

Chapter 141

TREES

§ 141-1. Placement of trees in proximity to streets, alleys and borough property.

§ 141-2. Care and maintenance of trees.

§ 141-3. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Montoursville 5-21-1984 as Ord. No. 289. Amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance — See Ch. 114.

§ 141-1. Placement of trees in proximity to streets, alleys and borough property.

A. All plantings of trees or other vegetative material within the Borough of Montoursville must comply with the Montoursville Borough Zoning Ordinance, 3.12(e) relating to projection of plantings onto adjacent property, and 3.17(a)(b) relating to obstructions of vision.

B. Trees may be planted within the Borough of Montoursville in proximity to streets, alleys and other Borough property, provided that such planting is in accordance with the standards hereinafter set forth.

(1) When the distance between the curb and the sidewalk is less than eighteen (18) inches, a tree shall not be planted.

(2) When the distance between the curb and the sidewalk is not less than eighteen (18) inches nor greater than twenty-four (24) inches, the following trees may be planted and shall be centered between the curb and sidewalk:

Callery Pear – *Pyrus calleryana*

Columnar Red Maple – *Acer rubrum columnar* Columnar Sargent Cherry – *Prunus sargentii columnar*

Greenspire Linden – *Tilia cordata* Greenspire

Pyramidal English Oak – *Quercus robur fastigata*

Upright American Hornbeam – *Carpinus caroliniana pyramidalis*

Upright European Hornbeam – *Carpinus betulus fastigata*

Upright Ginkgo – *Ginkgo biloba fastigata*, male trees only

(3) When the distance between the curb and the sidewalk is not less than twenty-four (24) inches nor greater than forty-eight (48) inches, the following trees may be planted and shall be centered between curb and sidewalk:

All trees listed previously in § 141-1B(2).

Allegheny Serviceberry – *Amelanchier laevis*

American Hophornbeam – *Ostrya virginiana*

American Hornbeam – *Carpinus caroliniana*

Baumann Horsechestnut – *A.C. Baumanii*

Chinese Elm – *Ulmus parviflora*

Downy Serviceberry – *Amelanchier canadensis*

European Hornbeam – *Carpinus betulus*

Ginko – *Ginko biloba*, male trees only

Golden Raintree – *Koelreuteria paniculata*

Japanese Crabapple – *Malus floribunda*

Kwanzan Flowering Cherry (Kwanzan) – *Prunus serrulata*

Littleleaf Linden – *Tilia cordata*

Ruby Horsechestnut – *Aesculus carnea brioti*

Siberian Crabapple – *Malus baccata*

Thornless Honeylocust – *Gleditsia tricanthos*

Willow Oak – *Quercus phellos*

Yellowwood – *Cladrastis lutea*

- (4) When the distance between the curb and the sidewalk is greater than forty-eight (48) inches, any species of tree may be planted and shall be centered between the curb and sidewalk.
- C. When there are no sidewalks or curbs in existence, trees may be planted, but only after consultation with the Borough Engineer or the Montoursville Borough Street Commissioner. Any costs incurred by the borough in connection with ascertaining the proper location for planting shall be borne by the property owner.
- D. If trees are planted within twenty-four (24) inches of the sidewalk on the house side of the sidewalk, then such trees shall be of the varieties set forth in § 141-1B(2) above.

§ 141-2. Care and maintenance of trees.

The owners or occupiers of real property within the Borough of Montoursville which property has trees planted in proximity to borough streets, alleys or other borough property, as above set forth, shall have the following responsibilities to:

- A. Ensure that all dead limbs are removed.

- B. Trim all trees in such a fashion that there is a clearance of fourteen (14) feet between the foliage on any tree and the roadway, alleyway or borough property, for trees overhanging a roadway, alleyway or other borough property.
- C. Trim all trees so that there is a clearance of nine (9) feet above sidewalks for trees overhanging a sidewalk.
- D. Remove all dead trees.
- E. Eliminate or trim any tree which, in the opinion of the Borough Street Commissioner, presents a safety hazard or obstruction to borough improvements.

§ 141-3. Violations and penalties.

- A. Any person violating any provision of this chapter may be cited and upon conviction shall be guilty of a summary offense and shall be subject to the penalty as set forth in Chapter 1, General Provisions, Art. II, General Penalty.¹
- B. If the tenant, occupant or owner of said real property within the Borough of Montoursville violates any provision of this chapter, the borough may correct such violation with borough employees or contract with a third party to correct the violation and may collect all costs and expenses incurred in connection with correcting the violation from the tenant, occupant or owner of said real estate. The borough may collect all costs and expenses incurred in connection with correcting the violation by a civil action or by municipal lien. [Amended 10-10-1994 by Ord. No. 355]

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

