

**AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ARTICLE 8, SECTION 16: TREE PROTECTION AND MITIGATION OF THE UNIFIED DEVELOPMENT CODE, ESTABLISHED BY ORDINANCE NUMBER 4779, PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING THE EFFECTIVE DATE AS THE DATE OF PASSAGE AND APPROVAL**

**WHEREAS**, Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: “Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council or City Council Development Committee directing the City Manager or designee to initiate such a request on behalf of the City, or by the initiative of the City Manager or designee”, and

**WHEREAS**, the Office of the City Manager directed staff to initiate the preparation of an ordinance amending the Unified Development Code for submittal to the Planning and Zoning Commission of Grand Prairie, Texas for consideration of a recommendation to the City Council; and

**WHEREAS**, on October 15, 2024, city staff presented the proposed ordinance amendments to Article 8, Section 16: Tree Protection and Mitigation of the Unified Development Code to the City Council Development Committee of the City of Grand Prairie, Texas for consideration of a proposal to initiate said amendment; and

**WHEREAS**, the City Council Development Committee of the City of Grand Prairie, Texas recommended approval of the proposed amendment; and

**WHEREAS**, notice was given of a public hearing on said amendments to be held by the Planning and Zoning Commission of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on October 28, 2024, such Notice of the time and place of such hearing having been given at least ten (10) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

**WHEREAS**, after consideration of said amendments, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 9-0 to recommend approval to the City Council of Grand Prairie, Texas, that said amendments should be approved since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

**WHEREAS**, notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building, at 6:30 P.M. on November 19, 2024 to consider the advisability of amending the Code of Ordinances and the Unified Development Code as recommended by the Planning and Zoning Commission, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:**

**SECTION 1.** Article 8, Section 16: Tree Protection and Mitigation of the Unified Development Code, City of Grand Prairie, Texas, be amended, with proposed additions of text being shown in underlined print as shown in Exhibit A – Article 8, Section 16.

**SECTION 2.** Sections of Article 8, Section 16: Tree Protection and Mitigation not included in this amendment, shall remain in full force and effect, save and except for necessary modifications to the “Table of Contents” affecting page numbering, and for necessary modifications to related terminology or phrases that have been modified by this amendment that will affect a similar modification to interrelated terminology and phrases cross-referenced in other Articles in the Unified Development Code.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4.** All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his said duties.

**SECTION 5.** Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative or other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

**SECTION 6.** All ordinances or parts of ordinances in conflict herewith are specifically repealed.

**SECTION 7.** This ordinance shall be in full force and effect from and after its passage, approval and publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS, THE 19<sup>TH</sup> DAY OF NOVEMBER 2024.**

**CASE NO. TAM-24-09-0009**

**APPROVED:**



**Ron Jensen, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

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**City Secretary**

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**City Attorney**