

BOROUGH OF HUGHESVILLE
LYCOMING COUNTY, PENNSYLVANIA
ORDINANCE NO. 2013-___

**AN ORDINANCE OF THE BOROUGH OF HUGHESVILLE, LYCOMING
COUNTY, PENNSYLVANIA, AMENDING CHAPTER 23 “TREES”,
SECTION 1 “TRIMMING OF SHADE TREES OVER STREETS AND
SIDEWALKS” OF THE CODE OF THE BOROUGH OF HUGHESVILLE
ORIGINALLY ADOPTED ON JULY 7, 1910 BY ORDINANCE AND AS
AMENDED BY SUBSEQUENT ORDINANCES.**

WHEREAS, the Borough of Hughesville (the “Borough”) has the authority to regulate shade trees pursuant to the Borough Code, 53 P.S. §46202 (37) and 53 P.S. §47721, et. seq.; and

WHEREAS, the Borough Council of the Borough of Hughesville, Lycoming County, Pennsylvania (the “Borough Council”), has previously established regulations related to shade trees over Borough streets and sidewalks; and

WHEREAS, The Borough Council has determined that it is in the best interest and welfare of the citizens of the Borough to amend the regulations related to shade trees to include alleys; and

WHEREAS, Borough Council has determined that it is in the best interest of all residents and travelers in the Borough to amend regulations related to shade trees to include alleys to ensure safe travel; and

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Borough Council as follows:

Article 1

Section 1 of Chapter 23 of the Code of the Borough of Hughesville is amended to read as follows:

§1. Trimming of Shade Trees over Streets and Side walks.

All shade trees overhanging streets and sidewalks of the Borough of Hughesville, three inches or more in diameter as measured one foot from the ground, shall be trimmed and shall be kept trimmed to a height of eight feet above the sidewalk and fourteen feet above all streets and alleys. All shrubs, bushes and weeds shall be trimmed back from the alleys to a minimum distance of 12 inches from the edge of the alley. The edge of the alley is seven (7) feet from the center line of the alley. All shrubs, bushes and weeds shall be trimmed eight (8) feet back from the center line of the alley.

§2. Penalty for Violation.

If after ten (10) days' notice to the owner or occupant of any land upon which said shade tree, trees, bushes or shrubs may be located, said trees, bushes or shrubs are not trimmed in accordance with the provisions of this ordinance, the Borough shall proceed to trim said trees, bushes or shrubs and the cost of such work shall be charged to and shall be paid by said owner, and shall be collected as fines are collected. Any person or persons, or corporations violating any of the provisions of this ordinance, in addition to being liable for costs incurred by the Borough authorities, shall, upon summary conviction thereof, be sentenced to a fine of not less than one hundred dollars (\$100.00), not to exceed six hundred dollars (\$600.00), and costs of prosecution.

Article 2

All other sections and provisions of the existing Chapter 23 "Trees" are reaffirmed.

Article 3

This Ordinance shall be effective beginning January 15, 2013.

DULY ENACTED AND ORDAINED this 15 day of January, 2013, by Borough Council of the Borough of Hughesville, Lycoming County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF HUGHESVILLE

By: Sherry Young /s/
Sherry Young, Borough Secretary

By: Jeffrey Berger /s/
Jeffrey Berger, Council President

APPROVED by me this 15 day of January, 2013.

By: Walt Reed /s/
Walt Reed, Mayor