

**CHAPTER XXX**

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Part 1

Trimming of Trees

Section 101. Definitions. The word "person," as used in this Part, 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. (Ordinance 216, December 10, 1990, Section 1)

Section 102. Clearance Above Street and Sidewalk. Every owner of improved or cultivated lands located in the Township of Spring, Berks County, Pennsylvania shall be required to keep limbs and branches of all shrubs and/or trees growing upon such lands and along the street and/or sidewalk, abutting upon such lands, trimmed so that no part of such limbs and/or branches or of the foliage growing thereupon, shall have a clearance of less than seven (7) feet above the surface of the sidewalk and less than twelve (12) feet above the surface of the roadway of any street. (Ordinance 216, December 10, 1990, Section 2)

Section 103. Removal and Trimming of Trees. It shall be the responsibility of property owners in the Township of Spring, Berks County, Pennsylvania, to conform to the requirements of this Part as to shrubs and/or trees upon property owned by them, along streets, and/or sidewalks abutting upon such property, and, upon notice from the Code Enforcement Officer of the said Township of Spring to trim or cut the branches or limbs of shrubs and/or trees as required by Section 2 hereof. Any person failing to comply with any such notice, within the time limit stated therein, shall be guilty of a violation of this Part and, following the expiration of such time limit, the Code Enforcement Officer of the said Township of Spring shall have the authority to cause the work required by such notice to be done by the said Township of Spring or under contract therewith, and to collect the cost of such work, with an additional amount of ten (10%) percent from such property owner in default. (Ordinance 216, December 10, 1990, Section 3)

Section 104. Penalty. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred (\$600.00) dollars, and in default of the payment of the fine and costs shall be committed and sentenced to the Township lockup for a period not exceeding five (5) days, or to the county jail, or workhouse for a period not exceeding thirty (30) days. (Ordinance 216, December 10, 1990, Section 4)

Section 105. Severability. If any sentence, clause, section, or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Part. It is hereby declared as the intent of the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania, that this

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Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ordinance 216, December 10, 1990, Section 6)

Part 2

Removal of Diseased or Dangerous Trees

Section 201. Owner to Cut and Remove Trees. Each owner of property located within the Township of Spring, Berks County, Pennsylvania, shall cut and remove trees located on such property if the condition of the trees through disease or otherwise, unreasonably affects or interferes with the health, safety or welfare of the public or the right of the public to the unobstructed use of public roads or property. (Ordinance 258, June 23, 1997, Section 1)

Section 202. Notice; Failure to Comply. Within thirty (30) days after the date of notice by certified mail, return receipt requested, to remove such tree, the property owner has not complied with that order, the Board of Supervisors of Spring may enter the premises and remove the tree. (Ordinance 258, June 23, 1997, Section 2)

Section 203. Cost of Cutting and Removal. The cost of cutting and removal of such tree by the Township of Spring shall be charged to the property owner. The charge shall be a lien against the real estate of the property owner and should be collected in the same manner as other municipal liens. (Ordinance 258, June 23, 1997, Section 3)

Section 204. Word Usage. The use of a word or words in the singular shall be interpreted in this Part so as to mean a word or words in the plural. (Ordinance 258, June 23, 1997, Section 4)