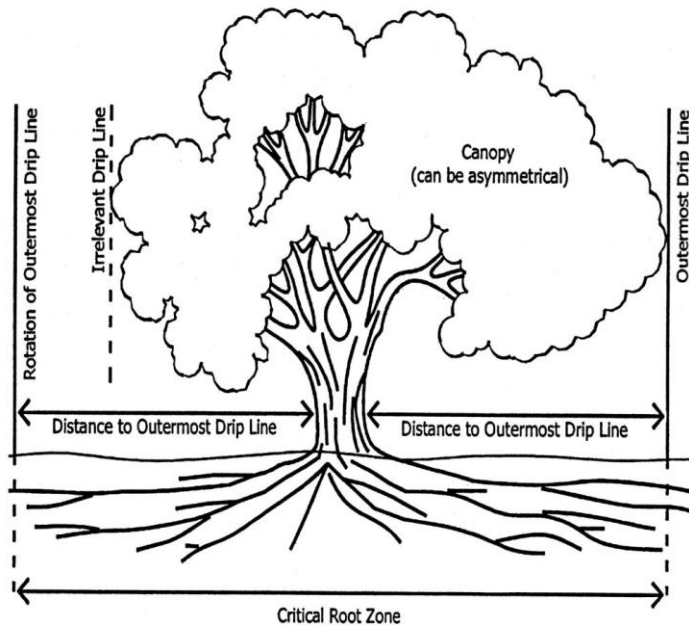
*Quercus laceyi*  
*Quercus marilandica*  
 Oak *Quercus sinuata* var. *brevicoba*  
*Sapindus drummondii*  
*Ulmus alata*  
*x Cupressocyparis leylandii*

**SMALL TREES (15-25 feet)**

Forest Pansy Red Bud  
 Mexican Red Bud  
 Oklahoma Red Bud  
 Desert Willow  
 Deciduous Yaupon  
 Tree Yaupon  
 Crape Myrtle  
 Mexican Plum  
 Eve’s Necklace  
 Vitex

*Cercis canadensis* var. *canadensis* 'Forest Pansy'  
*Cercis canadensis* var. *Mexicana*  
*Cercis canadensis* var. *texensis* 'Oklahoma'  
*Chilopsis linearis*  
*Ilex decidua*  
*Ilex vomitoria*  
*Lagerstroemia indica*  
*Prunus mexicana*  
*Sophora affinis*  
*Vitex agnus-castus*

**FIGURE 2:**



**Sec. 155.12 Enforcement**

(A) The City Manager or his designee shall be authorized to enforce the provisions of this ordinance.

(B) Each tree removed or transplanted without a permit shall constitute a separate offense.

(C) Violation of this ordinance shall not constitute an exemption to the replacement requirements of this ordinance. The removal of protected trees shall be mitigated according to Section 155.08.

(D) Allegation and evidence of a culpable mental state is not required for the proof of an offence defined by this section.

**Sec. 155.99 Penalty**

Any person violating a provision of this chapter, upon conviction, is guilty of an offense punishable by a fine not to exceed \$500.00 for each incident. Each tree upon which there exists a violation of this chapter or failure to abide by, or comply with, any provision or requirement of this chapter, shall constitute a separate incident and subject the offender to separate penalty.

Section 2  
Severability Clause

That the provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 3  
Repealing Clause

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 4  
Savings Clause

That save and except as amended by this Ordinance, all other ordinances of the city of Carrollton, Texas shall remain in full force and effect.

Section 7.

That this ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the            day of July, 2010.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Ronald F. Branson, Mayor

ATTEST:

\_\_\_\_\_  
Ashley D. Mitchell  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Regina A. Edwards  
Assistant City Attorney

\_\_\_\_\_  
Lorri Dennis  
City Arborist

