

ORDINANCE NO. 253

BOROUGH OF WAMPUM, LAWRENCE
COUNTY, PENNSYLVANIA

TREES

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ORDINANCE NO. 253

AN ORDINANCE OF THE BOROUGH OF WAMPUM, LAWRENCE COUNTY, PENNSYLVANIA, SETTING FORTH RULES AND REGULATIONS REGARDING THE PLANTING OF STREET TREES, ON PUBLIC AND PRIVATE PROPERTY AND THE RIGHTS OF THE BOROUGH OF WAMPUM TO REMOVE SAID TREES IF NOT IN COMPLIANCE WITH THIS ORDINANCE.

SECTION 1. DEFINITIONS

STREET TREES - Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the Borough.

SECTION 2. PLANTING REQUIREMENTS

The planting of trees, shrubs, and bushes along the Borough streets must be set back 2 (two) feet from the inside of the sidewalk onto the private property of the resident. No such trees, shrubs, or bushes are permitted to be on any Borough streets or alley right aways. If such occurrence happens, the Borough has the right to remove all trees, shrubs, and bushes to comply with this Ordinance and the removal of said trees, shrubs and bushes shall be paid by the owner of the real estate abutting which the work is done.

No street tree shall be planted closer than thirty-five (35) feet from any street corner, measuring from the point of the nearest intersection, curb or curb line. No street tree shall be planted closer than ten (10) feet from any fireplug.

No street tree may be planted under or within ten (10) lateral feet of any overhead utility wire or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility.

SECTION 3. PUBLIC TREE CARE

The Borough shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets and alleys as may be necessary to ensure public safety.

The Borough may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which, by reason of its nature is injurious to sewers, electric power lines, gas lines, waterlines or other public improvements or is affected with any injurious fungus, insect or other pest.

SECTION 4. PRUNING AND CORNER CLEARANCE

Every owner of any tree overhanging any street or right-of-way within the Borough shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of ten (10) feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees or broken or decayed limbs which constitute a menace to the safety of the public. The Borough shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from

a street light or interferes with visibility of any traffic control device or sign.

SECTION 5. REMOVAL OF DEAD OR DISEASED TREES

The Borough shall have the right to cause the removal of any dead or diseased trees on private property within the Borough when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the Borough. The Borough Secretary will notify, in writing, the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service of notice. In the event of failure of owners to comply with such provisions, the Borough shall have the authority to remove such trees and charge the cost of removal on the property owners.

SECTION 6. RIGHTS OF BOROUGH COUNCIL

The Borough Council shall have the right to make and enforce all the decisions regarding this Ordinance. Any person may appeal any ruling in writing to Council, and Council will hear the matter and make the final decision.

SECTION 7. VIOLATIONS AND PENALTIES

Any person violating any provision of this Ordinance shall be, upon conviction or a plea of guilt, subject to a fine not to exceed One Hundred (\$100.00) Dollars.

In the event that any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be invalidated by such action.

Any ordinances or any part of any ordinance which conflict with this Ordinance are hereby repealed.

ENACTED AND ORDAINED by the Council of the Borough of Wampum, Lawrence County, Pennsylvania, this 13th day of November, 1995.

BOROUGH OF WAMPUM

BY Victor Short Sr.
President of Council

ATTEST:

Susan Beall
Borough Secretary

Examined and approved this Nov. 15, 1995.

Alfonso Demark
Mayor of the Borough of Wampum