

TREES

Definitions and Interpretation. The word “person”, as used in this Ordinance, shall mean and include any natural person, partnership, association, firm or corporation. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

Restrictions on Planting and Growing of Certain Trees. It shall be unlawful for any person to plant, maintain or allow to grow any Carolina poplar or willow within the lines of any street, alley or sidewalk in the Borough or within one hundred (100) feet of any public sewer or water line.

Clearance Above Street and Sidewalk. Every owner of property in the Borough shall be required to keep the limbs and branches of all trees growing upon such property or along the street, sidewalk, curb or alley abutting upon such property trimmed so that no part of such limbs or branches or of the foliage growing thereupon, shall have a clearance of less than eight (8) feet above the surface of the sidewalk or of less than fourteen (14) feet above the surface of the sidewalk or of less than fourteen (14) feet above the surface of the roadway of any street or alley below such limbs or branches.

Removal and Trimming of Trees. It shall be the responsibility of the owners of real estate in the Borough to conform to the requirements of this Ordinance as to trees upon real estate owned by them, or along streets, alleys and sidewalks abutting upon such real estate, and, upon notice from the Borough Council, to remove any tree or trees growing in violation of the restrictions above, and to trim or cut the branches or limbs of trees as required above. Any person failing to comply with any such notice, within the time limit stated therein, shall be guilty of a violation of this Ordinance and, following the expiration of such time limit, the Borough Council shall have the authority to cause the work required by such notice to be done by the Borough or under contract therewith, and to collect the cost of such work, with an additional amount of ten percent (10%) from such property owner in default.

Penalty for Violation. Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding three hundred dollars (\$300.00) and costs of prosecution, or to undergo imprisonment for a term not to exceed thirty (30) days.

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.