

MAYOR AND CITY COUNCIL COMMUNICATION

DATE: September 3, 2024

TO: Mayor and City Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, Ph.D., City Manager

SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 6 Health and Sanitation, Article 6.03 Weeds, High Grass, and Debris, Section 6.03.002 Prohibited Conditions, (a) to Mandate the Removal of Dead Trees

SPONSOR(S): City Council

PURPOSE

This M & C is to consider approval of an Ordinance amending Chapter 6 Health and Sanitation, Article 6.03 Weeds, High Grass, and Debris, Section 6.03.002 Prohibited Conditions, (a) to mandate the removal of dead trees. The amendment to the section is in bold text below:

“It shall be unlawful for any person, or his agent, owning, renting or having under his control any lot or premises, whether vacant or improved, within the city, to permit the same to be covered, in whole or in part, with any weeds, high grass, down timber or brush, old logs, **dead trees or shrubs**, decaying vegetable matter, trash or trash piles, junk, scrap, open garbage, filth or debris whatsoever, and same are hereby declared to be public nuisances, a hazard and menace to public health, and fire hazards.”

The Code requires that property owners remove all weeds, high grass, down timber or brush, old logs, decaying vegetable matter, etc., but it does not mandate that property owners remove dead trees and shrubs.

Dead trees present a hazard to the general public by damage from falling limbs to homes, sidewalks, streets, vehicles, property, fences, the spread of Oak wilt and other tree diseases, and create a potential fire hazard. Dead trees also diminish the economic vitality of subdivisions and businesses by presenting an unkempt and aesthetically displeasing appearance.

FISCAL IMPACT

Removing dead trees is costly and the larger the tree the more costly it becomes. The location of the dead tree may also add to the cost of removal (i.e., against a building, entangled in electrical or telecommunications wires). The property owners will be

responsible for all costs associated with such removal. If a property owner does not remove a dead tree after proper notification, the City will cause such removal and submit the charges to the owner. If the owner does not pay, a lien will be filed against the property.

RECOMMENDATION

At the City Council's discretion.

APPROVED : _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS :

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary