

ORDINANCE NO. 2004-14

AN ORDINANCE OF THE CITY COUNCIL OF SHOREACRES, TEXAS, FORBIDDING THE REMOVAL OF TREES AND UNDERBRUSH ON ANY UNDEVELOPED LOT UNTIL A BUILDING PERMIT HAS BEEN ISSUED AND FORBIDDING THE REMOVAL OF CERTAIN TREES FROM CITY RIGHT-OF-WAY; PROVIDING PENALTIES FOR VIOLATIONS; AND PROVIDING A SEVERABILITY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS:

WHEREAS, the City of Shoreacres is a community which is part of the heavily wooded urbanized Harris County area; and

WHEREAS, the destruction or removal of trees in the City continues at an alarming rate; and

WHEREAS, trees reduce noise and airborne pollution and are an important community asset, and trees maintain the residential character and integrity of the City; and

WHEREAS, the City of Shoreacres hereby finds that the quality of life in the City is, in part, related to the beneficial effects of the urban forest found within in the City; and

IN ORDER TO MAINTAIN THE FOREST OF SHOREACRES LET THE FOLLOWING BE ORDAINED:

Section 1. Clearing of Undeveloped Lots Forbidden

Trees and underbrush may not be removed from any undeveloped lot in the City of Shoreacres until the owner of the lot or his or her builder has secured a new home building permit from the Building Official. Chinese Tallow trees may be removed at any time without a permit.

Section 2. Removal of Trees from Rights-of-Way Forbidden

Trees with a trunk greater than six inches in diameter (or 18.81 inches in circumference) may not be removed from any right-of-way without permission of the Building Official or his or her designated representative. City street rights-of-way generally extend ten to twenty feet from the edges of the current streets toward the properties on each side of the street. Chinese Tallow trees may be removed at any time without a permit.

Section 3. Variances Allowed

A variance from Section 1 or 2 of this ordinance may be requested by the Board of Adjustments.

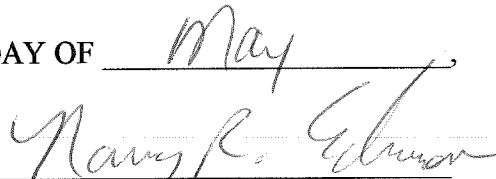
Section 4. Penalties

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction shall be fined an amount not to exceed \$2,000.00. Each tree removed shall constitute a separate offense.

Section 5. Severability Clause

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this ordinance. The City Council declares it would have passed and ordained all the remaining portions of this ordinance without the inclusion of those portions found to be unconstitutional or invalid.

PASSED AND APPROVED ON THIS 10 DAY OF May,
2004.



Nancy R. Edmonson, Mayor

ATTEST:



Shari Tait, City Secretary