

Oak Wilt Prevention Program

Draft Date: April 2026

PURPOSE AND FINDINGS

Purpose. The provisions of this chapter are enacted to protect the urban canopy of the City of Rollingwood from the destructive effects of oak wilt (*Bretziella fagacearum*), to promote public awareness, to provide financial assistance to property owners combating the disease, and to establish proactive prevention and management measures. These provisions are deemed necessary to promote the health, safety, property values, and general welfare of the residents of the City.

Findings. The City Council finds that:

- (a) Oak wilt is one of the most destructive tree diseases in the U.S. and is killing oaks in Central and West Texas at epidemic proportions. It has been confirmed in 76 counties in Texas;
- (b) Oak wilt is an infectious disease caused by the fungus *Bretziella fagacearum*, which invades and disables the water-conducting system in oaks;
- (c) Rollingwood has experienced active oak wilt infection centers within its city limits since at least 2015;
- (d) Previous trenching efforts (2017) demonstrated partial effectiveness but the disease has continued to spread beyond containment areas;
- (e) Trenching is no longer a cost-effective urban management tool, as confirmed by the Texas A&M Forest Service;
- (f) A comprehensive approach combining awareness, prevention, early detection, and treatment incentives is necessary to protect the City's tree canopy;
- (g) Arborists whose primary business is tree trimming may not be incentivized to identify or report oak wilt, creating a detection gap;
- (h) Investment of city resources signals the seriousness of the threat and incentivizes resident participation in containment efforts.

DEFINITIONS

Definitions. As used in this chapter:

"Certified Arborist" means an arborist holding current certification from the International Society of Arboriculture (ISA) with demonstrated expertise in oak wilt identification and treatment.

"Hot Zone" means an area identified annually by the City, in consultation with the Texas A&M Forest Service or a Certified Arborist, as having confirmed oak wilt infection or being within 150 feet of a confirmed infection center.

"Infected Tree" means any oak tree confirmed or reasonably suspected to be infected with *Bretziella fagacearum* based on visual symptoms, laboratory testing, or professional diagnosis.

"Oak Trimming Window" means the period from July 1 through January 31 during which pruning of oak trees is permitted.

"Restricted Period" means February 1 through June 30 of each year, during which all pruning and trimming of oak trees is prohibited except for emergency safety situations.

"Treatment" means the application of propiconazole fungicide injection or other Texas A&M Forest Service-approved protocols to combat oak wilt in live oaks.

REPORTING AND NOTIFICATION

Mandatory Reporting. Any property owner, arborist, or tree-care professional who discovers or reasonably suspects oak wilt on any property within the City shall report the finding to the City Administrator within seven (7) calendar days of discovery.

City Response Protocol. Upon receiving a report under Section 3.01, the City shall:

- (a) Dispatch the City Arborist or coordinate with the Texas A&M Forest Service to verify the report within fourteen (14) calendar days;
- (b) If confirmed, notify all property owners within 250 feet of the infection center by first-class mail within seven (7) days of confirmation;
- (c) Update the City's Hot Zone map and publish the updated map on the City website;
- (d) Provide the affected property owner with written guidance on approved treatment options and available City assistance programs.

OAK TRIMMING RESTRICTIONS

Restricted Period. No person shall prune, trim, cut, or wound any oak tree within the City between February 1 and June 30 of any year, except as provided in Section 4.02.

Emergency Exception. Pruning during the Restricted Period is permitted only when a tree poses an immediate hazard to life or property. The property owner must (a) notify the City within 24 hours and (b) paint or seal all wounds immediately with an approved sealant.

Wound Sealing. Regardless of the season, all pruning cuts, mechanical wounds, or other injuries to oak trees shall be painted or sealed immediately. Any latex, oil-based, or spray-on paint is acceptable.

Enhanced Enforcement in Hot Zones. The City shall prioritize enforcement of trimming restrictions within designated Hot Zones. Tree-care contractors operating in Hot Zones shall maintain proof of oak wilt awareness training and demonstrate compliance with wound-sealing requirements.

WATER ASSISTANCE FOR OAK WILT TREATMENT

Findings. Water is essential to the survival of treated oak trees and surrounding healthy oaks. Properties actively fighting oak wilt require significantly increased irrigation during and after treatment. The City finds that removing financial barriers to adequate watering is a no-cost or low-cost measure that materially improves treatment outcomes.

Water Leak Assistance Program (Adapted). Upon verification of an active oak wilt treatment plan by a Certified Arborist, a property owner may apply to the City for water-cost relief under the following provisions:

- (a) The City shall provide additional water above normal baseline usage at cost plus the standard administrative fee, similar to the existing water-leak assistance program. This is a no-cost option to the City and can be administered by staff with an appeal to the Utility Commission if necessary. Eligibility shall be limited to properties with verified infected or treated trees.
- (b) The City shall not apply higher-tier pricing to a property that does not typically fall within that usage tier due solely to oak wilt treatment watering. The property owner must present verification from a Certified Arborist.
- (c) Water consumed for oak wilt treatment purposes, as documented by the property owner and verified by the City, shall not count toward wastewater averaging calculations. The City Administrator is authorized to adjust wastewater billing upon receipt of satisfactory documentation.

Drought Restriction Exemption. When drought restrictions are in effect, the City Manager is authorized to grant a waiver permitting soaker-hose or drip irrigation of infected or recently treated oak trees. Trees undergoing active treatment require sustained hydration for the treatment to succeed. Exemption requests shall be submitted in writing with supporting documentation from a Certified Arborist.

OAK WILT TREATMENT INCENTIVE PROGRAM

Establishment. There is hereby established the Rollingwood Oak Wilt Treatment Incentive Program to subsidize a portion of the cost of professional treatment of infected oak trees.

Incentive Amount. Eligible property owners may receive a reimbursement of up to **\$2,500 per tree** for oaks exceeding six (6) inches in diameter at breast height (DBH) that receive treatment by a Certified Arborist using Texas A&M Forest Service-approved protocols. The incentive is subject to the following conditions:

- (a) The property owner must submit an application to the City prior to or within thirty (30) days of treatment, including an invoice from a Certified Arborist and photographic documentation;
- (b) The City Arborist or designee shall verify the treatment was performed in accordance with approved protocols;
- (c) Reimbursements shall be issued on a first-come, first-served basis subject to available annual funding;
- (d) No single property shall receive more than \$7,500 in incentive payments per fiscal year.

Annual Budget Cap. The City Council shall appropriate funds for the Treatment Incentive Program as part of the annual budget process. Total program expenditures shall not exceed the annual appropriation. Given that oak wilt is a serious but geographically concentrated problem in Rollingwood and the Hot Zones are relatively small, the annual cap is expected to be manageable.

Incentive for Removal of Severely Infected Trees. For trees below 70% canopy health as assessed by a Certified Arborist, the City encourages prompt removal to prevent further spread. Property owners who remove such trees in compliance with this ordinance may apply the treatment incentive toward removal costs under the same terms.

Commented [KS1]: This section needs slight tweaking. For treatment to have maximum effect the critical root zone should be wet from recent rain or irrigation. That is just at the time of treatment for preventative treatment. Infected trees after treatment have a higher survival chances with frequent deep watering during dry conditions. The water assistance program is intended to augment our naturally dry seasons. The language could include watering as a written recommendation of treatment from an arborist.

Commented [KS2]: The incentive program can be used for treatment of infected or surrounding oaks, or removal of infected trees. In the case of a removal if there is cap space it can also be used to replace the tree with a tree not susceptible to oak wilt.

For clarity, treatment alone for a single tree will be well under \$2500. In theory you only hit the \$7500 cap if you are removing trees. That means a lifetime cap is implied and not necessary.

AWARENESS AND PREVENTION PROGRAM

Annual Citywide Mailer. The City shall budget for and distribute an annual oak wilt awareness mailer to all Rollingwood households no later than January 15 of each year. The City already possesses educational materials for this purpose.

Targeted Hot Zone Notification. In addition to the citywide mailer, the City shall annually identify Hot Zones and distribute targeted notifications—by mail, door hanger, or both—to property owners in and adjacent to designated Hot Zones. This targeted outreach shall also serve as the protocol when a new infection is confirmed on any property.

Annual Canopy Inspection. The City shall arrange an annual street-level canopy inspection, in coordination with the Texas A&M Forest Service or a qualified City Arborist, focused on designated Hot Zones. The inspection should be timed during the leaf-drop period when early symptoms are most visible. Areas of concern identified during the inspection shall be referred for closer evaluation.

City Staff Training. The City shall train relevant staff—including code compliance, public works, and parks personnel—to visually recognize signs of oak wilt so that potential infections may be flagged during routine city operations.

Hot Zone Arborist Inspection Credit. As a more proactive measure, the City may offer property owners within a designated Hot Zone a **\$200 credit on their water bill** for obtaining an annual oak wilt inspection from a Certified Arborist with oak wilt expertise, once per year. This incentivizes early detection. The inspection remains the homeowner's responsibility to arrange, but the credit offsets the cost and ensures professional eyes are on at-risk trees.

FISCAL PROVISIONS

Annual Budget Appropriation. All expenditures authorized under this chapter shall be subject to annual caps established by the City Council during the budget process. While oak wilt is a serious problem in Rollingwood, it is slow-moving and geographically concentrated. The affected zones are relatively small, making annual program costs predictable and contained.

No-Cost Provisions. The water assistance measures in Article V are designed as no-cost or minimal-cost provisions to the City. They can be administered by existing staff with an appeal to the Utility Commission if necessary, and the number of eligible properties at any given time is expected to be small.

ENFORCEMENT AND PENALTIES

Violations. Any person who violates the trimming restrictions of Article IV or fails to report a known infection under Article III shall be subject to a fine of not less than \$200 nor more than \$500 per violation per day.

Contractor Violations. Tree-care contractors found in violation of this chapter shall be subject to a fine of up to \$1,000 per violation per day.

Equitable Considerations. In adjudicating violations, the municipal court shall consider financial hardship, good-faith efforts to comply, and any extraordinary circumstances that may have prevented prompt action.