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ORDINANCE NO. 2024-11-20-09

**AN ORDINANCE AMENDING THE CITY'S CODE OF
ORDINANCES, PART II, CHAPTER 101, ARTICLE VI TO
ADD SECTION 101-256 TREE PROTECTION
REQUIREMENTS**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the City Council of the City of Rollingwood (“City Council”) previously established regulations regarding the manner of conducting construction; and

WHEREAS, the City Council finds it necessary to adopt regulations regarding tree protection during construction.

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

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Part II, Chapter 101, Article VI of the City’s Code of Ordinances is hereby amended to add Section 101-256:

Sec. 101-256. – Tree Protection Requirements

- (a) Tree root protection shall be installed prior to the start of any site work, including demolition or site preparation, and be maintained continuously throughout the project. Tree protection shall be removed at the end of the project after all construction and final grading is complete, but before final inspection. Any premature removal or failure of tree protection can lead to root damage and require remedial tree care.
- (b) Fencing is the primary method of tree protection and is intended to prevent access to the Critical Root Zone (CRZ). Tree fencing shall have a minimum height of 5 feet. Fencing shall be chain link installed on steel t-posts with a maximum spacing of 10 feet between posts. Fencing shall be installed around or beyond the CRZ of all preserved trees or any natural areas designated for preservation.
- (c) Mulch is required for any section of the CRZ that is not protected by fencing or under existing hardscape and has not been approved for impacts (such as building footprint or driveway). Mulch used for tree protection shall be any natural wood type. Rough single grind mulch, which resists compaction better than double grind and is usually less

45 expensive is preferred, but any natural wood type is acceptable. Dyed mulch or mulch made
46 from non-biological material such as rubber or stone shall not be used as tree protection.

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48 (d) Mulch shall be installed to a minimum depth of 8 inches and maximum of 12 inches. Mulch
49 shall be replenished as required and shall not be piled against the tree trunk.

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52 **SECTION 4.** All provisions of the ordinances of the City of Rollingwood in conflict with the
53 provisions of this ordinance are hereby repealed to the extent of such conflict, and all other
54 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this
55 ordinance shall remain in full force and effect.

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57 **SECTION 5.** Should any sentence, paragraph, clause, phrase or section of this ordinance be
58 adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of
59 this ordinance as a whole, or any part or provision thereof other than the part so decided to be
60 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a
61 whole.

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63 **SECTION 6.** This ordinance shall take effect immediately from and after its passage and the
64 publication of the caption as the law provides.

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66 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,
67 on the _____ day of _____, 2024.

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69
70 APPROVED:

71
72
73 _____
74 Gavin Massingill, Mayor

75
76 ATTEST:

77
78
79 _____
80 Makayla Rodriguez, City Secretary