

CHAPTER 25

TREES

PART 1

PROHIBITED AND DANGEROUS TREES

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PART 1

PROHIBITED AND DANGEROUS TREES

§25-101. Carolina Poplar Trees Along Streets.

Hereafter it shall be unlawful to plant or maintain any Carolina Poplar tree within the right-of-way of any public street of the Borough of Aspinwall.

(Ord. 224, 3/11/1912; §12903; as amended by Ord. 806, 6/11/1986)

§25-102. Removal of Dangerous Trees; Time Limit.

1. All Carolina Poplar trees now existing within any public street in the Borough are hereby declared to be, individually and collectively, a public nuisance, and if after 30 days' notice the owner of any property abutting thereon shall fail to cut down, ill or remove such tree or trees, the work shall be done by the Borough and the cost paid by the property owner together with a penalty equaling 10% of the cost of the tree removal.
2. The provisions of this Section shall apply as well to any tree causing or liable to cause damage to any public sewer, water line, pavement or other public improvement or obstructing the proper use of a public street by the public.

(Ord. 224, 3/11/1912; §12904; as amended by Ord. 806, 6/11/1986)

§25-103. Permission Required to Plant or Remove Trees within Street Lines.

The planting or removal of any tree, shrubbery or other vegetation within the right-of-way of any Borough street shall require written permission from the Borough Manager, and the work completed under the direction of the Manager. Should a tree or other vegetation be planted or removed without proper permission, the person responsible, or the owner of the abutting property, shall pay the full cost of removing or replacing the tree or other vegetation.

(Ord. 224, 3/11/1912; §12905; as amended by Ord. 806, 6/11/1986)

§25-104. Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$600 for each violation, plus costs, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses.

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2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.
3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(*Ord. 224*, 3/11/1912; §12906; as amended by *Ord. 806*, 6/11/1986; and by *Ord. 995*, 12/10/2003)