

ORDINANCE NO. ____

AN ORDINANCE AMENDING AND UPDATING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, TITLE IX, GENERAL REGULATIONS, CHAPTER 95, PARKS AND RECREATION, ARTICLE IV, PUBLIC TREE PROTECTION; CLARIFYING EXISTING LANGUAGE; ADDING A SECTION FOR PROHIBITED ACTIVITIES; REDUCING RESPONSIBILITIES OF THE TREE CARE ADVISORY BOARD; EXPANDING USE OF THE TREE MITIGATION FUND; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR OPEN MEETING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas, recognizes that preserving and expanding tree coverage and native prairie is crucial to public health and economic prosperity of the City by cooling and cleaning the air, reducing water pollution, providing animal habitat, slowing storm water runoff, and beautifying our community; and

WHEREAS, the City of Pflugerville, Texas recognizes the standards expressed in all parts of the American National Standards Institute Tree Care Standards (A300) and requires that all public tree care work comply; and

WHEREAS, the City of Pflugerville, Texas, is a home rule municipality located in Travis County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Pflugerville has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council of the City of Pflugerville previously updated and adopted Article IV, Public Tree Protection per Ordinance No. 893-07-06-26 under Chapter 95, of the City's Code of Ordinances, Parks and Recreation; and

WHEREAS, as authorized under law, the City Council of the City of Pflugerville deems it proper and necessary to update and revise the aforementioned ordinance to meet changing conditions and future challenges and is in the best interest of the City and in furtherance of the public's health and welfare;

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

Section 1: That the Code of Ordinances, City of Pflugerville, Texas, Title IX. General Regulations, Chapter 95, Parks and Recreation, Article IV, Public Tree Protection, is hereby updated and amended to read as set forth in "Exhibit A" attached hereto and incorporated for all purposes, with underlines being additions to the code and ~~strikethroughs~~ be deletions from the code.

Section 3: That the recitals contained in the preamble hereto are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions

Section 5. Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

Section 6. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7: This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this ____ day of _____, 2025.

CITY OF PFLUGERVILLE, TEXAS

Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

City Attorney

DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.