

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL 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; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Leon Valley Code of Ordinances, Chapter 6 Health and Sanitation 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; and

WHEREAS, 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; and

WHEREAS, dead trees also diminish the economic vitality of subdivisions and businesses by presenting an unkempt and aesthetically displeasing appearance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

SECTION 1. Chapter 6 Health and Sanitation, Article 6.03 Weeds, High Grass, and Debris, Section 6.03.002 Prohibited Conditions, (a) is hereby amended to read as follows:

“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.”

SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage and

publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley
this the 20th day of August, 2024.

APPROVED

CHRIS RILEY

MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

City Attorney