

ORDINANCE NO. 019-05

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING SECTION 34-207 (LANDSCAPE STANDARDS AND SPECIFICATIONS) OF ARTICLE VI (LANDSCAPING REGULATIONS) OF CHAPTER 34 (ENVIRONMENT) OF THE CODE OF ORDINANCES TO ADD SECTION 34-207 (k) TO PROVIDE FOR AN ARTIFICIAL TURF PILOT PROGRAM FOR TOWNHOME PROPERTIES WITH A HOMEOWNERS' ASSOCIATION WITHIN THE URBAN CENTER ZONING DISTRICT; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE; AND PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas ("City Council") has investigated and determined that that it would be advantageous and beneficial to the citizens of the Town of Addison, Texas ("Town" or "Addison") to amend Section 34-207 (Landscape Standards and Specifications) of Article VI (Landscape Regulations) of Chapter 34 (Environment) of Addison's Code of Ordinances ("Code of Ordinances") as set forth below.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS THAT:

Section 1. Findings Incorporated. The findings set forth above are incorporated herein as if set forth verbatim.

Section 2. Amendment to Section 34-207 (Landscape Standards and Specifications) of Article VI (Landscape Regulations) of Chapter 34 (Environment) of the Code of Ordinances. Section 34-207 (Landscape Standards and Specifications) of Article VI (Landscape Regulations) of Chapter 34 (Environment) of the Code of Ordinances is hereby amended as follows:

“ ...

(k) Artificial Turf Pilot Program

- (1) The Town shall initiate an artificial turf pilot program for Townhome properties with a Homeowners Association within the Urban Center zoning district ("Property") for a term of ten (10) years from the approval of this Ordinance ("Program"). If at any time the City Council determines in their sole discretion that the Program is unsuccessful, damaging to the environment, or fails to meet the expectations of Town staff, then the City Council may terminate the Program through the repeal of this Section 34-207(k), and upon repeal, any property owner with artificial turf shall replace the artificial turf with natural grass within one hundred eighty (180) days of the repeal, so as to satisfy the landscaping requirements set forth in Chapter 34.
- (2) Town staff may access any area of the Property for environmental testing, which may include the placement of environmental testing equipment on the Property. New installations of artificial turf shall be watered/sprinkled and, if available, include

anti- microbial infill. If testing determines that watering/sprinkling is necessary on existing artificial turf, then Town staff may require the property owner to uncap and restore the existing irrigation lines to allow for watering/sprinkling.

- (3) Property owners shall install and maintain the artificial turf in a first-class condition as determined by the Director of Parks and Recreation, and in accordance with the maintenance requirements set forth in the chart below. The Director of Parks and Recreation may require repair or replacement of existing artificial turf. Any future turf installations shall comply with turf component, appearance and installation requirements defined in the chart below:

Turf Component	Allowed	Not Allowed
Blade & Backing	Lead-free polyethylene, polypropylene, vegetable-based or combination	Nylon or Plastic
Infill	Clean washed sand, silica sand, cork or zeolite	Crumb Rubber
Permeability	Permeable backing with 30" per hour or > drain rate	
Warranty	Minimum 8-year warranty	
Tear Grab Strength	Minimum 200 pounds	
Tuft Bind Strength	Minimum 8 pounds	
Flammability	Pass the pill burn test for flammability	
Appearance	Allowed	Not Allowed
Color	Include a minimum of two shades of green blade colors and contain a tan thatch color. Colors must mimic natural turf.	Colors that do not mimic natural turf.
Texture	Three-dimension ridge, spine cross-section and uneven tips	
Length	Blade between 1-1/2" – 2-1/2"	
Thickness	Tuft spacing of no more than 3/8" between rows.	
Installation	Allowed	Not Allowed
Seams	Sewn Seams	
Edges	Edges not visible	
Base	Compacted aggregate that allows for adequate drainage	
Anchoring	Permanently anchored	
Maintenance	Allowed	Not Allowed
	Maintained in clean and attractive conditions	
Wear	Shall not contains weeds, holes, tears, stains, discolorations, fading, seam separations, uplifted surfaces, heat degradations, depressions, odors or excessive wear	
Damage	Damaged and worn areas must be repaired or removed and replaced in a manner that results in consistent appearance with existing synthetic lawn.	
Grooming	Be groomed periodically to prevent compacted and flattened turf.	

- (4) No person shall modify existing artificial turf installations or install new artificial turf without first completing the appropriate permit application and subsequently receiving an artificial turf permit approved by the Director of Parks and Recreation or his/her designee.
- (5) The Homeowners' Association (HOA) shall require and guarantee compliance of the requirements set forth in this section by property owners. Town staff are

authorized to enforce the provisions of this section, including the issuance of citations to a property owner, in the event the HOA fails to guarantee and require compliance to the satisfaction of the Director of Parks and Recreation. The City Council directs and authorizes Town staff to enter into an agreement with an HOA related to the compliance and enforcement of this section, and the HOA shall execute said agreement within sixty (60) days of the approval of this ordinance.”

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or an penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. Penalty. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished in accordance with the provisions of Section 1-7 of the Code of Ordinances, Town of Addison, Texas, as amended.


Section 6. Effective Date. This Ordinance shall take from and after its adoption and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 20th day of FEBRUARY 2019.

TOWN OF ADDISON, TEXAS

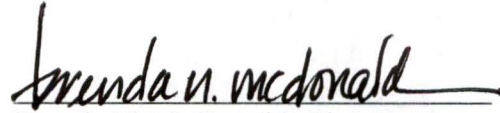

Joe Chow, Mayor

ATTEST:



Irma G. Parker, City Secretary

APPROVED AS TO FORM:



Brenda N. McDonald, City Attorney

