

## **Trees Overhanging Street and Sidewalks**

### **Section 1. Property Owners to Keep Trees Trimmed to Required Clearance Above Streets and Sidewalks**

It shall be the duty of every owner of property fronting upon or alongside any street or alley in the Borough to trim and keep trimmed all trees planted or growing upon that property or upon the sidewalk area adjacent to that property so that no part of the tree, or of its branches or foliage shall be closer than 15 feet above the surface of the roadway of the street or nine (9) feet above the surface of the sidewalk.

### **Section 2. Property Owners to Remove Trees Causing Damage to Sidewalk**

It shall be the duty of every owner of property in the Borough to remove any tree, growing upon that property or upon the sidewalk area adjacent to that property, upon notice from Council, when the roots of the tree have caused any part of the sidewalk to heave up, be cracked or otherwise disturbed, and then to repair or reconstruct the sidewalk, as required by Council, so as to place the walk in proper condition.

### **Section 3. Penalty for Violation**

Any person who violates any provision of this article, or who fails to fulfill his duty, as required by this article, shall be guilty of an offense, and, upon conviction, shall be subject to penalty.

This is a sample ordinance. We suggest that it be modified, as appropriate, to fit the needs of your borough. We also suggest that all proposed ordinances be reviewed by your solicitor. Although these are samples of ordinances which have been adopted by other municipalities, the Association cannot assume responsibility for ensuring their legality. We are pleased to provide this service free of charge to our members. If we can be of further assistance, please do not hesitate to contact us: **PENNSYLVANIA STATE ASSOCIATION OF BOROUGHES**, 2941 North Front Street, Harrisburg, PA 17110. 717-236-9526.