

## ORDINANCE NO. 659

### AN ORDINANCE REGULATING THE CLEARANCE OF TREES ABOVE THE HIGHWAYS AND SIDEWALKS WITHIN PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, PRESCRIBING DUTIES OF PROPERTY OWNERS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Penn, York County, Pennsylvania, and its hereby enacted and ordained by the authority of the same as follows:

#### Section 1 Responsibility for Trimming Trees

It shall be the duty and responsibility of the owner(s) of every property located within Penn Township to trim or cut or keep trimmed or cut, the trees standing along the street abutting the front, side or rear of said property so that branches thereof shall have a clearance of at least fourteen (14) feet above the cartway or paved area of the street along said property and shall have a clearance of at least seven (7) feet above the sidewalk or future sidewalk area; and shall so trim trees so that they shall not obstruct the street lighting or interfere with the wiring or the proper maintenance of public utilities. The cost of such trimming shall be borne by the property owner except where the work is specially required to protect and maintain utility wires, in which case the cost shall be borne by such utility.

#### Section 2 Township May Remove Obstructions or Encroachments

The Township may remove or cause to be removed any trees, branches, limbs, hedges or shrubbery in the roadway which obstructs traffic, street lighting, or which is inconvenient or dangerous to the passing public.

#### Section 3 Access to Private Property When Required

Where it is necessary to enter upon private property in order to accomplish said trimming, the work shall be done so as to comply with any reasonable requirements of the owner or tenants.

#### Section 4 Vision Obstruction Along Streets Prohibited

The owners of properties within Penn Township shall trim all trees, hedges, shrubbery and other vegetation on their respective properties so as not to obstruct the vision of motorists traveling on the street bordering said properties.

#### Section 5 Township Work at Cost of Defaulting Owner

Should any property owner fail or refuse to properly trim trees, limbs, branches, hedges, shrubbery or other vegetation in accordance with the provisions of this ordinance, the Township shall cause the same to be done and invoice the property owner for the cost of same.

Section 6 Penalties

Penalties for violations of this ordinance shall be those set forth in Section 101 of the Penn Township Code.

Section 7 Severability

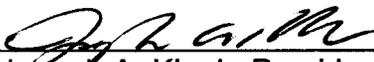
If any provision of this ordinance or its application to any person or circumstance is held invalid, said invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application of this ordinance.

Section 8 Effective Date

This ordinance shall become effective upon final adoption and publication in the manner prescribed by law.

ENACTED AND ORDAINED this 19th day of March 2007.

Board of Commissioners of Penn Township

By:   
Joseph A. Klunk, President

Attest:

  
Kristina J. Rodgers, Secretary