

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE
FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE
CITY COUNCIL**

AN ORDINANCE

**REVISING THE RESIDENTIAL BRUSH COLLECTION SCHEDULE IN
RESPONSE TO A COUNCIL CONSIDERATION REQUEST
REGARDING A STRONGER OAK WILT SUPPRESSION PROGRAM**

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WHEREAS, Oak wilt is a fungal disease that affects all species of oak trees and can be spread through open wounds on trees, such as those created by pruning that are not immediately painted to protect the cut thus allowing small beetles to carry the fungal spores from an infected tree into a previously uninfected tree through the open wound, or an infected tree may transmit the disease through interconnected root systems; and

WHEREAS, in San Antonio there are several active oak wilt centers in the northwest area of the City; the oak wilt fungus and the beetles that may transmit the fungus are especially active during the spring months, and the Texas A&M Forest Service recommends not to prune oak trees during the months of February through June to prevent the spread of oak wilt; and

WHEREAS, the Solid Waste Management Department (SWMD) provides two curbside brush and two curbside bulky collections to each customer per year; and

WHEREAS, Councilman Joe Krier submitted a Council Consideration Request (CCR) on March 31, 2016, for a stronger oak wilt suppression program in the City and specifically requested the City change the brush collection schedule to avoid collection between February 1 and July 1; and

WHEREAS, in order to prevent the further spread of oak wilt in San Antonio, the SWMD has recommended changes to the brush collection schedule to avoid notification of scheduled curbside brush collection in active oak wilt areas between February 1 and June 30, while maintaining two brush and two bulky collections annually in the active oak wilt areas; and

WHEREAS, this Ordinance will memorialize the proposed brush collection schedule changes in active oak wilt areas in response to the Council Consideration Request from Councilman Joe Krier regarding a stronger oak wilt suppression program; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. SWMD will avoid notification of scheduled curbside brush collection in active oak wilt areas between February 1 and June 30. These areas in the north and northwest will receive their former spring brush collection in July and August. Areas outside of the active oak wilt areas, including the south and east sides of the City, will receive their former spring brush collection earlier, in approximately May and June. In order to make this schedule change before spring, SWMD started to transition into the new schedule on September 12, 2016.

SECTION 2. The actual collection dates may vary to accommodate holidays and other scheduling constraints, and the SWMD is authorized to make any future brush or bulky collection schedule changes and to adjust the boundaries of the active oak wilt areas as required to effectuate the purposes of this Ordinance without further action by the Council. Nothing in this Ordinance shall prohibit the SWMD from responding to emergency situations, or providing unscheduled, or other out of cycle, brush collections throughout the City.

SECTION 3. This Ordinance is anticipated to have no additional fiscal impact.

SECTION 4. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED and APPROVED this **th** day of _____, **2016**.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney