ORDINANCE NO. 1999-8

AN ORDINANCE OF THE BOROUGH OF ROARING SPRING REPEALING ORDINANCE NO. 1986-7 RELATING TO THE TRIMMING OF TREES AND PROVIDING FOR A NEW ORDINANCE RELATING TO TRIMMING OF TREES, BUSHES AND OTHER VEGETATION AND PENALTIES FOR FAILURE TO DO SO

BE IT ORDAINED AND ENACTED by the BOROUGH OF ROARING SPRING, Blair County, Pennsylvania, and it is hereby enacted by the authority of the same that the BOROUGH OF ROARING SPRING hereby adopts the following Ordinance concerning trimming of trees, bushes and other vegetation within the Borough of Roaring Spring.

Section 1. That from and after the passage of this Ordinance, all trees, bushes and other vegetation along the sides of streets, alleys or other public thoroughfares in the Borough of Roaring Spring shall be trimmed by the owner of said property or by the tenant therein so that the outer limbs or branches of said trees, bushes or other vegetation shall not grow in such a manner as to hide or make difficult to see any street signs of the Borough of Roaring Spring including stop signs, parking signs or any similar signs; or that would obstruct the vision at intersections such that a driver and/or pedestrian could not see approaching vehicles in the intersection area; or that the trees, bushes or vegetation would grow over sidewalks causing hazards to pedestrians.

Section 2. Every owner of property in the Borough of Roaring Spring shall be required to keep limbs and branches of all trees, bushes or other vegetation growing upon such property or along the street, sidewalk, curb or alley abutting upon such property trimmed so the foliage growing thereupon shall have a clearance as follows:

1. No less than ten (10.0) feet above the surface of all sidewalks of the Borough;

2. No less than twelve (12.0) feet above the surface of the following streets: Main Street, East Main Street, Spang Street, Bloomfield Street, South Main Street and Robinson Avenue.

3. No less than twelve (12.0) feet above the surface of all other roadways streets or alleys in the Borough.

Section 3. It shall be the duty of the Borough Maintenance Supervisor and/or an officer of the Police Department to determine whether any owner or owners within the Borough are failing to comply with this Ordinance and upon such finding, a letter shall be sent to the owner and/or tenant of said property to bring their property into compliance with this Ordinance within thirty (30) days. Failure to do so shall result in the Borough having the right to proceed to have said trees, bushes or other vegetation trimmed so as to bring said property into compliance with this Ordinance and the costs thereof shall be assessed upon the owner and/or tenant of the property.

Section 4. In addition to the above remedies as herein set forth, any person or persons, corporation, partnership or other entity failing to comply with the provisions of this Ordinance shall on conviction be made to pay a fine of not less than $25.00 nor more than $300.00 for each tree, bush or other vegetation not cut or trimmed in accordance with this Ordinance. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 5. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been

adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 6. This Ordinance may be enforced by the Police Department of the Borough of Roaring Spring.

Section 7. Effective Date. This Ordinance shall take effect immediately upon passage.

ORDAINED AND ENACTED this 11 day of October , 1999.

BOROUGH OF ROARING SPRING

ATTEST:

Lisa A. Notes   BY: _Herschell D. Warner_

APPROVED as an Ordinance of the Borough of Roaring Spring, this 11 day of October 1999.

Paul Holsinger
Mayor