

## Chapter 187

### TREES

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[HISTORY: Adopted by the Borough Council of the Borough of Camp Hill 9-11-1967 by Ord. No. 739, approved 9-11-1967. Amendments noted where applicable.]

#### GENERAL REFERENCES

Shade Tree Commission — See Ch. 54.

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#### § 187-1. Purpose.

The following regulations are adopted hereby as the rules and regulations to be employed by the Shade Tree Commission of the Borough in the exercise of its duties.

#### § 187-2. Powers and duties of Shade Tree Commission.

The Shade Tree Commission shall have exclusive custody and control of the shade trees on and along the legal right-of-way of the streets and highways in the Borough and may plant, remove, maintain and protect shade trees along such streets and highways or cause the same to be done. The Commission may require the planting or replanting of shade trees along streets and highways in the Borough. The kind of tree, size and alignment and location of the trees shall be determined by the Commission but shall not prevent necessary and reasonable use of the streets, sidewalks, abutting property or the conduct of business. The Commission shall act as an advisory group for the planting and care of trees on Borough property other than streets. Trees shall not be planted closer than 25 feet to an existing or proposed street intersection.

#### § 187-3. Responsibility for costs.

The cost of furnishing, planting, transplanting or removing any shade trees on or along the streets and highways of the Borough, of the necessary suitable guards, curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed

in the execution of such work shall, when notified by the Borough, be paid by the owner of the real estate abutting the property on which the work is done. If the assessment against the property is not paid within a specified time, a claim may be filed and collected in the same manner as municipal claims are filed and collected.

**§ 187-4. Protection of trees; moving of buildings.**

- A. No person shall plant, cut, trim or remove any shade tree under the jurisdiction of the Shade Tree Commission or fasten any sign, wire, rope or other materials to, around or through any such shade tree or deposit, place, store or maintain any stone, brick, sand, concrete or other material which may impede the free passage of water, air or fertilizer to the roots of any such shade tree unless he shall first obtain a permit from the Shade Tree Commission so to do. Application for said permit shall be available at the Borough office.
- B. No person shall move any building or other object on or over any public street within the Borough in such a manner as to damage or injure any shade tree or shrub in such street unless he first obtains a permit from the Shade Tree Commission so to do.
- C. As a condition to any permit to move any building or object on or over any public street, the Shade Tree Commission may require the applicant to furnish bond in the amount sufficient to cover any damage or injury to any shade tree or shrubs in such street, and it may direct the route of any such moving so as to minimize damage or injury to shade trees and shrubs. Permits for trimming of trees for clearance purposes performed by or on behalf of utilities must be obtained in advance for other than emergency work. Permits may be requested on an area basis.

**§ 187-5. Charge for repairs or replacement.**

In the event of a shade tree being damaged by any person, the Shade Tree Commission may make a charge for repairs to the tree, plus the devaluation of the tree, against the person causing the damage to said tree. In the event of a shade tree being destroyed by any person, the Shade Tree Commission may make a charge for the appraised value of the tree, plus the cost of removal and replacement thereof, against the person causing the destruction of said tree.

**§ 187-6. Trees damaged by natural causes.**

In the event that any shade tree or trees are felled by storm or other casualty, said tree, branches or stumps thereof shall be removed from the cartway by the Borough without charge. Replacement of such trees will be made at the discretion of the Shade Tree Commission and at the expense of the property owner.

**§ 187-7. Branches over streets and sidewalks. [Amended 8-13-1997 by Ord. No. 964, approved 8-13-1997]**

The Shade Tree Commission shall trim or require trimming of branches from any trees overhanging the sidewalks, streets and highways of the Borough so that the trees shall not obstruct the light from any streetlight and so that in the center of the street there shall be a clear height of 18 feet above the surface of the street; from a distance of six feet from the curb to the curb a clear height of 12 feet from the surface of the street; and over the sidewalks a clear height of eight feet.

**§ 187-8. Trees on private property.**

Any tree along the streets or highways of the Borough or growing on private property but overhanging any street, highway or sidewalk that, in the opinion of the Shade Tree Commission, endangers the life, health, safety or property of the public or which is affected by any contagious disease or insect infestation shall be declared a public nuisance. The owner of the property shall be notified, in writing, of the existence of the nuisance and given reasonable time for its correction or removal. If not corrected or removed within the allotted time, the Shade Tree Commission shall cause the nuisance to be corrected or removed, and the cost thereof shall be assessed to the owner as provided by law.

**§ 187-9. Cooperation between Borough agencies.**

There shall be close cooperation between the Shade Tree Commission and the other Borough departments when their work affects trees on or along Borough streets or highways.

**§ 187-10. Expenditures of Shade Tree Commission.**

Expenditures shall not be made or obligated by the Shade Tree Commission without approval of the Borough Council. The Commission shall annually report to the Borough Council its transactions and expenses for the last fiscal year for the Borough.

**§ 187-11. Violations and penalties. [Amended 12-9-1987 by Ord. No. 891, approved 12-9-1987]**

Any person violating or failing to comply with any of the provisions of this chapter or any permit issued as provided for by this chapter or who shall prevent, delay or interfere with the execution or enforcement of this chapter shall, upon conviction before the District Justice, pay a fine not exceeding \$300, plus costs of prosecution, and in default of payment of such fine and costs, be imprisoned in the county jail for a term not exceeding 30 days. A separate penalty shall be assessed for each day that the violation continues.

