

Chapter 25

Trees

Part 1

Trees

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Part 1**Trees****§25-101. Prohibition on Planting Trees Within Street or Sewer Rights-of-Way.**

From the date of enactment of this Part, no person shall plant or allow to be planted or grown any tree or plant in any street or street right-of-way, or in any sewer right-of-way or easement. Nor shall any person plant or allow to be planted or grown or maintained anywhere in the Township any of the following trees: willow trees. Nor shall any person plant or allow to be planted or grown or maintained anywhere within 50 feet of any street or street right-of-way, or in any sewer right-of-way or easement any of the following trees: poplar trees, or maple trees.

(Ord. 427, 4/4/2006)

§25-102. Prohibition on Maintaining Any Existing Trees Within Street or Sewer Rights-of-Way.

It shall be unlawful for any person to maintain or allow to continue to remain any tree or plant, which tree or part thereof including any portion of its trunk, root system or branches, is within any street or street right-of-way, in any sewer right-of-way or easement, or whose trunk is within 50 feet of such street or sewer right-of-way, which tree does, or in the opinion of the Township Code Official may by its nature be of a type that tend to cause, or by its own growth is causing or threatens to cause, interference with or cause injury to any sewer lines, streets, or sidewalks, or which interferes with the unobstructed view and safety of the passing pedestrians or vehicles, or which interferes with the unobstructed operation of any street lighting devices or signs, or which is dead, diseased or insect-ridden in whole or part, or which by its growth, placement, condition, or otherwise, poses a risk of danger to the public.

(Ord. 427, 4/4/2006)

§25-103. Duties of Private Owners.

It shall be the duty of any person growing or maintaining an existing tree as delineated by §§25-101 or 25-102 hereof to prevent any such damage or interference and to remove any tree that has or may cause interference with or injury to any sewer lines, streets, or sidewalks; to remove or trim any tree or portion thereof which interferes with the unobstructed view and safety of the passing pedestrians or vehicles or interferes with the unobstructed operation of any street lighting devices or signs; to remove any tree which is dead in whole or part, or which by its growth, placement, condition, or otherwise, poses a risk of danger to the public; and to treat or remove any tree or plant whose disease or insect-ridden condition may constitute a hazard to other nearby trees, plants or structures.

(Ord. 427, 4/4/2006)

§25-104. Order to Remove, Trim or Treat Trees; Removal by Township and Authorization to Impose Liens and Take Other Actions to Recover Costs.

1. It shall be the duty of all owners of real property in the Township to comply with the requirements of this Part and to remove, trim, or treat, as applicable, any tree or plant in violation of §§25-101 - 25-103 hereof. The Township Code Official and/or Engineer shall enforce this Part.

2. Any person who fails or refuses to abate any violation of this Part within 30 days of any notice to abate same, or within such lesser time frame as determined to be reasonably necessary by the Code Official or Township Engineer under the circumstances, shall be guilty of violating this abatement requirement of this Part as well and the Township Manager may cause same to be abated and the Township Manager shall render to the property owner a bill covering the cost of such abatement as provided hereinafter.

3. In order to abate any violation of this Part as provided herein, the Township Manager shall have the authority to cause the work required by such notice to abate to be done by the Township or at its discretion under contract therewith and to collect the cost of such work, with an additional amount of 10 percent from such property owner in default, and to collect from any such owner or owners as like debts are by law collected, including filing of municipal claims, liens or other actions as permitted by law. The work to be charged to the property owner is the cost of the removal of tree, shrub, vine, or other vegetation and its roots including the cost of rental equipment necessary to perform the work and the cost of labor necessary to perform the work, whether the labor is performed by Township employees or other persons.

(Ord. 427, 4/4/2006)

§25-105. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 427, 4/4/2006)