

38 **Sec. 107-3. – Definitions.**

39 *Accessory building or structure* means a building or structure which does not share a
40 common roof or common wall, including, but not limited to, a toolhouse, home workshop,
41 greenhouse, garage, carport, children's playhouse (excluding an “exempt children’s
42 playhouse” or “playscape” as defined herein), or swimming pool house, which:

- 43 (1) Is located on the same lot as a dwelling;
- 44 (2) Is subordinate in area to the dwelling and is used for a purpose customarily
45 incidental to the dwelling;
- 46 (3) Is detached from the dwelling except that a connected foundation or walkway
47 may exist with the dwelling;
- 48 (4) Does not provide complete independent living facilities for one or more persons
49 which include permanent provisions for living, sleeping, and sanitation facilities;
50 and
- 51 (5) Is not used for lease or rental, or for a commercial purpose other than a home
52 occupation by a resident of the main dwelling.

53 *Exempt children’s playhouse* means a temporary, freestanding structure not permanently
54 affixed to the ground, with a roof supported by walls, designed for children’s activities,
55 with no utility facilities, not exceeding 64 100 square feet in area or 8 10 feet in height,
56 located in a side or rear yard no closer than 40 8 feet from the lot line and outside of any
57 drainage easement, public utility easement or public right of way, and, on a corner lot
58 where the lot’s rear yard abuts the neighboring property’s front yard, an exempt children’s
59 playhouse must be located behind a fence, or, if there is no fence, no closer than 20 feet
60 from the property line along the front yard of the abutting lot and no closer than 15 feet
61 from the adjacent street.

62 *Playscape* means a freestanding temporary structure, not permanently affixed to the
63 ground, mostly unenclosed, having no solid floor at grade level or within 48 inches of
64 grade, and designed for children’s activities. A playscape typically consists of a
65 combination of swings, slides, climbing walls and/or ladders.

66 **SECTION 3.** All provisions of the ordinances of the City of Rollingwood in conflict with
67 the provisions of this ordinance are hereby repealed to the extent of such conflict, and all
68 other provisions of the City of Rollingwood ordinances which are not in conflict with the
69 provisions of this ordinance shall remain in full force and effect.

70 **SECTION 4.** Should any sentence, paragraph, sub-article, clause, phrase or section of this
71 ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not
72 affect the validity of this ordinance as a whole, or any part or provision thereof other than
73 the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity
74 of the Code of Ordinances as a whole.

75 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and
76 the publication of the caption, as the law and charter in such cases provide.

77 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of
78 Rollingwood, Texas, on the _____ day of _____, 2025

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Gavin Massingill, Mayor

84 ATTEST:

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87 Alun Thomas, Acting City Secretary